

**Before The
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In the matter of:)
Amendment of §73.202 of the)
Commission's Rules - Table of) RM-10446
Allotments for FM Broadcast Stations) MB Docket 02-124
(Amboy, California))

REPLY COMMENTS OF REC NETWORKS

1. REC Networks ("REC") is a supporter of locally owned and diverse radio. REC currently operates several Internet only streams including Anime Hardcore Radio 1, Anime Hardcore Radio 2 and Hardcore J. These stations feature primarily Japanese language music programming targeted to an English speaking audience. REC also operates several websites including the original LPFM Channel Search Tool. REC Networks also represents the interests of independently owned Low Power FM ("LPFM") broadcast stations and their listeners. REC is family owned and operated and we have a lot of ties to the High Desert area of Southern California¹ and were former residents of Pahrump, Nevada².

2. The record now has before it a counterproposal from Cameron Broadcasting, Inc. ("Cameron"), licensee of KFLG(FM), Kingman, Arizona to substitute Channel 234C at Pahrump, Nevada for Channel 234C at Kingman, Arizona. As a result of this counterproposal, several changes in the Table of Allotments would have to be made including the substitution of Channel 231A for Channel 237A at Amboy, California³.

1 - We have family and friends who live in Boron, CA. We are currently physically located in Tempe, AZ and we used to be physically located in Pahrump, NV. Therefore, we frequently travel along Interstate 15 and 40 within California east of Barstow. See also MM Docket 99-25, *"Reply Comments of REC Networks on behalf of the People of Boron, California"*.

2 - We lived in Pahrump, NV between March 1995 and August 1995.

3 - Cameron's Counterproposal at 5.

3. REC is extremely concerned about this counterproposal as it will remove the competitive FM allotment from Kingman while adding a third aural service licensed to Pahrump. Due to the proposed station's predicted city grade coverage over the entire Las Vegas Urbanized Area, REC opposes any application to place a station on Mt. Potosi and license it to Pahrump as demonstrated by the operations of KXTE(FM)⁴.

4. REC is also concerned that the proposed move of KFLG(FM) from Kingman to Las Vegas would place a co-channel short spacing to 9 LPFM applications filed prior to the Radio Broadcast Protection Act⁵ that are already short spaced on the third adjacent channel. If KFLG(FM) is allowed to move to Mt. Potosi, this would eliminate the chance for Las Vegas to be a test market for elimination of third adjacent channel protection as directed by Congress⁶.

5. The record also has before it, a *Motion to Dismiss Counterproposal of Cameron Broadcasting, Inc.* by KJUL License LLC, Inc., ("KJUL") licensee of KSTJ(FM) Boulder City, NV.

6. In the *Motion*, KJUL has withdrawn it's *provisional* consent to be downgraded to Class C0⁷ in order for KFLG(FM) to be able to move to Mt. Potosi and be fully spaced.

4 - See *Pahrump, Nevada* (MM Docket 95-45), Informal letter of Richard Eyre-Eagles. (Note: In that letter, KXTE(FM) was known as KFBI.)

5 - Pub L. No. 106-553, 114 Stat. 2762 (2000).

6 - See *Statement of Michael K. Powell, Chairman on FCC 2nd Report and Order on Low Power FM Radio Service*. - "Meanwhile, as directed by Congress, the Commission has initiated the process of independent testing to determine the impact of LPFM stations that operate without providing third adjacent channel protection to full-service FM and FM translator stations."

7 - KJUL Motion at 1.

8 - KHWY Comments at 3.

9 - REC Comments at 7, KHWY Petition at 2.

7. Commission policy requires that in allotment cases where stations are required to change channel (we consider this a change in channel, 274C to 274C0) and if consent is not reached by more than two impacted stations, the proposal is not entertained.

8. REC feels that our public interest concerns as well as our concerns regarding the LPFM service impact in this Counterproposal are important however they are now moot in light of KJUL's *Motion*.

9. REC wishes to reaffirm our support of the KHWY, Inc. (KHWY) petition to allot Channel 237A to Amboy, California as the proposal would fill in a white area and fill in a coverage gap along Interstate 40 and Historic Route 66⁸. KHWY has the full confidence of REC that if KHWY is awarded the license, that KHWY, Inc. will construct the station in Amboy and operate it as a local service providing local news and traffic information as well as entertainment to thousands of daily travelers along Interstate 40 and Historic Route 66⁹. KHWY has already proven that they are able to provide such a service.

10. Based on the information presented, REC urges the Commission to DISMISS the Counterproposal and GRANT KHWY's petition to amend the Table of Allotments in order to bring Amboy it's first aural service and to fill in significant white and grey areas.

Respectfully Submitted

Rich Eyre for
REC Networks
P O Box 3002
Scottsdale AZ 85271
rec@recnet.com
<http://www.recnet.com>

CERTIFICATE OF SERVICE

A copy of this pleading has been submitted via first class mail to the following parties:

HOGAN & HARTSON L.L.P.
555 Thirteenth Street, N. W.
Washington, DC 20004-1109
Attorneys for KHWY, Inc.

HARRY F. COLE
ALISON J. SHAPIRO
Fletcher, Heald & Hildreth, P.L.C.
1300 N. 17th Street - 11th Floor
Arlington, Virginia 22209
Counsel for Cameron Broadcasting, Inc.

LATHAM AND WATKINS
JOSEPH D. SULLIVAN
555 Eleventh Street, NW
Suite 1000
Washington, DC 20004-1304
Counsel for KJUL License, LLC