

**Statement re: Community of License Change-Section 307(b)**

TeleSouth Communications, Inc. ("TeleSouth"), licensee of Station WKBB(FM), West Point, Mississippi (currently operating on Channel 265C3), requests that the Commission amend the FM Table of Allotments to upgrade Channel 265C3 at West Point to Channel 265C2, and to delete Channel 265C2 from West Point and add it to Mantee, Mississippi, as that community's first local radio service. TeleSouth submits that the proposal would serve the goals of Section 307(b) of the Communications Act, as amended (47 U.S.C. Section 307(b)) and would serve the public interest. In support, TeleSouth states as follows:

**I. Mantee Is a Community for FCC Allotment Purposes.**

Mantee is located in Webster County, Mississippi is alongside Mississippi Route #15, and a few miles west of the Natchez-Trace Parkway (connecting Jackson and Tupelo). Mantee is approximately equidistant among Jackson (150 miles to the southwest), Memphis, Tennessee (to the northwest) and Birmingham, Alabama (to the east). Mantee was recognized in the 2000 United States Census as having a population of 169 people (an increase from 134 people reported in the 1990 Census).

Mantee has a city hall which serves as the government center for the community. Mantee Village uses a mayor/alderman form of local governance. The current mayor of Mantee is Mary Baker, and the City Clerk is Eddie Norman.<sup>1</sup> The City Council consists of five alderpersons, who (together with the Mayor) are elected to four year terms of office. The City Council and Mayor meet regularly at 6:00PM on the first Monday of every month at the city hall to review and discuss matters of interest to the community.

In addition to the city hall facility, Mantee also has a volunteer fire department, a police department (part-time), a water department (Mantee Water Department), a US postal office, a bank (Omnibank), a convenience store/restaurant (Mantee One Stop), two beauty shops (Mantee Beauty Bar and Peggy's), an auto repair shop (Carl's Auto), businesses which sell used auto parts (Red Wine Salvage) and cattle and flatbed trailers (Turner Farms), and a business which manufactures and sells children's clothing (Silly Whispers). Mantee is also the home to the recently-built Mantee Baptist Church, which has a membership of approximately 400.. The Mantee Baptist Church has within it several social, educational, and civic groups which are similar to those existing independently in other communities.

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<sup>1</sup> Information regarding Mantee contained in this Statement was graciously supplied to TeleSouth's counsel by Mayor Baker.

Based on the foregoing, Mantee is clearly a “geographically identifiable population grouping,” and therefore meets the test established by the Commission for status as a community under Section 307(b) (*see Beacon Broadcasting*, 2 FCC Rcd 3469 (1987), *citing FM Assignment Policies and Procedures*, 90 FCC 88 (1982)), as it (i) is recognized as a community in the 2000 U S Census, (ii) has its own community government, city hall building, and public service departments, and (iii) contains a variety of business establishments and other institutions, including several which include “Mantee” in their names.

**II. Upgrade of WKBB’s Channel from 265C3 to 265C2, and Its Reallocation from West Point, MS, to Mantee, MS, Would Be a Preferential Arrangement of Station Assignments under Section 307(b) of the Communications Act of 1934, as Amended.**

As explained in the Engineering Statement of Jefferson Brock, Channel 265C2 can be substituted for Channel 265C3 at the site currently used by Station WKBB, consistent with all Commission spacing requirements (using contour protection). Such an upgrade from Class C3 to Class C2 would enhance the actual coverage of Station WKBB in all directions, thereby increasing service to the public.<sup>2</sup>

Under Section 307(b) of the Communications Act, as amended (47 U.S.C. Section 307(b)), the Commission is directed to make allotments “to provide a fair, efficient, and equitable distribution of radio services.” The Commission’s FM allotment priorities are as follows: (1) first full-time aural service; (2) second full-time aural service; (3) first local aural service; and (4) other public interest matters. Equal weight is given to priorities (2) and (3). *FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

Station WKBB is currently licensed to West Point, Mississippi (2000 U S Census population of 12,145). West Point has two radio stations--WKBB and its full-time sister station WROB(AM). Mantee Village has no stations and there are no pending applications for new stations in the community. Thus, the current proposal to allot Station WKBB to Mantee Village would serve the goal of Priority 3 (see above), without depriving West Point of continued local full-time service from Station WROB. As noted previously, the Brock Statement demonstrates that the instant proposal would enhance the actual coverage of Station WKBB in all directions, and therefore there would not be any actual loss of existing reception service.

Based on the foregoing, it is clear that the upgrade of WKBB’s Channel 265C3 to Channel 265C2, and its reallocation from West Point, MS, to Mantee, MS, would be a preferential arrangement of station assignments under Section 307(b) of the Communications Act of 1934, as amended, and would serve the public interest.

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<sup>2</sup> There is, however, a small area which would lose theoretical service based on the station’s contours from the new allocations reference point. All the theoretical service loss area receives at least five (5) full-time aural services. *See* City of License Change Review.