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JUL 20 2000

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Application of)
)
Buchanan Broadcasting)
Company, Inc.)
)
To Extend STA for WJNT-FM1,)
Pearl, Mississippi)

To the Mass Media Bureau

FCC File No. 2000 062 AFB

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FEDERAL COMMUNICATIONS COMMISSION

INFORMAL OBJECTION

WFMN Radio, Inc. (hereafter "WFMN"), licensee of Station WFMN(FM), Flora, Mississippi, by its attorneys and pursuant to Section 73.3587 of the Commission's rules, 73 C.F.R. §73.3587, hereby objects to and urges the denial of the Request for Extension of Special Temporary Authority for WJNT-FM1, Pearl, Mississippi, filed June 21, 2000 by Buchanan Broadcasting Company, Inc. (hereafter "Buchanan"). In support thereof, WFMN respectfully states as follows:

I. Introduction

1. By letter, date stamped December 20, 1999, the Commission granted Buchanan an STA, expiring June 30, 2000, to duplicate the programming of commonly owned Station WJNT(AM), Pearl, Mississippi on FM Channel 280 "during nighttime hours only, as specified on its AM Broadcast License" (see Appendix A hereto). The purpose of the

STA was to "alleviate serious nighttime interference caused by a co-channel Cuban station" by allowing Buchanan "to maintain its service of station WJNT[AM] to the community of Pearl, during nighttime hours only" (Ibid).

2. By letter dated June 21, 2000, Buchanan requested the Commission to extend the STA "along the same lines" as granted in the FCC's December 20, 1999 letter, expressing the belief that "the FM facility is achieving its intended purpose" (Appendix B hereto). WFMN would urge the Commission to deny the extension because Buchanan has consistently operated WJNT-FM1 during daytime hours in express violation of its STA.

II. Statement of Interest

3. WFMN is a Class C3 FM station which operates on 97.3 MHz with Effective Radiated Power (ERP) of 21 kw and Height Above Average Terrain (HAAT) of 112 meters. WFMN provides primary (1 mV/m) coverage to Jackson and adjacent Pearl, Mississippi and competes for audience and revenues with Buchanan's Station WJNT(AM), which is authorized to operate on 1180 kHz with power of 50 kw during daytime hours, 10 kw during critical hours and 500 watts at night, and with Buchanan's Station WJNT-FM1, which is authorized to operate during nighttime hours only with an ERP of 500 watts and an HAAT of 74 meters.

III. The Merits

4. WJNT-FM1 went on the air Monday, May 29, 2000 during daytime hours, that is, at 3:00 p.m. Its web-site promotional material indicates that as of May 30, 2000 "all is operating as expected!!" In a subsequent update (as of June 12, 2000) listeners are advised that "WJNT-FM1 can now be heard each night at 103.9 FM" (Appendix C hereto).

5. WFMN has monitored WJNT-FM1 and has observed that Buchanan has operated the FM station during daytime hours each day since it commenced operation. Typically, Buchanan signs WJNT-FM1 on about 5:00 p.m. local time (4:00 p.m. Non-advanced) and signs WJNT-FM off about 8:30 a.m. or 9:00 a.m. local (7:30 a.m. or 8:00 a.m. Non-advanced) time. Often, Buchanan operates WJNT-FM continuously throughout the weekend.

6. Under its STA, WJNT-FM1's operation is expressly limited to "nighttime hours only, as specified in its AM license." WJNT(AM)'s license delineates its hours of operation (Non-Advanced Central Standard Time) during average hours between sunrise and sunset as 5:00 a.m. to 7:00 p.m. in May and 5:00 a.m. to 7:15 p.m. in June and July (Appendix D hereto). Buchanan should have signed WJNT-FM1 on no earlier than 8:00 p.m. local time in May and 8:15 p.m. local time in June and July. Buchanan also should have signed WJNT-FM1 off no later than 6:00 a.m. local time during the months

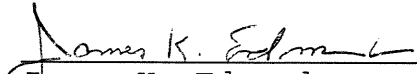
May - July.

7. In other words, Buchanan should sign WJNT-FM1 on when WJNT(AM) switches from its critical hours power (10 kw) to its nighttime power, and it should sign WJNT-FM1 off when WJNT(AM) switches to its critical hours power immediately following local sunrise. Buchanan does not do that. Instead, it signs WJNT-FM1 on in late afternoon rather than early evening in order to duplicate WJNT(AM) programming on FM during afternoon drive time. Buchanan also continues to operate WJNT-FM1 several hours beyond its required sign-off (currently 6:00 a.m. local time) in order to duplicate WJNT(AM) programming on FM during morning drive time. Buchanan, as it often does, operated WJNT-FM1 continuously on Saturday, July 15, 2000 and Sunday, July 16, 2000. Overall, Buchanan has operated WJNT-FM1 during daytime hours as much as circa 45 hours per week.

8. Buchanan is a recalcitrant licensee which operated Station WJNT(AM) with its daytime signal during nighttime hours. Buchanan Broadcasting Company, Inc., 14 FCC Rcd 5171 (1999), recdn. granted in part, 2000 FCC Lexis 1058 (2000). The Commission knows to a moral certainty that Buchanan will not comply with FCC rules and the terms of its authorization. In these circumstances, its request to renew its STA to operate WJNT-FM1 should be denied.

Respectfully submitted,

WFMN Radio, Inc.

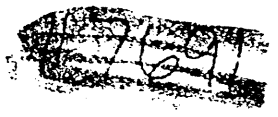
By: 
James K. Edmundson
Its Counsel
Smithwick & Belendiuk, P.C.
5028 Wisconsin Avenue, N.W.
Suite 301
Washington, D.C. 20016
(202) 363-4050

July 19, 2000

Appendix A

AM C. Francis
File 121

FEDERAL COMMUNICATIONS COMMISSION
445 12th Street, S.W.
WASHINGTON DC 20554



MASS MEDIA BUREAU
AUDIO SERVICES DIVISION
TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
HOME PAGE: WWW.FCC.GOV/MMB/ASD

PROCESSING ENGINEER: TRANG NGUYEN
TELEPHONE: (202) 418-2700
FACSIMILE: (202) 418-1410
MAIL STOP: 1800B3
INTERNET ADDRESS: tnguyen@fcc.gov

DEC 20 1999

Pepper & Corazzini LLP
1776 K Street, N.W.
Suite 200
Washington, D.C. 20006

In re: WJNT-FM1(FM), Pearl, MS
Buchanan Broadcasting Company, Inc.
("Buchanan")
Special Temporary Authority (STA)

Dear Counsel:

This is in response to your letter dated March 19, 1999 requesting an STA to duplicate the programming of AM station WJNT, Pearl, Mississippi on FM channel 280 to alleviate serious nighttime interference caused by a co-channel Cuban broadcast station. Grant of this STA request will allow Buchanan to maintain its service of station WJNT to the community of Pearl, during nighttime hours only, as specified on its AM broadcast license.

In light of the above, the Special Temporary Authority IS HEREBY GRANTED for Buchanan Broadcasting Company, Inc. to operate with the facilities as follows:

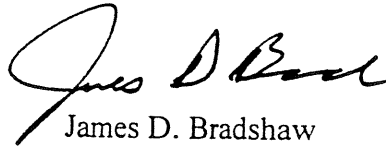
North Latitude: 32° 16' 22"
West Longitude: 90° 06' 00"
Effective Radiated Power: 0.500 kW

Height of radiation center
above ground: 25 meters
above mean sea level: 166 meters
above average terrain: 74 meters
Tower height above ground: 27.4 meters

Antenna Registration number: 1207504

This authority expires June 30, 2000. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



James D. Bradshaw
Assistant Chief
Audio Services Division
Mass Media Bureau

cc: Buchanan Broadcasting Company, Inc.

Appendix B

PEPPER & CORAZZINI, LLP
ATTORNEYS AT LAW

1776 K STREET, N.W., SUITE 200
WASHINGTON, D.C. 20006-2334

PETER GUTMANN
EXT. 232
PG@COMMLAW.COM

(202) 296-0600
FAX (202) 296-5572
WWW.COMMLAW.COM

June 21, 2000

Ms. Magalie Salas
Secretary
Federal Communications Commission
Post Office Box 358190
Pittsburgh, PA 15251-5190

**Re: Buchanan Broadcasting Company, Inc.
WJNT-FM1 (FM), Pearl, MS
Request for Extension of Special Temporary Authority**

Dear Ms. Salas:

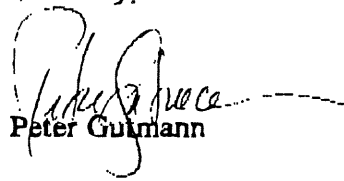
This letter is written on behalf of Buchanan Broadcasting Company, Inc. pursuant to Section 73.1635 of the Commission's rules in order to request an extension of Special Temporary Authority issued by letter of the Assistant Chief, Audio Services Division dated December 20, 1999 authorizing duplication of the programming of AM station WJNT, Pearl, Mississippi on FM Channel 280.

The purpose of the previous Special Temporary Authority was to alleviate serious nighttime interference caused by a co-channel Cuban broadcast station operating in excess of authorized parameters. Following issuance of the STA, site, equipment and installation delays were finally overcome and WJNT-FM1 began broadcasting on May 30. So far, Buchanan Broadcasting Company believes that the FM facility is achieving its intended purpose. However, there has been no change in the underlying circumstances, and therefore the need for service being rendered by WJNT-FM1 remains unabated. Accordingly, we respectfully request an extension of Special Temporary Authority along the same lines granted in the Assistant Chief's letter of December 20, 1999.

Submitted herewith is the applicant's Anti-Drug Abuse Act Certification and check (#1492) in the amount of \$130 in payment of the Commission's application fee for Special Temporary Authority for one commercial AM radio station (Fee Code MGR), and Remittance Advice (FCC Form 159) reflecting this payment.

Should any question arise concerning this request, please communicate directly with this office.

Sincerely,



Peter Guimann

Enclosures

Cc: Stan Carter (LPP)

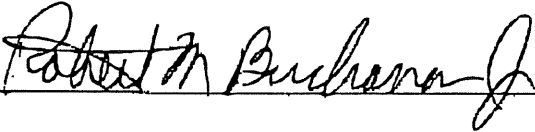
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I:\wp\1671\sta extension.ltr.doc

Anti - Drug Abuse Act Certification

Buchanan Broadcasting Co., Inc. certifies that neither it nor any of its officers, directors or owners is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 862a.

Respectfully submitted,

BUCHANAN BROADCASTING CO., INC.

By: 

Date: June 19, 2000

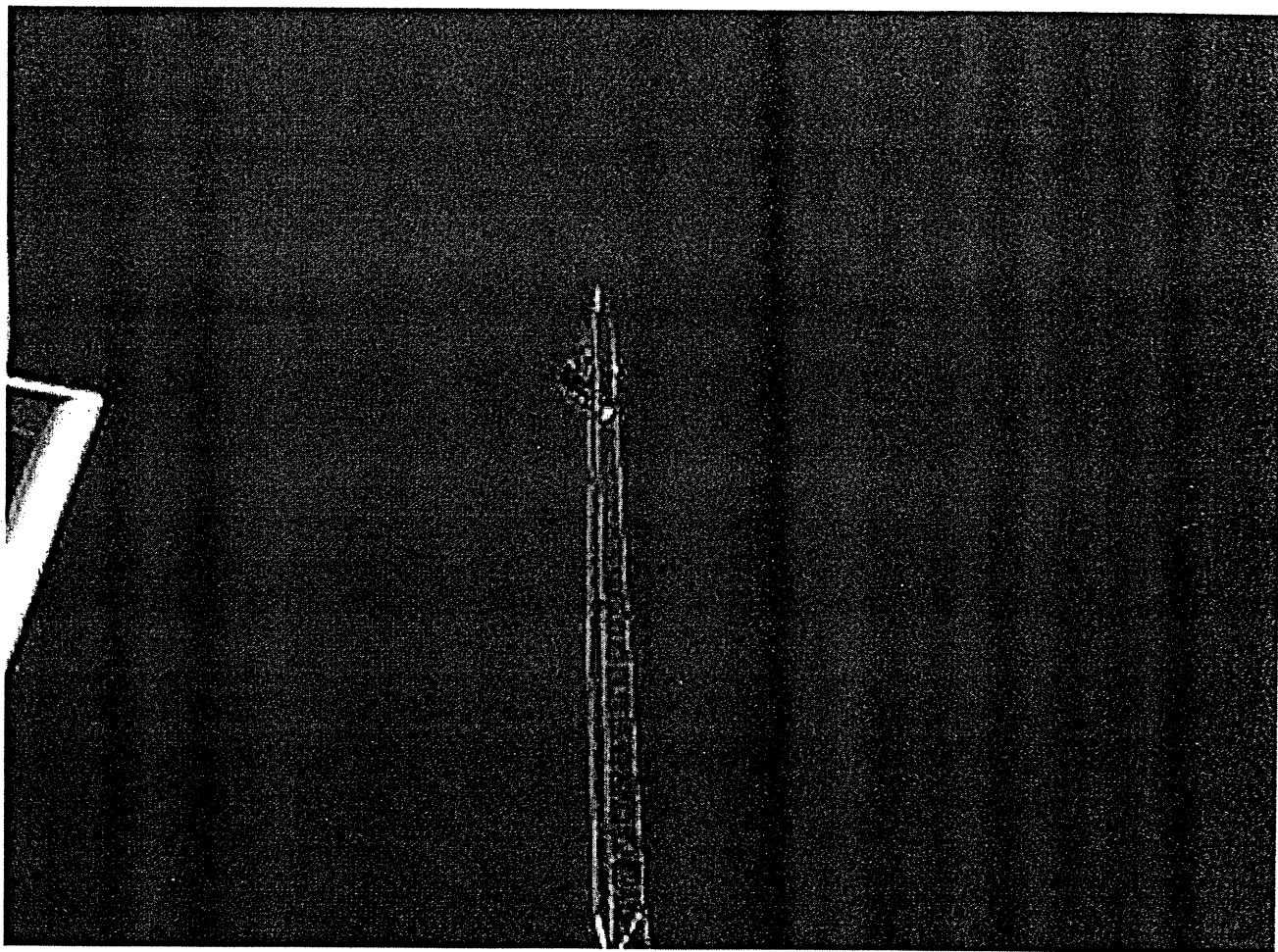
Appendix C

WJNT NewsTalk

1180 AM  103.9 FM

Updated - May 30, 2000

WJNT-FM1 is on the air!! We started testing on Monday, May 29 at 3pm and all is operating as expected!! Tune in at 103.9 for more of the best talk programming in Central Mississippi!!



(Ricky Westbrook with Westbrook Tower Service completing installation of the WJNT-FM1 antenna)

After several months of research and correspondence with the necessary agencies, the Federal Communications Commission has given WJNT permission to build and operate a low power FM station to overcome the night time interference we have been receiving from a superpower AM station located in Havana, Cuba.

WJNT-FM1 will operate on a frequency of 103.9 mhz with an output power of 500 watts. WJNT-FM1 should provide excellent night time coverage of the city of Pearl, MS and surrounding areas.

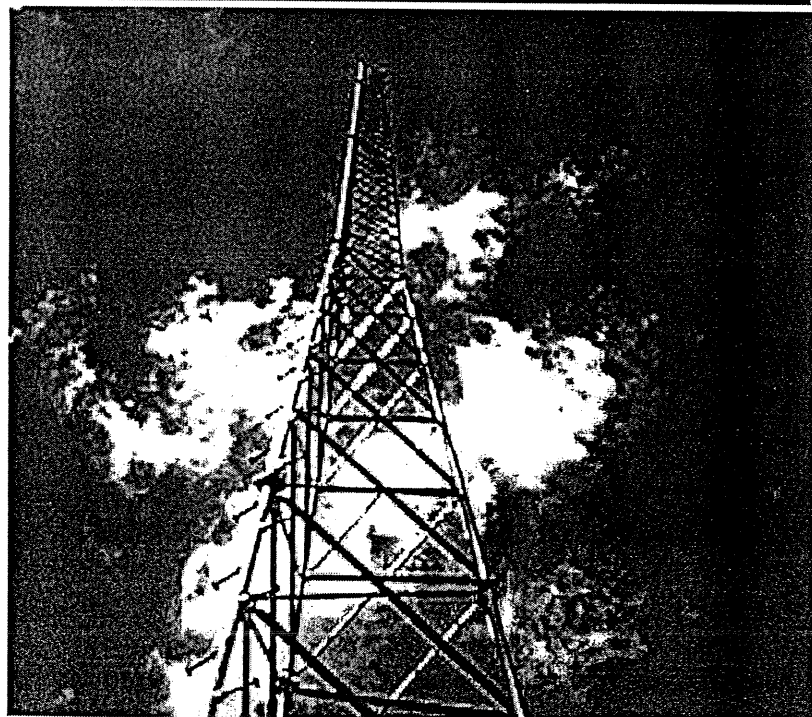
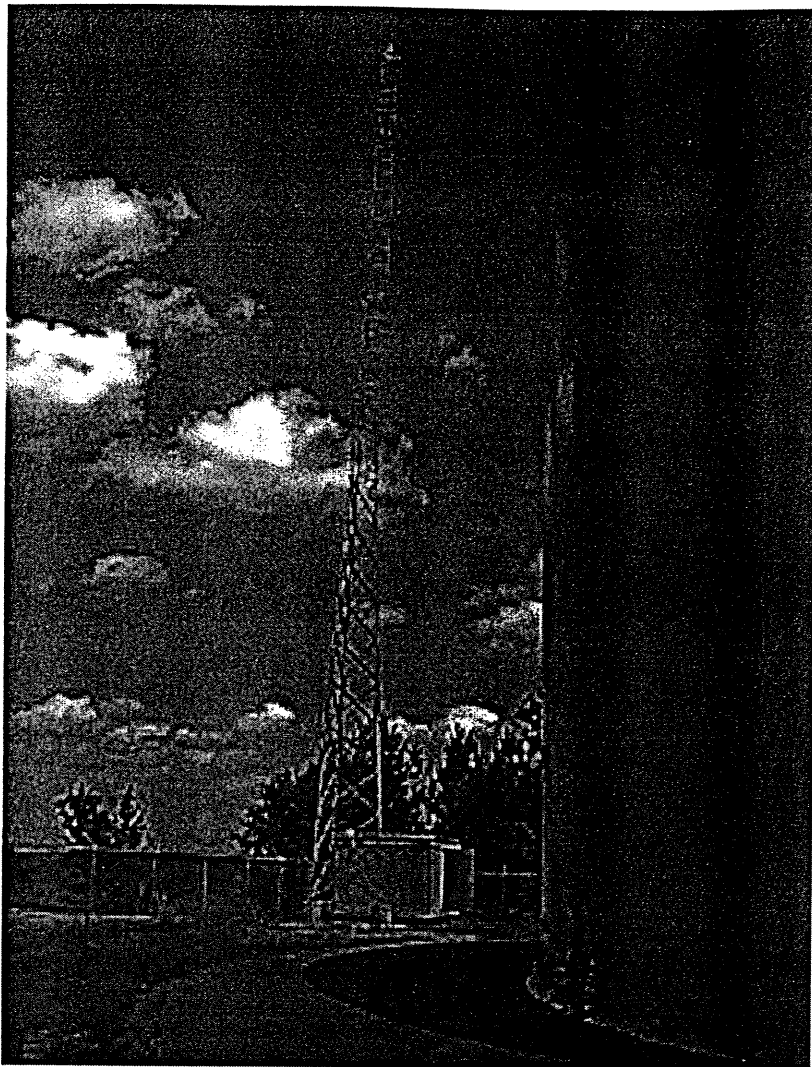
Thanks to all our concerned listeners who sent in letters, emails and phone calls regarding our night time signal, WJNT now has a solution to the nightly interference that has been a problem for several years. Keep watching our web site for further information on when WJNT-FM1 will be going on the air on a regular schedule!!

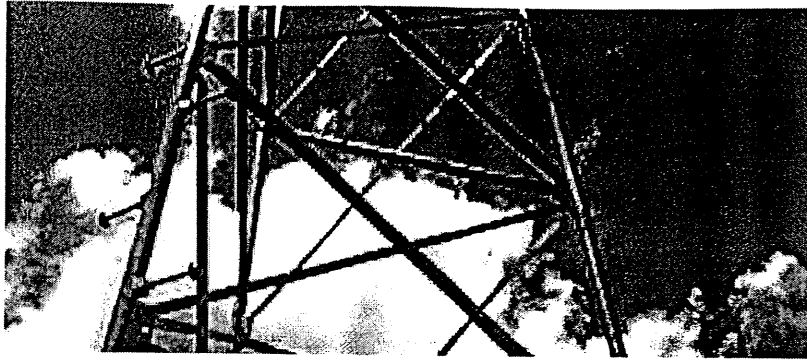
If you have any questions, or would like further information on WJNT-FM1, you can contact scarter@wjnt.com

NEW

Below are some recent pictures of the WJNT-FM1 transmitter site under construction:

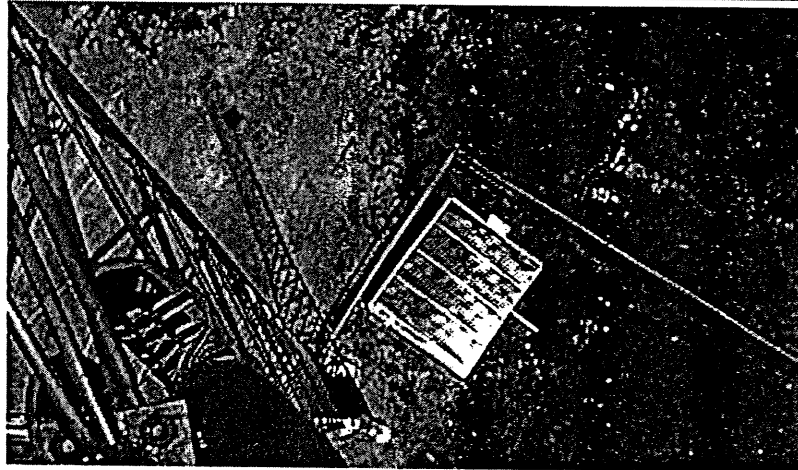
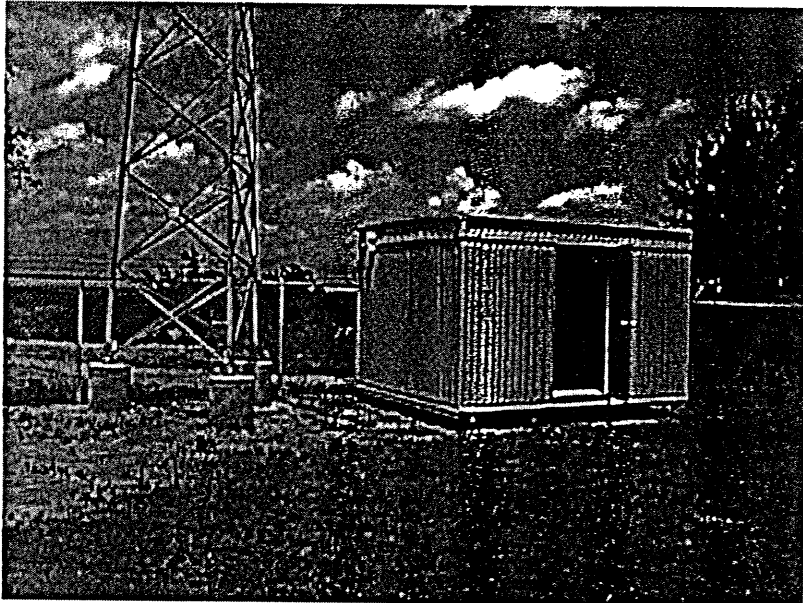
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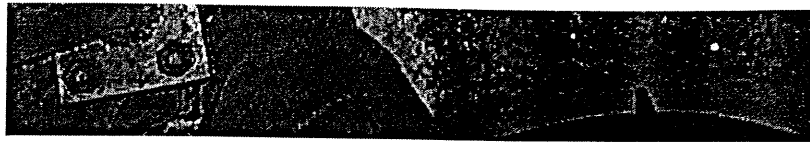




WJNT-FM1 Tower and transmitter building
to the top!!!

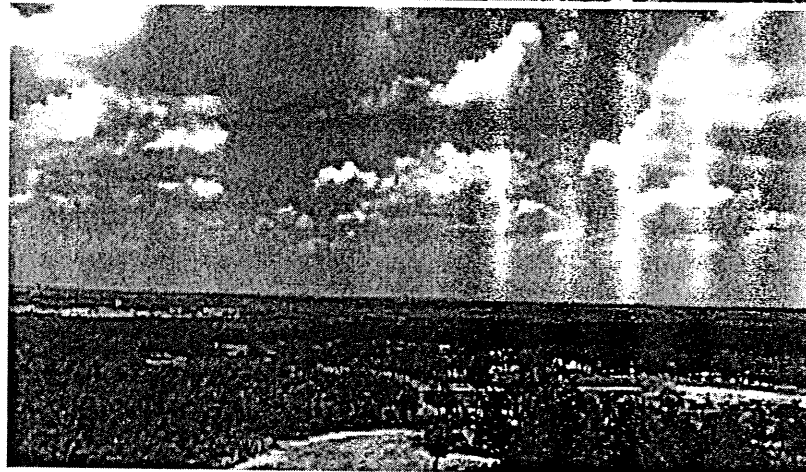
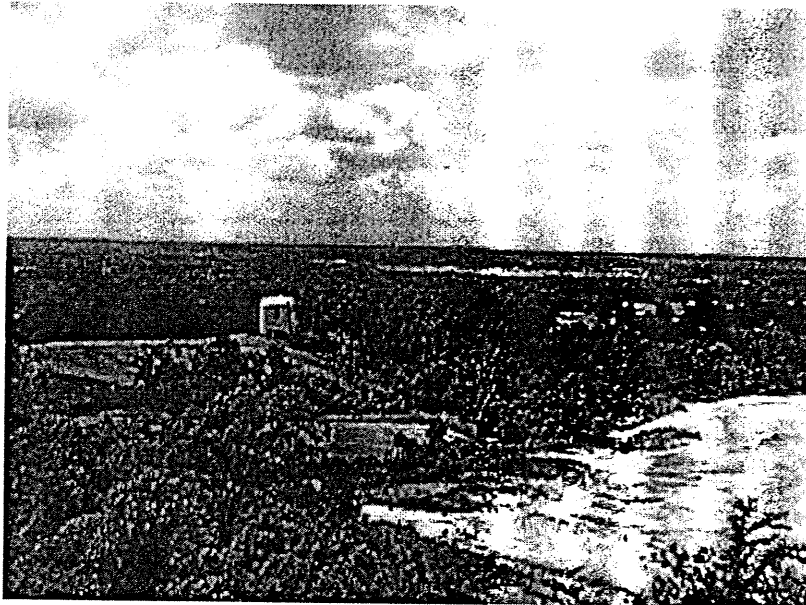
Gee... that's a loooooong way up

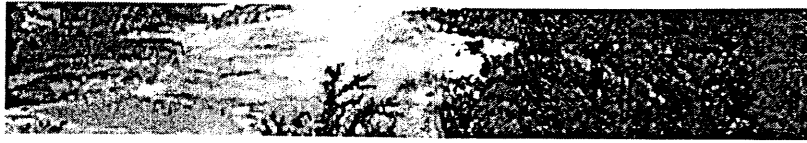




Another view of the tower and transmitter building
the ground!!!

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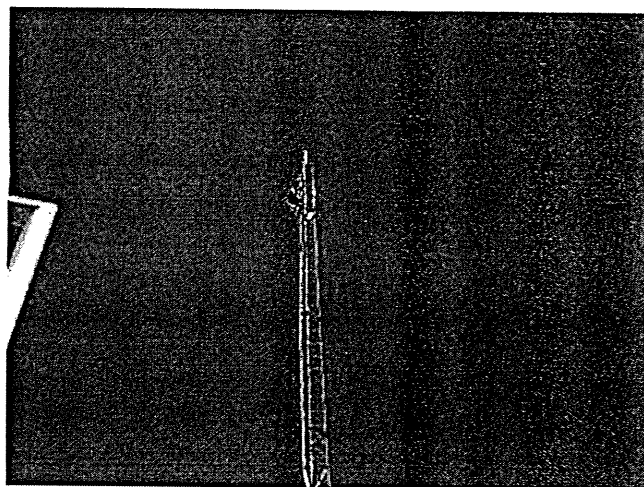
Here's a few shots of the view from the top of the tower towards downtown Jackson

WJNT NewsTalk

1180 AM  103.9 FM

Updated - June 12, 2000

WJNT-FM1 can now be heard each night at 103.9 FM... join us for the best in nighttime talk programming from NewsTalk 1180 AM / 103.9 FM



(Ricky Westbrook with Westbrook Tower Service completing installation of the WJNT-FM1 antenna)

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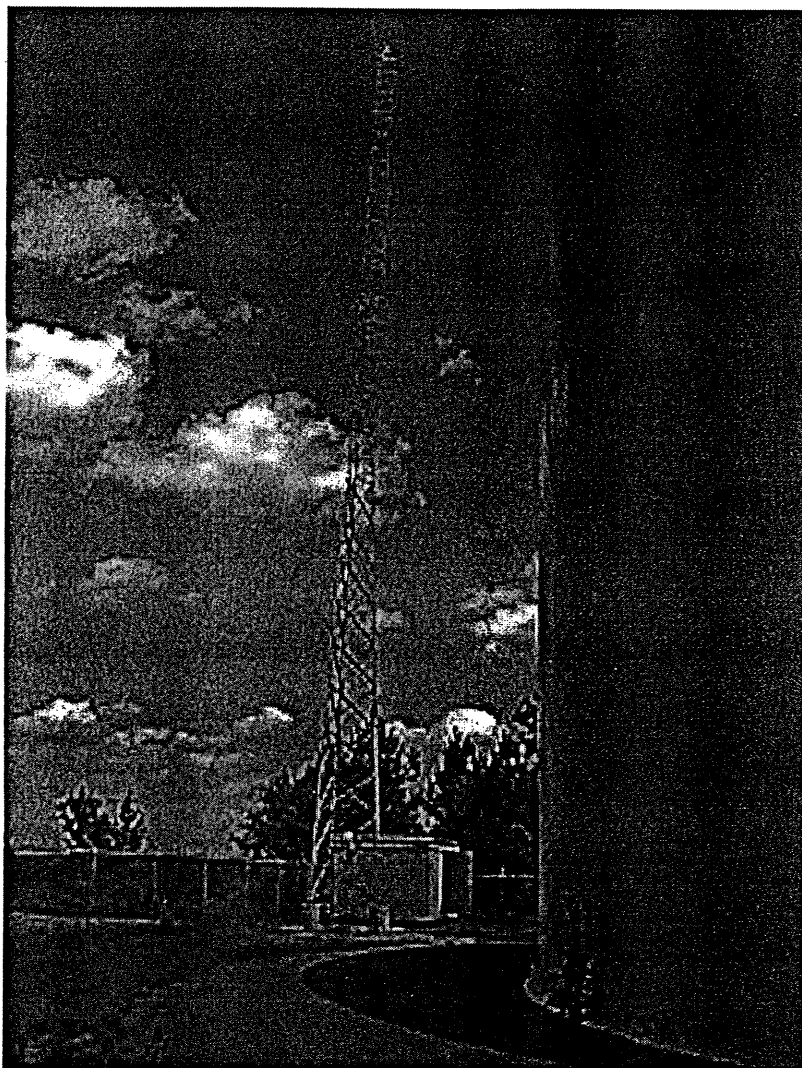
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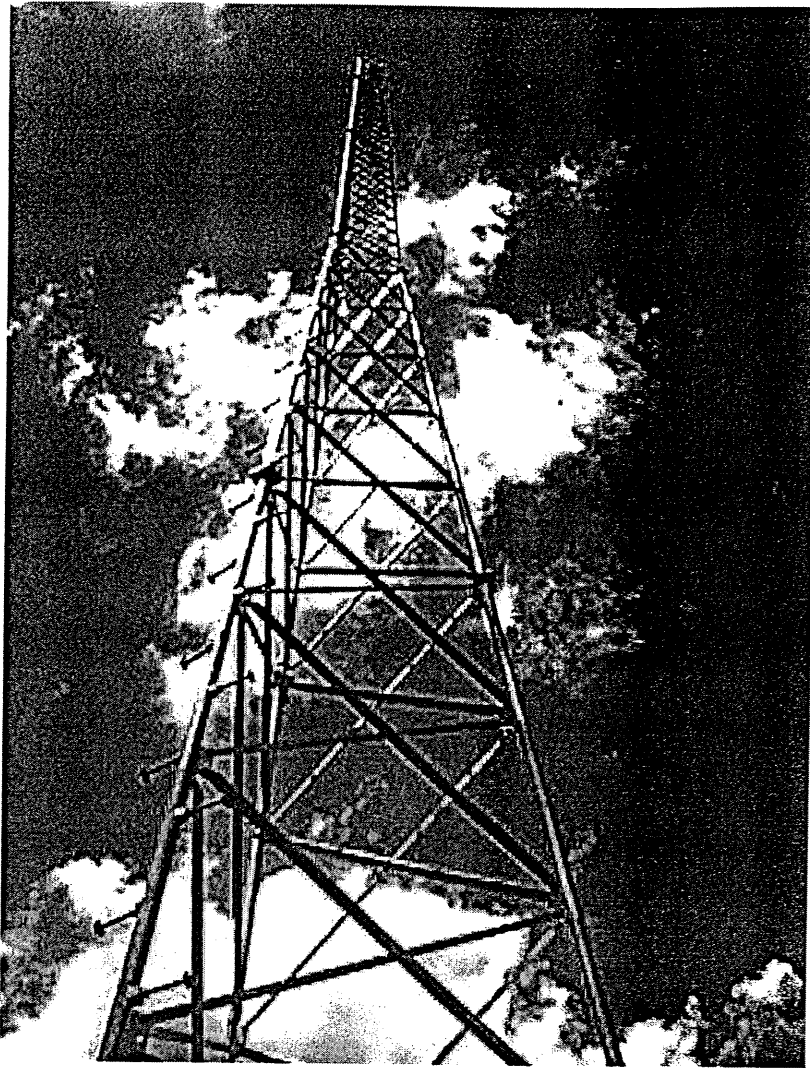
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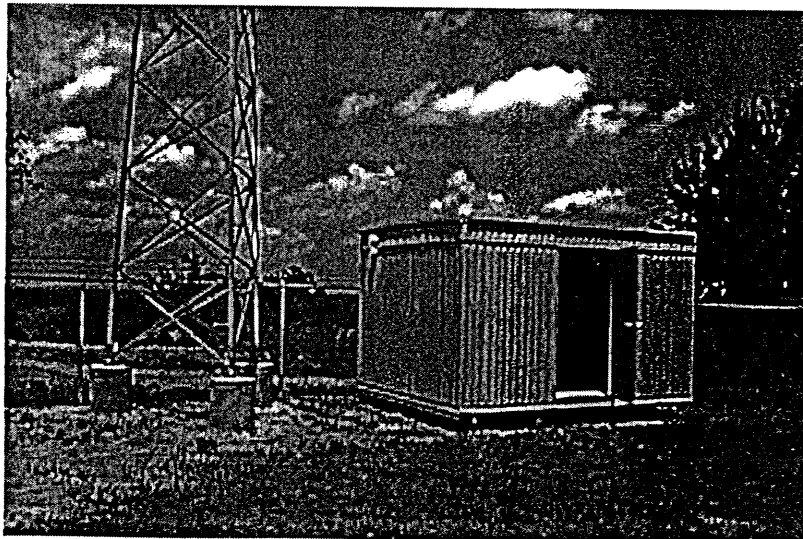
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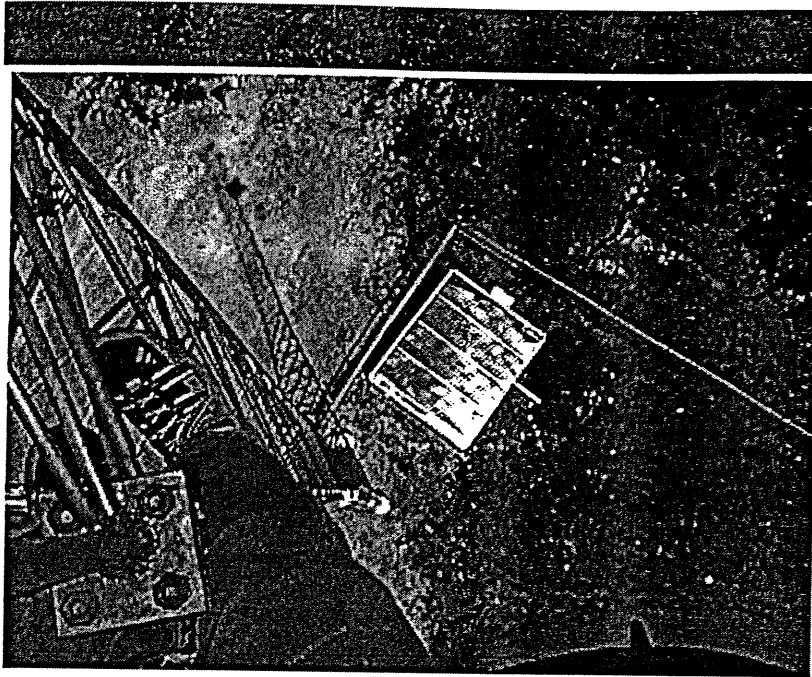




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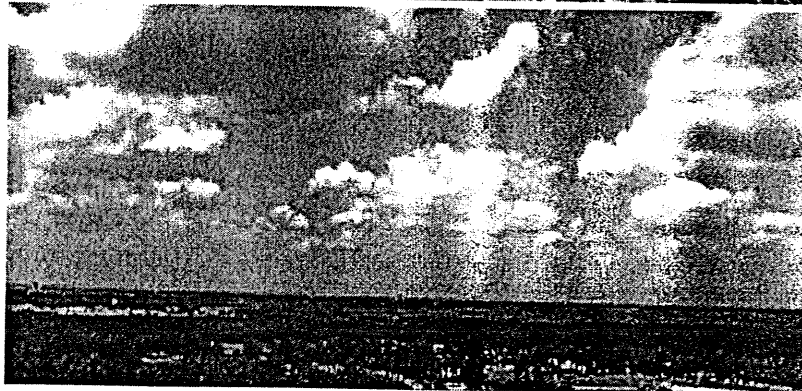
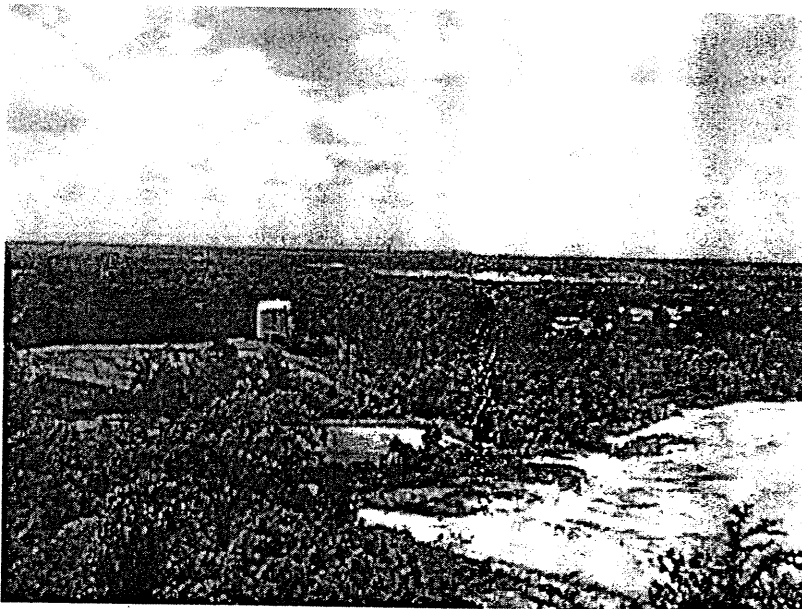
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Another view of the tower and transmitter building
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Appendix D