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BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

Re: RM -9242 REPLY COMMENTS

1. COMES NOW COSMOPOLITAN ENTERPRISES OF VICTORIA, INC.,licensee of radio station KTXN-FM, Victoria,Texas, and JOHN J. (JOE) TIBILETTI, individually in submitting reply comments on the matter of the above described docket insubstance of the matter of low power radio stations for consideration of the Federal Communications Commission.

2. Commentator now re-iterates its comments as previously submitted and elaborates on the overall matter of petitioner's original request in this matter.

3. All statements as previously placed into the record in this docket commentator hereby cites again as true to the best of his knowledge and experience of over thirty-five years in the radio broadcasting industry.

4. In statements submitted by petitioner there has been a complete dis-regard for reality in a sea of speculation and whatif's and sonices. Specifically statements made concerning the elimination of mileage spacings (or in alternative, signal strength ratios of the desired to the un-desired signal strength). Are all out of line regard the following rules and regulations of the body of allocations facing each radio station in the jurisdiction of the Federal Communications Commission. No one set, or subset, of rules of allocations is silent as to spacing of stations on the second and third adjacent channels. Quoting from the latest edition of applicable rules these mention specifically these adjacent channels in allocations:

Standard broadcast band radio

All U.S.-Mexican agreements

All U.S.-Canadian agreements

C.F.R. Part 73 (subpart AM radio)

Frequency Modulation radio

All U.S.-Mexican agreements

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List of documents of allocations relative to radio that list taboos for the co-channel, first adjacent channel, second adjacent channel, and third adjacent channel:

Frequency Modulation Radio
All U.S.-Canadian agreements
C.F.R. Part 73 (subpart FM radio).

In fact the matter of these channels in specific (2nd and third) are mentioned as of concern in short spaced stations in 73.215. They are not eliminated. As to the matter of the U.S.-Mexican agreements, there is a cpecific definition of a class D FM station with 10 watts of power. To commentator's best recollection, the database of the Mexican communications and the Federal Communications Commission lists only two (2) class D stations in Mexico -- one in Monterrey, the other unknown in location. No where in any literature has there been any articles about the elimination of these taboos to second and third adjcent channels. In the U.S. Mexican agreements these taboos are well spelled out for all classes as is in part 73 of C.F.R. relative to regular FM stations, part 73.215 stations (short spaced), educational (or non-commercial FM stations operating on non-reserved channels which gives specific ratios out to the third adjacent channel) as is the same for FM translators. Thus commentator feels that un-supported by fact these taboos should remain in place. Further a survey of radios available, no data on the sensitivity, and/or selectivity is a part of their specifics. Thus the statements made about better receivers are challenged to show their base in fact. Commnetator admires such brazen un-realistic and un-supported statements to beg the issue of allocations. In short petitioner is wishing and hoping not stating facts for his puny radio projects. As also petitioner has not stated his game plan ultimate goal. In light of being on a web-page of cutting edge technology commentator is curious as to the real intent of petition.

5. Submitted, this thirtieth day of April 1998 and further stating that to the best knowledge all statements herein made by me are true.

For COSMOPOLITAN ENTERPRISES OF VICTORIA, INC.

John J. (Joe) Tibiletti
Its President

For COMMENTATOR, INDIVIDUALLY,

John J. (Joe) Tibiletti

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