

**KKUU-FM 224A Indio, California  
Allocation Considerations**

The attached spacing study shows that the proposed operation meets the co-channel and adjacent channel spacing requirements for Class A stations as prescribed in §73.207 of the Commission's Rules.

An apparent short-spacing to a licensed operation of KELT on Channel 224A at Riverside (FCC File No. BLH-19970715KC) is moot in that the Report & Order in MM Docket No. 99-329 reassigned KELT from Riverside to Adelanto. That proceeding is final, and the proposed operation of KKUU is fully-spaced to both the Adelanto 224A allotment site and the subsequently-granted construction permit site for KELT at Adelanto.

An apparent short-spacing to an application for a new station on Channel 223A at Morongo Valley (FCC File No. BNPH-20010906ABV) is also moot, for a number of reasons:

- 1) The Morongo Valley application was not filed during a designated filing window.
  
- 2) The Morongo Valley application is technically deficient in that it specifies an ERP of 1,000 kW for a Class A facility, and is short-spaced to the prior-filed construction permit application for KELT on Channel 224A at Adelanto.
  
- 3) Most importantly, a review of the FM Table of Allotments confirms that there is no FM channel assigned for use at Morongo Valley.

The Morongo Valley application was improperly filed and erroneously accepted for filing. Therefore, it is not necessary for the instant application to provide protection to the Morongo Valley application, and it is respectfully requested that the Commission take prompt action to dismiss BNPH-20010906ABV, if such action is necessary to permit grant of the instant application.

