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April 26, 2010

Via Hand Delivery

Mr. Rodolfo Bonacci
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

**Re: WGRL(FM), Wolverine, MI, Facility No. 170939
BMPH-20091202ACC**

Dear Mr. Bonacci:

Darby Advertising, Inc. ("Darby"), by its attorneys, hereby responds to your March 30, 2010 letter regarding pending application BMPH-20091202ACC, which proposes to change WGRL(FM)'s community of license from Frederic, MI to Wolverine, MI. Your letter states that, under Priority 3 as set forth in the Commission's *Revision of FM Assignment Policies and Procedures*, a first local service at Frederic is preferred over a first local service at Wolverine because Frederic has a larger population than Wolverine. Wolverine's population, according to the 2000 Census, is 359 persons.

Frederic, Michigan is a small, unincorporated community, located within Frederic Township, Michigan. Frederic is located on the middle branch of the Au Sable River, about 10 miles northwest of Grayling, Michigan via county roads. The U.S. Census Bureau does not collect population information for Frederic, and no other official record of Frederic's population is available. However, according to a Frederic Township official, the community of Frederic consists of approximately 230 households. Many of these households are vacation and weekend homes without permanent residents.

Frederic Township is a civil township of Crawford County, MI. It has a population of approximately 1,401 persons. Frederic and Frederic township are distinct from one another. Frederic has its own ZIP code and, as evidenced by the attached pictures, its own post office, and other local facilities such as churches and preschools. In addition, highway signs reference Frederic separately from Frederic Township.

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The allotment for this new FM station was for Frederic, not Frederic Township.¹ When Darby submitted its application for a construction permit for this new station, it proposed that the station's 70 dBu contour would cover Frederic, not Frederic Township.² However, in the rulemaking proceeding for the allotment, some of the information regarding population and other facts submitted for Frederic by the proponent (which was not Darby) actually pertained to Frederic Township.³ That information evidently resulted in the present confusion. In addition, due in part to the fact Census population data is not available for Frederic, Darby's pending application also mistakenly referred to Frederic Township's population.

Accordingly, in light of the fact that Wolverine evidently has a larger population than Frederic, Darby respectfully requests that the Commission find that a first local service is preferred for Wolverine over Frederic according to Priority 3 and grant Darby's pending application to change WGRL's community of license.

Please contact me with any questions.

Sincerely,


Howard M. Liberman

¹ *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations*, 17 FCC Rcd 6630, 6635 (Audio Div. April 12, 2002).

² See BNPH-20070501AGT.

³ *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations*, 16 FCC Rcd 15801, 15804 (Aug. 24, 2001).



Frederic
NEMCSA
Head Start

**FREDERIC
WORSHIP CENTER
CHURCH OF GOD**

SUNDAYS 11AM

PASTOR GARY THOMPSON



UNITED STATES

PO OFFICE

FREDERIC MI

Welcome to Frederic, Michigan!

* Come worship with us at *



First Baptist Church

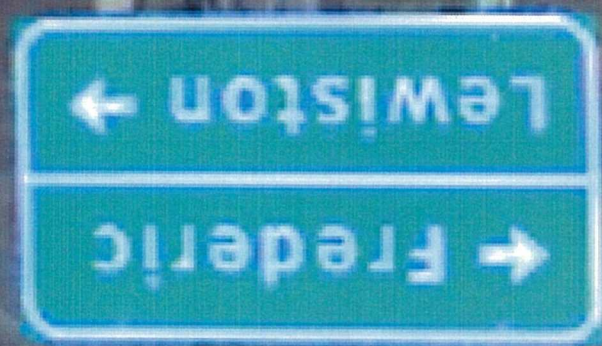
* Independent *

* Fundamental *

* Christ Centered *

* Friendly *

* Evangelistic *



EXIT 264

Frederic
Lewiston

