

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

In the Matter of	)	
	)	CSR 8911-A
	)	
Tobacco Valley Communications	)	Proceeding No. 15-152
	)	
	)	

**SUPPLEMENT TO PETITION FOR SPECIAL RELIEF**

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The purpose of this supplement is to address a change in the law that occurred on December 4, 2014. In Public Law 113-200, Section 102(a)(2)(B)(iii), Congress added a factor to the value of localism in determining whether Petitions such as this one should be granted. That factor reads as follows:

(2) In considering requests filed under paragraph (1)<sup>1</sup>, the Commission ...

(B) shall afford particular attention to the value of localism by taking into account such factors as --...

(iii) whether modifying the local market of the television station would promote consumers' access to television broadcast station signals that originate in their State of residence;...

This factor is particularly relevant to the petition this document supplements. As noted throughout the petition, the market changes being sought are precisely those addressed by this factor. The market modifications sought by the petition affect the residents of the northern portion of a small, rural county in Northwestern Montana called Lincoln County.<sup>2</sup> The Petitioner seeks to modify the markets of cable stations originating in the Spokane, Washington, DMA to **exclude** the communities located in northern Lincoln County, Montana. At the same time, the Petitioner seeks to modify the markets of cable stations originating in the Missoula, Montana, DMA (which includes both Missoula and Kalispell, Montana) to **include** the communities located in northern Lincoln County, Montana.

As the petition notes on the last line of page 9, the State of Washington does not even neighbor the State of Montana – the two states are separated by the Idaho panhandle. The stations originating in Spokane, Washington do not carry advertising specific to the communities located in northern Lincoln County, Montana. The stations originating in Missoula and Kalispell, Montana, do carry advertising specific to the communities located in northern Lincoln County. The news, weather and sports content broadcast from the Spokane, Washington stations are of little interest to the communities in northern

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<sup>1</sup> Paragraph (1) states: "Following a written request, the Commission may, with respect to a particular commercial television broadcast station, include additional communities within its local market or exclude communities from such station's local market to better effectuate the purposes of this section."

<sup>2</sup> For the purposes of brevity, the communities in northern Lincoln County, Montana, are referred to as "Eureka" in the Petition. Eureka is the largest of the very small communities in northern Lincoln County.w

Lincoln County, Montana. But the news, weather and sports content broadcast by the stations originating in Missoula and Kalispell, Montana, *are* of interest to the communities in northern Lincoln County, Montana, precisely because that content is local in nature. Examples of this content (or lack thereof) are shown in exhibits N, P, R, Z, BB and DD. The stations originating in Missoula and Kalispell, Montana, cover, for example, political news specific to Montana. They cover the local sports teams of interest to northern Lincoln County. They cover the weather developments affecting northern Lincoln County. They carry local road condition reports, local amber alerts, and local wild animal hazards (grizzly bear and mountain lion attacks, for example). The Spokane, Washington, stations simply do not do so.

In short, this factor, perhaps more than any other, justifies the market modifications sought in the Petition. If localism is truly to be promoted under these circumstances, the markets of the stations originating in Spokane, Washington, should be modified to exclude the communities in northern Lincoln County, Montana, and the markets of the stations originating in Missoula and Kalispell, Montana, should be modified to include the communities in northern Lincoln Montana.

RESPECTFULLY SUBMITTED this 21<sup>st</sup> day of October, 2015



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Randy Wilson, General Manager  
Tobacco Valley Communications  
For  
Michael Strand  
Counsel for Tobacco Valley Communications

**CERTIFICATE OF SERVICE**

I, Michael Strand, do hereby certify that on the 21 day of OCTOBER, 2015, the foregoing

Petition for Special Relief was served upon the following entities by first class mail, postage pre-paid:

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Robert Hermes, President & GM  
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KREM

Jamie Aitken, President & GM  
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KCFW

Rebecca Swan, VP & GM  
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KHQ

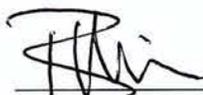
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Randy Wilson