

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Revitalization of the AM Radio Service) MB Docket No. 13-249

Directed to: Office of the Secretary
Attention: The Commission

COMMENTS OF KAHI CORPORATION

KAHI Corporation (“KCorp”), by its attorneys, hereby respectfully submits its Comments in response to the Commission’s “First Report and Order, Further Notice of Proposed Rule Making, and Notice of Inquiry” in MB Docket No. 13-249, released October 23, 2015 (“*FNPRM*”). With respect thereto, the following is submitted:

KCorp is herein commenting on the Commission’s proposal to require that all remaining dual licensees of both expanded band and standard band stations surrender one of their authorizations within one year of a future *Report and Order* adopting such a requirement. KCorp generally opposes this proposal, but more especially so with regard to the few remaining paired stations with different communities of license.

KCorp submits that, in instances in which the expanded band station was previously allowed to move from the community of license of the standard band station to a new community, the loss of service to the original community of license which would result from the Commission’s proposal is contrary to both the public interest and the Commission’s own policies. At this point, there are only four such situations throughout the country, and making an exception for this limited number of circumstances would far better serve the needs of the public

than requiring these four stations to go off the air. Moreover, it is far from clear that retention of the standard band station, about a decade and a half after these situations came into being, would create any significant interference as interference is now calculated. Thus, a death sentence for such standard band stations would advance no interest of the Commission but rather would only result in the loss of local radio stations and their service to the public.

The loss of service which would result from cancellation of a standard band half of a paired license is particularly egregious in the case of KAHI(AM), Auburn, California. KAHI, which operates at 950 kHz, is currently licensed to IHR Educational Broadcasting, (“IHR”) along with its paired station, KSMH(AM), West Sacramento, California, which operates at 1620 kHz. Since 1999, KCorp has provided programming and sold advertising time on KAHI pursuant to a Time Brokerage Agreement entered into with IHR. KCorp has also entered into an agreement for a reduced price purchase of KAHI from IHR at such time as the Commission will allow such a sale. This discounted price was negotiated to cover fixtures and fees and demonstrates that IHR is in support of the Commission’s commitment to localism and small-business ownership, rather than motivated by profit, and would not receive any windfall from the proposed sale of KAHI.

In 2006, KCorp and IHR filed a joint “Request for Relief from License Condition or, in the Alternative, Request for Waiver,” in which they requested that the Commission relieve KAHI/KSMH from the condition requiring surrender of the license of one station and grant a waiver to allow the sale of KAHI to KCorp. The Commission has never taken any action on this Request. The showings made in the Request remain applicable to the situation at hand today, and KCorp hereby attaches that document as Exhibit 1 and incorporates the arguments set forth therein by reference.

Station KAHI currently finds itself in a nearly unique position. While at the outset, KAHI and KSMH were both authorized to the same community of Auburn, California, that situation changed soon thereafter. On December 18, 2000, the Commission granted to IHR a construction permit to relocate KSMH to West Sacramento, California. Approval of this move meant that, aside from the continued standard band operations of KAHI, the only remaining station licensed to the community of Auburn, California was KHYL(FM). Any action which would remove that operation, thereby reducing the community of Auburn from having two local services to only one local transmission service, would be contrary to the public interest, as well as both Congressional and Commission policies to promote the distribution of radio service and localism.

Throughout the time that KCorp has been providing programming for KAHI, it has focused on local issues and local programming for the residents of Auburn. The city of Auburn is the county seat of Placer County in the foothills region. While it is located at the northeastern edge of the Sacramento Urbanized Area, it is separated from Sacramento by some 30 miles. Indeed, the Auburn area is connected to the remainder of the Urbanized Area by only a small thread-like piece of land, and there is significant land area not in the Urbanized Area between Sacramento and Auburn. Moreover, its status as a county seat, and thus a center of both government and commercial activity, coupled with its more rural character and foothills location, gives Auburn needs and interests which are quite distinct from those of the overall Urbanized Area.

Auburn is also a substantial community in terms of its population. The 2010 Census population of Auburn was 13,330, and the U.S. Census has estimated that this population had grown to 13,960 by 2014. The Commission has recognized that communities of this size have

need of more than one radio station. In *Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures*, 26 FCC Rcd 2556, 2578 (2011) (subsequent history omitted), the Commission adopted a strong presumption against removing the second local service from any community with a population over 7500 people. Auburn has a much larger population, which is approximately 86 percent over the number found in need of a second local service. Any action, therefore, which would remove KAHI as a local service from Auburn would be directly contrary to the Commission's greater policy interest in promoting local service.

Furthermore, although there is one other station nominally licensed to Auburn, KAHI is the only station with a truly local focus. When KSMH moved to West Sacramento, its licensee properly turned that station's attention to the needs and interests of the larger community in a different county and left Auburn behind. Although KHYL(FM) continued to be technically licensed to Auburn, it is a high-powered, regional FM station which focuses its attention almost exclusively on the events and issues of Sacramento. The station's website (v1011fm.heart.com) lists a studio location in Sacramento, and the station has no local presence in Auburn. In contrast, the programs described in the attached Request, coupled with the testimonials from local leaders contained therein, demonstrate KAHI's and KCorp's commitment to local service.

Additionally, attached hereto as Exhibit 2 is a letter from Congressman Tom McClintock, whose district includes Auburn, in support of the continued operation of KAHI as an important outlet of local expression. As his letter notes, KAHI goes beyond even the important functions of providing programming addressed to local needs by providing an outlet for the advertising of local businesses. Smaller businesses located in Auburn are seeking to advertise themselves to the residents of Auburn and the surrounding foothills region, where their customers are. They do

not have the funds to afford advertisement time on the larger, more regionally focused stations, nor would reaching residents of Sacramento be particularly helpful in attracting patrons to their local businesses. Even more importantly, KAHI serves as a vital means of communicating emergency information to residents of the foothills area. Instead of seeking to cover the wider region, KAHI can quickly convey critical information concerning wildfires or law enforcement emergencies which affect that one, distinct area. Because the station has a more concentrated focus on a smaller area, it can provide more detailed information about local emergencies. It is all of these attributes, including local expression, advertising, and emergency communications, which combine to embody the value of localism, which the Commission has historically found to be of paramount importance.

Furthermore, as the Commission itself acknowledged in the *FNPRM*, it has previously made an exceptions to its policy of requiring relinquishment of one of a paired station's licenses in order to advance another, unrelated Commission policy. *FRNPRM* at note 197. It noted there, that it had allowed the assignment of the license for standard band KWHN, Fort Smith, Arkansas, thereby separating it from expanded band KYHN, Fort Smith, Arkansas, with the thought that allowing such an assignment of a silent station to MMTC could promote the Commission's policy of promoting diversity. Here, KAHI is seeking similar exception to the rule in order to promote the equally fundamental policy of promoting localism. Both the Congress and the Commission have historically emphasized the importance of ubiquitous and diverse radio service, as expressed by Congress in Section 307(b). Allowing KAHI to continue to provide service and permitting assignment of its license to KCorp will promote localism and preserve the community's second local service. Furthermore, such a sale of the standard band license will add an additional, diverse voice to the radio market.

Moreover, a grant of this exception cannot open any floodgate of similar requests. At most, the entire universe of similarly situated station pairs numbers only four. Appendix F to the *FNPRM* lists 25 remaining pairs of standard band/expanded band stations, and among these only four are pairs of stations with different communities of license. Whatever policy the Commission may adopt for expanded band/standard band stations generally, it should make an exception for these four pairs of stations. These stations can readily be distinguished from other expanded band stations due to the fact that the expanded band portion of each pair has been licensed for over a decade to serve a completely different community from that served by the standard band station.

Even among that small group, however, the circumstances of KAHI are particularly compelling. As set forth above, KAHI provides a second local service to Auburn and the only locally-oriented service for this community.¹ The Commission's established policies dictate that it should recognize the unique contribution to localism provided by KAHI and allow that station to keep operating. A contrary decision would result in the removal of a community's second local service and would advance the march of stations from more rural to urban areas. This result would be squarely contrary to the Commission's and Congress's established policies regarding the equitable distribution of service.

The Commission's primary focus in the *FNPRM* appears to be on furthering its intent in authorizing expanded band stations of reducing interference in the standard AM band. In the case of KAHI, however, KCorp's proposal creates no issues.

The engineering report submitted by KCorp with the August 18, 2006 Request for Relief verifies that the interference problem attributed to KAHI is based on nighttime interference to

¹ Additionally, its companion, expanded band station, KSMH, provides a first local service to the community of West Sacramento.

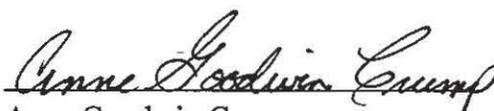
“adjacent channel” station KQKE 960 kHz in Oakland, California. (note: formerly KQKE, now KNEW). As part of the AM revitalization in FCC 15-142, the Commission is proposing, and seeking comments, that nighttime interference calculations include the radiation from “co-channel stations” only but not the radiation from “adjacent channel” stations. Since, if the Commission adopts this proposed rule change, “adjacent channel” interference would no longer be considered for nighttime interference calculations, then it follows that KAHl’s interference to KQKE (KNEW) would no longer be an issue. Therefore, the goal of interference reduction would not justify requiring surrender of the KAHl license. Such a draconian action would result in no significant interference reduction.

As noted above, KAHl finds itself in a unique position. It is one part of only four pairs of standard band/expanded band stations which have different communities of license. More importantly, KAHl provides the second local service to a community of nearly 14,000 people. The Commission has explicitly found that removal of a second local service to a community of this size is contrary to the public interest. Moreover, through KCorp’s programming of the station, KAHl provides the only truly locally oriented service to a central community in the area. Furthermore, if currently proposed rules are adopted, allowing KAHl to continue operation would not be contrary to the Commission’s other goals in this proceeding, as the station would no longer be an interference contributor.

WHEREFORE, the premises considered, KCorp respectfully requests that Commission adopt rules which allow pairs of standard band/expanded band stations with differing communities of license to continue operation and to allow their licenses to be assigned on an individual basis.

Respectfully submitted

KAHI CORPORATION

By: 
Anne Goodwin Crump

Its Attorney

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March 21, 2016

EXHIBIT 1

Before the
Federal Communications Commission
Washington, DC 20554

**PLEASE STAMP
AND RETURN
THIS COPY TO
FLETCHER, HEALD & HILDRETH**

In the Matter of)
)
KAHI, Auburn, California)
Facility Identification No. 48341)
)
KSMH, West Sacramento, California)
Facility Identification No. 87036)

RECEIVED

AUG 18 2006

To: Office of the Secretary
Attn: Chief, Audio Division, Media Bureau

Federal Communications Commission
Office of Secretary

**REQUEST FOR RELIEF FROM LICENSE CONDITION
OR, IN THE ALTERNATIVE, REQUEST FOR WAIVER**

IHR Educational Broadcasting (IHR), licensee of "paired" AM Broadcast Stations KAHI, 950 kHz, Auburn, California and KSMH, 1620 kHz, West Sacramento, California, and KAHI Corporation ("KCorp"), which currently provides programming to station KAHI pursuant to a Time Brokerage Agreement ("TBA"), hereby request the Commission to relieve stations KAHI and KSMH from the condition placed on the KSMH license which requires IHR Educational Broadcasting ("IHR"), the licensee of KAHI and KSMH, to surrender the license for and cease operating one of the two paired stations on or before September 6, 2006.¹ Since 1999, KCorp has provided programming to KAHI, sold advertising broadcast within that programming, and employed staff to produce the programming and sell the advertising under the TBA with IHR. IHR affirms that, were it

¹ The pertinent license condition appearing on the initial KSMH license states: "Pursuant to MM Docket 87-267, after the 5 year period starting from the date the facility specified herein is initially licensed, licensee will surrender either the expanded band license or its existing band license." See FCC File No. BL-20010130AAS, granted September 6, 2001.

required to surrender one of these two licenses it would surrender the license for KAHI, causing KAHI to cease broadcasting. In support of this request, the following is shown:

Background

1. The Commission first granted IHR a license to operate KAHI's expanded band paired station, KSMH, on September 6, 2001.² The KSMH license was issued pursuant to the Commission's policy encouraging migration from the traditional AM Band (535 kHz to 1605 kHz, the "existing band") to the expanded band on frequencies between 1605 and 1705 kHz (the "migration policy").³ Toward this aim, the Commission imposed a condition in each expanded band authorization under which each licensee must choose, within five years of the grant of its expanded band license, to surrender the license for either its expanded band station or its older paired existing band station.

KAHI Provides Unique Service to Auburn and the Foothills

2. Without the relief here requested, KAHI's service to Auburn is in imminent danger of termination. Although at the outset KAHI and expanded band KSMH were both authorized to the same community of license, Auburn, in December, 2000 the Commission granted IHR a construction permit allowing the relocation of KSMH to West Sacramento, California.⁴ The Commission later licensed KSMH to West Sacramento in September

² FCC File No. BL-20010130AAS. KSMH began broadcasting in 1999, at which time it filed BL-19990309DG, later dismissed.

³ See *Review of Technical Criteria for the AM Broadcast Service*, Report and Order, 6 FCC Rcd 6273 (FCC 1991) ("1991 Report and Order").

⁴ FCC File No. BMAP-20000218AAX. KSMH became West Sacramento's first broadcast station.

2001.⁵ This left KAHI as the only intensively locally-focused radio station licensed to Auburn, California.

3. Section 307(b) of the Communications Act mandates that the Commission “make such distribution of licenses, frequencies, hours of operation, and of power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same.” 47 U.S.C. 307(b). Further, while the initial distribution of service is greatly important, “any loss of service is *prima facie* inconsistent with the public interest and can only be justified by offsetting public interest benefits.” *Educational Information Corporation*, 13 FCC Red 23746, 23748 (FCC 1998), at ¶ 6 (citing *Hall v. FCC*, 237 F.2d 567, 572 (D.C. Cir. 1956)).

4. This is all the more true when a loss of service would be inconsistent with still other important public interest considerations, such as the localism policies arising from Section 307(b). Auburn, California, is on the eastern edge of the greater Sacramento metropolitan area, over thirty miles from downtown Sacramento. It sits in the Foothills region, at the border of Placer and El Dorado counties. KAHI is the only AM station licensed to Auburn – and the only station there that, by design, provides a locally focused program service rather than service focused on the greater metropolitan area. The only other station licensed to Auburn, KHYL(FM), holds a Class B license, and its programming seems geared to the greater Sacramento area. By design, FM Class B licenses have a regional service orientation owing to their power and antenna height. As a result, such stations typically gear their overall programming to a far reaching metropolitan

⁵ FCC File No. BL-20010130AAS.

listening community.⁶ For instance, at KHYL's website,⁷ a substantial majority of community calendar entries typically promote events outside of Auburn. Befitting a regionally-focused station, KHYL's website also lists an address in the City of Sacramento as the station's publicized contact point.⁸ The FCC has anticipated and allowed for such regional focus for Class B FM stations.⁹ It appears that KHYL provides what is, in its judgment, the required level of service to its community of license and then turns to broadly serving the greater Sacramento metropolitan area.

5. By contrast, KAHI is a locally-focused rather than regionally-focused station. The windows of its studios are at street level on Lincoln Way, a main street in downtown Auburn. Because of KAHI's important role in its community and surrounding semi-rural and rural area of the Foothills, 25 community and business leaders have submitted testimonial letters supporting the efforts of KCorp and IHR to secure relief from the license surrender condition. As noted in those letters, attached hereto at Exhibit A, KAHI is the most significant local source in and around Auburn for broadcast local information and communication regarding public safety, community affairs, education, business, charitable works and religious activities. The local county's public information

⁶ *Revision of FM Broadcast Rules (First Report and Order, Docket 14185)*, 40 F.C.C. 662 (1962), 681, par. 53, providing for higher Class B power to "afford adequate coverage of metropolitan areas which are expanding rapidly"

⁷ <http://www.v1011fm.com/pages/community.html> (visited July 28, 2006).

⁸ <http://www.v1011fm.com/pages/contactus.html> (visited July 28, 2006).

⁹ See, with respect to FCC service area expectations for Class B or C FM stations, as compared with Class A FM stations, *Revision of FM Broadcast Rules (First Report and Order, Docket 14185)*, 40 F.C.C. 662 (1962), 678-681; *Revision of FM Broadcast Rules (Notice of Inquiry, NPRM and MO&O, Docket 14185)*, 21 Pike & Fischer 1655 (1961) at 1669.

officer, Anita Yoder noted that KAHI is “the means to get our need-to-know information to the public.”¹⁰ Moreover, local businesses in the Auburn area are often priced out of regional broadcast media as their sales volumes and margins do not support Sacramento prices. For many, KAHI is the only affordable radio option. As Auburn City Council member Kevin Hanley wrote: “KAHI is the ‘voice of our city.’”¹¹

6. Unless the Commission grants relief from the surrender condition, IHR would choose to surrender KAHI’s license and maintain service on its expanded band station, KSMH, now licensed to West Sacramento.¹² Such a development would not serve the *prima facie* public interest against loss of service. Nor would it serve the Commission’s deeply-rooted mandate expressed in Section 307(b), under which “[f]rom the earliest days of broadcasting, federal regulation has sought to foster the provision of programming that meets local communities’ needs and interests.” *Review of the Commission’s Broadcast Ownership Rules*, Notice of Proposed Rulemaking, 17 FCC Rcd 18503, 18526 (FCC 2002), ¶ 70 (citing *Annual Report of the Federal Radio Commission to The Congress of The United States for the Year Ended June 30, 1927*, at 8-9). The forced shutdown of KAHI in this circumstance would leave Auburn with no radio station with an intensely local focus. See KAHI program listing, attached hereto at Exh. C, which demonstrates the extensive and innovative programming produced by KCorp to serve KAHI’s local Auburn audience. Deletion of KAHI, reducing Auburn from a community of two licensed stations to only

¹⁰ Letter of Anita Yoder, attached as part of Exh. A.

¹¹ Letter of Councilman Kevin Hanley, attached as part of Exh. A.

¹² See Declaration of Douglas M. Sherman, attached hereto as Exhibit C.

one station, KHYL, would be an extremely unfortunate and unintended consequence of the expanded band project.¹³ The relocation of KSMH to West Sacramento was authorized by the December 18, 2000, grant of BMAP-20000218AAX. That grant was consistent with Commission precedent, in that KSMH would be West Sacramento's first local service and Auburn would continue to have a station licensed to it (KHYL(FM)) even were the licensee of KSMH and KAHI to surrender the KAHI license. That precedent does not require an examination of the nature or focus of the service provided by the single remaining station. The unintended consequence – the demise of Auburn's local AM service – can be avoided by the grant of the relief required herein.

Preserving KAHI Will Increase Diversity in Local Media

7. The Commission would foster the public interests in localism in programming and continuation of service and, at the same time, support the public interest in local and diverse ownership by allowing the sale by IHR of KAHI to KCorp. IHR has entered into an agreement, conditioned on FCC approval, to assign KAHI to KCorp. KCorp is a locally-based small business. KCorp and IHR herein request that the Commission waive Section 73.1150(c), and rule that it will accept, for processing in the normal course, an application to assign the KAHI license from IHR to KCorp.

8. The additional public interests supported by this proposal are two-fold:
First, neither KCorp nor its owners, officers and directors have ownership in any communications medium. By allowing the sale of KAHI to KCorp, the Commission will permit a company without

¹³ One community, Costa Mesa, California, lost its sole local broadcast station, KKGO, as a victim of this unintended consequence, and Elizabeth, New Jersey, may become another victim, also at risk of losing its sole local broadcast station, WJDM.

any attributable media holdings to become a licensee. The Commission has long noted that “the most potent sources of innovation often arise not from incumbents” but from those who do not hold licenses. *2002 Biennial Regulatory Review*, 18 FCC Rcd 13620, 13632 at para. 40 (citing *1998 Biennial Regulatory Review - Testing New Technology*, 14 FCC Rcd 6065, 6077 (1999) at para. 28). This has led the Commission to “seek therefore to establish a regulatory regime that preserves opportunities for new entry into the broadcast industry.” *Id.* In this instance, KCorp and its owners have no attributable interests in the broadcast industry.¹⁴ Their entry into station ownership here would support an important public interest.

Second, by providing the relief requested herein, the Commission would also provide additional support for the public interest in localism. All of KCorp’s shareholders, officers and directors, but one, are local to the Auburn area.¹⁵ KCorp currently provides all of the local programming now broadcast on KAHI. The well-documented firm sense of community at KAHI’s core is the result of these programming efforts by KCorp. Given this track record, KCorp has shown that it respects – and honors through its practices

¹⁴ KCorp is engaged in no other business than that which it conducts for KAHI under its time brokerage agreement with IHR.

¹⁵ The non-local owner, also a California resident but outside the Auburn area, has a fourteen percent ownership interest in KCorp.

-- the core notion underlying the public interest in localism: "Local program service is a vital part of community life. A station should be ready, able, and willing to serve the needs of the local community." *NBC v. U.S.*, 319 U.S. 190, 203 (1943).

9. Moreover, the Commission's policy is "to identify characteristics of those broadcasters that have demonstrated effective service to individual local communities and to encourage their entry into markets currently prohibited by our existing rules." *2002 Biennial Regulatory Review*, 18 FCC Rcd 13620, 13644 at para. 77. This is just such a case. Local focus is KCorp's signature as a program provider for KAHI. By allowing KCorp to become a licensee and continue these efforts, the Commission would add the weight of localism to the public interest calculation here.

10. All told, the proposed solution supports a wide array of public interests. Even if the public interests in localism and continuation of service were not, in and of themselves, sufficient (which they are), the sale of KAHI to an entity with no other communications media ownership would tip the balance in favor of relief from the surrender condition in the KSMH license.

11. Therefore, the Commission should, at a minimum, grant relief from the license condition if KAHI is assigned to the KCorp, as proposed and as will be possible if the Commission grants the waiver of Section 73.1150(c) herein requested.

12. In presenting a waiver request, a "petitioner has the burden to show that the public interest would be better served by waiver than by strict application of the requirement." *Gulf Coast Community College, Letter*, 20 FCC Rcd 17157 (MB 2005) at

n.13. A waiver is appropriate “if special circumstances warrant a deviation from the general rule and such deviation will serve the public interest.” *Id.* (citing *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164 (D.C. Cir. 1990) and *WAIT Radio v. FCC*, 418 F.2d 1153, 1157-59 (D.C. Cir. 1969)). This is just such a case. And, unlike the great majority of existing band-expanded band pairings authorized by the Commission, enforcement of the five-year sunset condition on the KSMH license, as well as enforcement of Section 73.1150(c), would leave Auburn with one less radio station than when the expanded band project commenced.

13. With the public interest in strict enforcement of the license surrender condition far outweighed, and a strong public interest existing in both the maintaining of service and in providing local service to Auburn under the ownership of a locally-controlled company with no other media ownership, the proposed waiver would not only serve the public interest, but also serve it better than would enforcement. Thus, IHR’s and KCorp’s joint request meets the waiver standard that “the public interest would be better served by waiver than by strict application of the requirement.” Therefore, the Commission should grant the waiver of the required surrender of either the KAHI or KSMH license, as requested herein, and should also waive Section 73.1150(c) and rule that it will accept an application for the assignment of the KAHI license by IHR to KCorp.

**Proposal Now Before the Commission
Filed March 27, 2006 by “Joint Petitioners”**

14. The request for relief made herein by KCorp, with the support of IHR, has a broad similarity to the proposal made by a group composed of radio broadcasters operating in the expanded band and public interest organizations, in the March 27, 2006 “Request for Waiver of Rules Requiring Return of AM Licenses” (the “March 27 Request”), now

pending before the Commission. Briefly, that proposal would extend the five-year license term of expanded band stations by one year, “during which time each AM licensee holding an expanded band authorization could transfer one of its allotments to a small business entity for a discounted price” If such transfers are made, the requirement for surrender of either the existing band or expanded band license would be eliminated. See, March 27 Request at p. 2.

15. KCorp is, as shown above, a small business entity. It owns nothing but the business it conducts in accord with the TBA with IHR for KAHI (and gross receipts of KCorp’s business do not begin to approach the ceiling for a small business as described in the March 27 Request, p. 5), and its owners own no other media interests.¹⁶ Moreover, the agreement between KCorp and IHR specifies the price KCorp will pay IHR if it is permitted by the Commission to acquire KAHI. That price is \$100,000. The Commission might take official notice, inasmuch as the pricing of every radio sale is in the Commission’s records, of the fact that this price is sharply discounted from the market price for AM stations licensed to communities of Auburn’s size (2000 Census population, 12,462) that are located on the periphery of expanding metropolitan areas.

16. The instant request is distinguished from the generality of the Joint Petitioners’ March 27 Request by the specificity presented herein, and the concrete demonstration made herein of the public interest factors supporting this request. Moreover, it is distinguished from the generality of the March 27 Request by the fact

¹⁶ The March 27 Request states, in n. 5, that “Joint Petitioners are not calling on the Commission to adopt a race conscious classification” to determine which assignees may be eligible for the relief Joint Petitioners’ seek. KCorp would oppose adoption of a race conscious classification.

demonstrated herein (which may arise as to some very few of the Joint Petitioners' stations) that were the relief requested herein denied Auburn would have less locally licensed radio service – a single station – than it has enjoyed since well before the Commission launched the expanded band project.

17. The Joint Petitioners' March 27 Request addresses the AM interference reduction goal of the expanded band project, saying that “[t]he benefit the Commission expected to realize from a licensee’s returning its initial AM band authorization – reducing congestion and interference in the AM band – does not justify requiring expanded band stations to return one of the authorizations when doing so would deprive the listening public of service.”¹⁷ KCorp supports that conclusion.

18. The Commission determined that “a licensee’s migrating to the expanded band should produce a net reduction in interference experienced during nighttime hours. We take that position because nighttime is the period subject to the most pervasive reception of undesired signals affecting operation in the AM Band.” *Review of Technical Assignment Criteria for the AM Broadcast Service*, Memorandum Opinion and Order on reconsideration, 8 FCC Rcd 3250, 3256 at par. 49 (1993). Yet, during its nighttime broadcast hours KAH1 provides some of the most locally-oriented programming of its broadcast day – high school sports play-by-play.¹⁸ It would be a major loss locally were KAH1 no longer on the air to broadcast these high school games, and the aggregate benefit of all such expanded band-related interference eliminations across the United States would be very modest, as observed at p. 10 of the March 27 Request.

¹⁷ March 27 Request, p. 5.

¹⁸ KAH1 Community Focused Programming, Exh. B, p. 2.

19. Nevertheless, KCorp has had KAHI's nighttime interference reduction potential professionally evaluated by the consulting engineering firm of Hatfield & Dawson. As is demonstrated in the Engineering Report of Benjamin F. Dawson III, PE, attachment hereto as Exhibit D, were KAHI to reduce its night power to 140 watts using its licensed nighttime antenna system, "KAHI would no longer contribute to the 25% RSS interference level of any co-channel or first-adjacent channel station, and the KQKE 50% RSS night limit would be reduced from 4.42 mV/m to 2.26 mV/m." While KAHI would, with this power reduction, no longer contribute to the "most pervasive reception of undesired signals affecting operation in the AM Band," *Review of Technical Assignment Criteria, supra*, its night coverage and the number of persons served by its local broadcasts of, e.g., high school sports pay-by-play, would be substantially diminished.

20. Notwithstanding the substantial diminution of nighttime coverage KAHI would experience were it to reduce power to 140 watts, KCorp represents that if the Commission were to require broadly (*i.e.*, from all existing band stations which would be surrendered but for relief from the five-year surrender condition) the elimination of contributions to nighttime AM interference, it would do so. KCorp has determined through the Hatfield & Dawson report what would be necessary for KAHI to eliminate its contribution to AM nighttime interference, and knows it can be done. Reluctantly, but if made part of a general policy of requiring nighttime interference elimination, in return for extending the lives of existing band stations, KCorp would do this, upon acquiring the KAHI license, in order to continue the local KAHI public service upon which Auburn, California, has come to depend over many years.

Conclusion

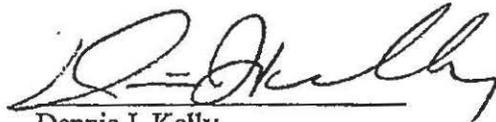
As demonstrated, unless the Commission grants the relief discussed herein from the license surrender condition imposed on the KSMH license, IHR will choose to surrender its license for KAHI. In that case, Auburn will lose its sole locally-focused, rather than regionally-focused, radio station. The Commission should prevent this loss to the people of Auburn and the Foothills of KAHI's service by granting the relief requested herein. Any other course of action would be inconsistent with the public interest.

Respectfully submitted



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August 18, 2006

EXHIBIT A

Testimonials from Auburn Community and Business Leaders

AUBURN POLICE DEPARTMENT

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Chief of Police
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Fax (530) 823-4224



INFO/NON-EMERGENCY 823-4237
INVESTIGATIONS 823-4237 ext. 203
OPERATIONS DIVISION 823-4237 ext. 202
RECORDS 823-4237 ext. 501

December 28, 2005

Dear FCC:

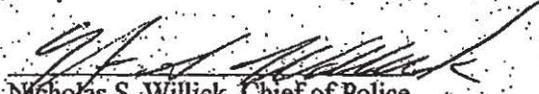
As the Chief of Police of the City of Auburn (CA) Police Department, I'm directly involved in public safety issues in the Auburn area. For this reason, I'm writing to explain KAHI's importance to the public safety of the Auburn citizenry. KAHI, as you know, is the only local radio station in Auburn.

Each week, KAHI allows me to appear on a local law enforcement show called *The Heat is On*. On this show, I talk to members of the public about the important law enforcement issues of the week. I might, for example, explain the remedy for a law enforcement problem, or I might talk to the community about crime prevention. This show is an excellent tool for me to communicate relevant information to the broad community audience.

Outside of the weekly show, KAHI allows me to "maintain a microphone" to the public. At any time, KAHI will broadcast information at my request (or at the request of my department). This message may range from a routine law enforcement matter to an emergency situation that needs to be disclosed to the public immediately. KAHI is the only media source available to broadcast such incidents.

To the Auburn community, KAHI is much more than simply a radio station. In reality, KAHI is a direct link between the police department and the public. This link is important for routine law enforcement notifications, but, more importantly, this link is essential for emergency notifications. KAHI serves the public safety very well, but without the station, the police department could not get necessary information to the community.

Sincerely,


Nicholas S. Willick, Chief of Police
Auburn, CA Police Department

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

California Highway Patrol
Auburn Area
9440 Indian Hill Road
916-663-3344
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



(2)

January 9, 2006

File No.: 220.10284.10284.KAHILetter

Dear Federal Communications Commission:

I am the Commander of the California Highway Patrol (CHP) Auburn Area Office. My office is responsible for over 800 square miles of area in west Placer County which includes I-80; S.R. 49, S.R. 193, S.R. 65, and over 1,100 miles of county roadways. The Auburn Area is the primary traffic enforcement agency in Placer County. The purpose of my letter is to explain the positive public service of KAHI and to emphasize that the absence of KAHI would hinder routine and emergency communications to the public regarding traffic issues in Placer County.

My office and KAHI are involved in three ways. The first is that KAHI allows me to participate in a weekly show titled "The Heat is On." The Sheriff of Placer County and the Police Chief of Auburn also participate. My goal on the show is to inform the public regarding important roadway and vehicular issues as well as any other miscellaneous law enforcement issues. Next, my office puts together a weekly traffic update for KAHI, alerting the Auburn area to the important traffic issues. Both the traffic update and the weekly radio show educate the public to make the roadways safer. Lastly, KAHI allows me to broadcast information, urgent or even emergency, to the public whenever necessary. Here are a few possibilities: information about a serious hazard, or a major accident, or even a hazardous material spill requiring evacuation of the area. Quite obviously, these events may require immediate notification to the public, KAHI allows this to occur.

In conclusion, I recognize KAHI's contribution to the community of the Auburn area as well as the surrounding area. The weekly radio show and weekly traffic updates give the greater Placer County the information to help make our roadways safer. My ability to immediately broadcast urgent information, even emergency instructions is critical. KAHI is committed to this public safety need, recognizing that it is the only radio station in the area available to notify the public. KAHI's absence would definitely hinder the public's access to routine, urgent, or even emergency information. If you have any questions, please feel free to contact me at 916-663-3344.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Ward".

RICK WARD, Captain
Commander
Auburn Area



PLACER COUNTY
SHERIFF
CORONER-MARSHAL



MAIN OFFICE
P.O. BOX 6990
AUBURN, CA 95604
PH: (530) 889-7800 FAX: (530) 889-7899

TAHOE SUBSTATION
DRAWER 1710
TAHOE CITY, CA 96145
PH: (530) 581-6300 FAX: (530) 581-6377

EDWARD N. BONNER
SHERIFF-CORONER-MARSHAL

STEPHEN L. D'ARCY
UNDERSHERIFF

January 9, 2006

Federal Communications Commission:

As the elected Sheriff of Placer County, I serve as the chief law enforcement officer for the entire county. My sheriff's department conducts all aspects of law enforcement, from routine patrol functions to major emergency responses. Located in Auburn, California, KAHI is a valuable asset to the public safety of Placer County.

Communication with the public is critical to our mission. KAHI is the single local station in the Auburn area of Placer County and, therefore, important to our mission. KAHI is the source to broadcast emergency instructions to the public, whether an evacuation order or other emergency instructions. Because KAHI is a "hometown" station I am able to immediately contact and coordinate with personnel at the station. KAHI also helps the sheriff's department communicate with the public in other than emergency situations. Along with other law enforcement administrators, I appear on KAHI's public service program "The Heat Is On." On each show, I have the opportunity to educate the public about the public safety issues that directly impact the listeners' lives.

I request that the FCC give KAHI its full support, mostly for the reason of public service. As stated earlier, KAHI is the source to communicate information to the public, especially during emergency situations. If KAHI did not exist, I would be severely limited in my ability to inform the public about routine or even critical, perhaps life saving, information.

Sincerely,

Edward N. Bonner
Sheriff-Coroner-Marshal

CITY OF AUBURN



1225 Lincoln Way • Auburn, CA 95603 • (530)823-4211 • Fax(530)885-5508

January 9, 2006

Federal Communications Commission:

I'm pleased to write this letter supporting our local radio station KAH1. I am a current councilman of the City of Auburn City Council, the main governing body of the City of Auburn. As I'll explain, KAH1 is a very important part of our community. For this reason, I request that you recognize the contributions of KAH1 and give the station your full support. Now, allow me to explain KAH1's place within our city.

Twice a month, I appear on the KAH1 morning radio program, a community oriented show that allows me to speak to the audience about the issues in our community. I usually explain how the council addressed its matters at the latest meeting as well as explain the goals of the council which are to benefit by becoming informed about the issues that do affect the community of Auburn.

Most within our community would say that KAH1 is the voice of our city. At least the community tunes to KAH1 to hear its locally oriented programming and its public information announcements. As a council member, I'm pleased that our community has a local station that does so much for the public. Our local police department, fire department, as well as other city departments use KAH1 to broadcast their community service information to the public. And, in the event of an emergency, these same departments make emergency broadcasts over KAH1. Our local schools also broadcast some of their community school events to the public through broadcasting the local high school football games. And our local nonprofit community groups support KAH1's public service. Realizing their limited budgets, KAH1 has been generous airtime to them. In fact, KAH1 maintains an open house for all nonprofit groups. As I close this letter, I must address KAH1's relationship with our business community. One of the reasons that Auburn must maintain a local radio station on which our local business community can advertise is for our businesses that wish to advertise locally, KAH1 is the only station that can accommodate them. Simply put, the discontinuance of KAH1 would stop local radio advertising.

Clearly, one can see that KAH1 is a necessary part of the Auburn community. We in the community are fortunate to have such an asset as KAH1. I respectfully request that you support our local station.

Best Regards,

Kevin Hanley, Councilman
City Council, City of Auburn, CA



January 5, 2006

To the Federal Communications Commission:

KAHI broadcasts from Auburn, Calif., which is a small town in the foothills of Northern California. I currently work for the City of Auburn as the City Manager, the executive administrator of all City departments. Because Auburn views KAH1 as a vital community asset, I'm compelled to write this letter strongly supporting the station. KAH1 is Auburn's only local station. So, naturally, our town relies very much on KAH1 for all its local contributions. The local community groups, local businesses, and local government all use KAH1 to get their respective messages to the public. To these groups, KAH1 is their public voice.

Auburn's local non-profit groups broadcast their public service messages on KAH1 always at no charge. Often, these messages educate our children and our elderly population. These non-profit groups operate on limited budgets, so without this free public service, the groups could not get their announcements heard. In addition, KAH1 allows community members to produce and air locally written programming. For the most part, anyone who wants to talk on KAH1 can. And the City of Auburn itself, uses KAH1 to announce City sponsored events and other issues that are important to the community.

KAH1 also reaches and penetrates within our business community and City departments. Many of our local businesses advertise on KAH1 because it is the only locally owned radio commercial. Also, the small advertising budgets of our businesses limit advertising to KAH1. As for the City of Auburn, in addition to using KAH1 for public events, we use KAH1 to alert the public to urgent or emergency matters. KAH1 is the only local radio source for these types of notifications.

As you can see, KAH1 is an important institution to the City of Auburn. Indeed, KAH1 now celebrates its fiftieth year as Auburn's voice. Any change at KAH1 is unacceptable to the community. Our residents would not receive important community service programs or locally oriented programming. Local radio advertising for our business community would end. Finally, law enforcement and other emergency departments would no longer have a key component in our emergency notification process. As City Manager of Auburn, I ask that you fully endorse our local radio station.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Richardson".

Robert Richardson, City Manager
City of Auburn, California

6

County of Placer Board of Supervisors

175 FULWEILER AVENUE
AUBURN, CALIFORNIA 95603
530/889-4010 • FAX: 530/889-4009
PLACER CO. TOLL FREE # 800-488-4308

BILL SANTUCCI
District 1

ROBERT WEYGANDT
District 2

JIM HOLMES
District 3

EDWARD M. "TED" GAINES
District 4

BRUCE KRANZ
District 5



January 9, 2006

To The Federal Communications Commission:

RE: Radio Station KAHI (Auburn, CA)

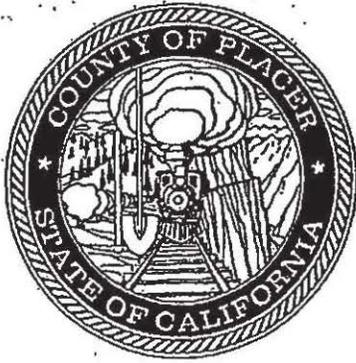
The Placer County Board of Supervisors is the government body that sets policy and direction for the County of Placer. On this Board, I serve as one of five Supervisors. I've written this letter to explain that radio station KAHI has a key role in communicating important safety information during critical incidents in Placer County. In my position, the public safety of the community is always a primary issue.

KAHI is indeed a benefit for Auburn and the Placer area around Auburn. The businesses in the community play their local advertising over KAHI and our schools, churches and community organizations play local announcements. I wish to emphasize, however; that KAHI is extremely important in the safety of the community. The Police Department, Sheriff's Department, Office of Emergency Services, Department of Forestry and others—all of these agencies utilize KAHI as the primary communication channel to the public, both for routine announcements and for emergency instructions. As a recent example, on December 30, 2005, heavy storms pounded the Auburn area, creating a potential for flooding in a variety of locations. The Office of Emergency Services called KAHI to put out information about the flooding, including the locations to pick-up sandbags. The agency was promptly placed on the air and these broadcasts continued throughout the morning until the threat cleared. This example is but one of the many times KAHI has broadcast our agencies urgent messages. Certainly these local broadcasts would not be possible without KAHI.

Sincerely,

A handwritten signature in black ink that reads "Jim Holmes". The signature is written in a cursive style.

Jim Holmes, Supervisor
District III
Placer County



COUNTY OF PLACER

PUBLIC INFORMATION OFFICE

ANITA YODER, Public Information Officer

175 Fulweiler Avenue, Auburn, California 95603

Telephone: 530/889-4012

Fax: 530-886-4635

www.placer.ca.gov

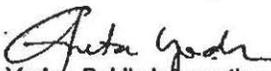
Attention: Federal Communications Commission
January 17, 2006

Thank you for allowing me to explain KAHl's importance to Placer County, California, especially the area of Auburn. My name is Anita Yoder. I am the Public Information Officer of Placer County. In this position, I am the official spokesperson for the agencies within Placer County, the County Board of Supervisors, and the Office of Emergency Services including, occasionally, the Sheriff's Department. During an emergency I may also speak on behalf of a number of emergency response agencies such as fire districts. My responsibilities include distributing need-to-know information from the County's various agencies to the public. This information may take the form of a press release, a public service announcement about diseases within the community, or even live broadcasts regarding life-threatening situations, such as a fire, flood, earthquake or other events.

My office recognizes KAHl as the means to get our need-to-know information to the public. KAHl airs our announcements about road closures, sandbag locations, important meetings or other situations that affects the public. KAHl airs, in addition, our educational announcements telling the public how to protect themselves from dangers of the flu, West Nile Virus, rabies or other diseases. Placer County has used KAHl in this capacity for many years, so much so that our residents, including the elderly, actually rely on KAHl for these announcements. In recent years this has been particularly important as the region, particularly senior citizens, faced the dangers of West Nile virus. Should the region face pandemic flu, this assistance would be lifesaving.

Many times, the need-to-know information is severe. As an example, it is not uncommon for major fires or flooding to occur in our county. When these emergencies occur, our office must tell the public the locations that must be evacuated and the routes that must be taken. In addition, during the floods, the affected areas and the locations of sandbags need to be disclosed. In these situations, KAHl, as always, is the station to broadcast this critical information. Here, in fact, is a recent example. A few weeks ago, heavy rainfall created flooding in some areas of the County. The situation was serious enough that the Office of Emergency Services opened a command center to manage this threat. At our request, KAHl began broadcasting essential information to the residents: the exact areas affected, the location of sandbags, and the areas of safety. KAHl continued these broadcasts for most of the day, until the threat no longer existed. Broadcasts such as these are not possible without KAHl. In other situations, I have been live on the air to warn residents about fires, or hazardous materials incidents.

I cannot emphasize enough that KAHl is absolutely essential to the safety of the residents of Placer County. We have instructed Placer County residents to listen to KAHl for developing information whenever a serious event occurs. KAHl must continue to broadcast these messages for us. KAHl is the only station located in Auburn; the only station that can broadcast our announcements. While stations outside the region may sometimes provide information, KAHl IS THE ONE I CAN COUNT ON to interrupt broadcasts as necessary - to do whatever I need, whenever, day or night. I can receive assistance several times within an hour if needed, go live to describe a developing situation, tell residents exactly what they must do to be safe. Without this station, my office would not have a RELIABLE way to provide informational broadcasts to our local residents of Placer County. Such a condition would place the residents of Placer County at risk.


Anita Yoder, Public Information Officer, Placer County

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

13760 Lincoln Way
Auburn, CA 95603
Website: www.fire.ca.gov
(530) 889-0111



January 11, 2006

Dear FCC,

This department is responsible for forestry management for Placer County, including the entire Auburn area. Fire stations are located throughout the County. Our department has jurisdiction over the fires in the County and other mishaps, including accidents or even major catastrophes. I work as the department's Public Information Officer. In addition to issuing press announcements, one of my responsibilities is alerting the public when serious or emergency situations happen. I often work closely with local Auburn station KAH1.

KAH1 broadcasts all press releases that our office sends it. Moreover, KAH1 broadcasts our more urgent notifications. During the summer months, fires in the area of Auburn are not uncommon. We have implemented an agreement with KAH1 to broadcast our fire alerts over the air. The public has been instructed to listen to our department's alerts and instructions on KAH1. Some of our alerts merely inform the public that a particular roadway has been impacted. Given this situation, KAH1 informs the public to remain clear of those roadways and to take the given alternate routes.

Unfortunately, some of our fires are not "routine." On the contrary, fires in our rural area can be fierce, fast moving, and devastating. In these cases, emergency broadcasts need to be aired immediately. The broadcasts may include evacuation plans and orders. And given the nature of fire, these instructions require constant updating. Here KAH1 shines! Time and time again, KAH1 has proven that it will reliably broadcast each and every event when requested. Last summer, KAH1 broadcast serious fire information numerous times. KAH1's efforts got vital information from our department to the public. In drastic circumstances, such as fires, radio is about the best communication method, especially as residents listen for ongoing updates as they evacuate the area. KAH1 is a major player for us to notify and update the public about dangers that threaten Placer County. Our department's communication to the public would be severely disrupted if KAH1 could no longer broadcast for us.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Rose", written over a horizontal line.

Tina Rose
Public Information Officer
CDF – Fire
Nevada-Yuba-Placer Unit

MID-PLACER PUBLIC SCHOOL TRANSPORTATION AGENCY

13121 BILL FRANCIS DRIVE, AUBURN, CA 95603-9022 P.O. BOX 6857, AUBURN, CA 95604-6857 TELEPHONE (530) 823-4820 or (916) 652-0794 FAX (530) 823-7264

(9)

January 11, 2006

Dear Federal Communications Commission,

In Placer County, the Mid Placer Public Schools Transportation Agency buses the public school children to and from the public schools for seven school districts. Here in the foothills area of California, the weather often impacts the roadways, sometimes so much that it's not safe to transport the children.

When these impacts occur, my Agency asks Auburn station KAHI to broadcast the school bus transportation delays and school closure information to the Auburn area. Parents know to turn on KAHI because we have listed this instruction in the school bus application packets that are distributed. Many Auburn parents wouldn't hear our school closures without the help of KAHI.

KAHI has been broadcasting our school closure information for years and has never turned down our request.

Respectfully,


Martin J. Ward
CEO



Auburn Chamber of Commerce

Serving Auburn Since 1906

(10)

2006 OFFICERS AND DIRECTORS

January 10, 2006

EXECUTIVE COMMITTEE

Sherry Gilbert
President
The Black Forest European Auto Service

Steve Conklin
President-Elect
Shiloh Center

Steve Galyardt
Vice-President
Union Bank of California

Wayne Manning
Treasurer
Manning Consulting

Monroe DeJarnette
Past-President
Ridgecrest Music

BOARD OF DIRECTORS

Craig Denois
The Union

Bill Royan
Donna Royan Interior Design

Karla Tilley
California Payroll Concepts

Ann Rivero
Art Accents Gallery

Monti Reynolds
The Reynolds Law Group

Brad Weston
Auburn Printers

Richard Johnson
Retired

Madonna Anglin

Sally White
Child Advocates for Placer County

Cindy Eklund
Eklund Insurance Agency

Shari Smith
Casablanca Salon & Spa

Don Chaddock
Sentinel Communications

CHAMBER STAFF

Bruce Cosgrove
Executive Director

Debi Lawrence
Membership Development Dir.

Jo Genuoso
Administrative Assistant

Rita Dehart
Administrative Bookkeeper

Dear Federal Communications Commission,

Here at the Auburn Chamber of Commerce, we thank KAHI for being such a positive part of the local business community. The members of the Auburn Chamber of Commerce comprise a variety of businesses within the City of Auburn. Most of our businesses sell their products to customers who live within the City or in the immediate area. Our businesses understand that local advertising is valuable. To that end, advertising on KAHI is the marketing strategy of many of our business members.

KAHI and our business community share a very healthy relationship. Our Chamber often hosts many local events to raise money for both the City of Auburn and the Chamber. KAHI is the Chamber's source to get these events announced to the public, a task that KAHI gladly accepts. But KAHI is so much more than simply a source for announcements. KAHI adds value to our community and is unique in that it is located within the City of Auburn and that it delivers locally focused programming to the City of Auburn and the immediate area. Our businesses understand that if they wish to reach local customers, then KAHI is the only station for them. Our businesses also appreciate KAHI's affordable advertising rates.

This discussion about KAHI being the only radio source may raise the following question: Even though there are no other local stations in Auburn, can't our businesses simply advertise on the radio stations outside of Auburn? Stated frankly, "No." The stations outside of Auburn are large market stations and the going advertising rates are set too high for our businesses. If a few of our businesses could afford the large market rates, our businesses would be advertising to a population that does not shop the businesses of Auburn.

It is important that our business community have a local station for their radio advertising needs. The Auburn Chamber of Commerce fully endorses KAHI radio. KAHI offers the Auburn business community affordable rates and exposure to Auburn customers. If KAHI stopped broadcasting, our local business community would be harmed. Our local businesses would no longer have access to local radio advertising and consequently no longer have access to their customers.

Sincerely,
AUBURN CHAMBER OF COMMERCE

Bruce L. Cosgrove, CEO

601 LINCOLN WAY AUBURN, CALIFORNIA 95603 530/885-5616 FAX 530/885-5854
Email: info@auburnchamber.net www.auburnchamber.net





AUBURN COMMUNITY BANK

January 5, 2006

Dear Federal Communications Commission:

I am the marketing director for Auburn Community Bank, located in the small foothill town of Auburn, California. Our small bank has two branches, both in Auburn. You should know that we are fortunate to have the radio station KAHI 950am in our community.

Since KAHI 950am is the local radio station, it reaches our customers, and the advertising fees are affordable. Advertising fees in Sacramento are too expensive, and those stations do not advertise directly to the Auburn Area. If KAHI did not exist, this would be very unfortunate for us, and the residents of Auburn, because our bank could not do local radio advertising. We count on KAHI, which does a great community service.

Sincerely,

Deanna Noller

Auburn Nissan

Home of the Auburn Nissan Markdown

2630 Grass Valley Highway • P.O. Box 5460 • Auburn, California 95604-5460
530-823-7235 • Fax 530-823-9264 • www.auburnnissanmarkdown.com

January 9, 2006

To Whom It May Concern:

Hello, my name is Michael Barbieri, and I'm the owner of Auburn Nissan in Auburn. Auburn Nissan is a car dealership that sells locally to the people of Auburn. It is very important to my business to have good, local advertising and affordable advertising. KAH1 (950AM) covers all of this for us. The stations outside of Auburn can't do much for me because they don't advertise locally.

KAH1 has invited me onto the morning radio show to give the Auburn residents advice on buying an automobile. This has been a great opportunity for both me and the public. Being able to reach the listening audience, enjoying affordable advertising rates, and advertising to the people of Auburn, I find that KAH1 is a very important asset to our business. I would not be able to do any of this without KAH1.

Sincerely,



Michael Barbieri

ECHO VALLEY RANCH
205 Nevada Street. Auburn, CA 95603
(530) 823-8320

3 January 2006

To Who it May Concern,

I'm writing to explain KAHI's importance to our business.

I manage a ranch supply store named Echo Valley Ranch just outside of Auburn, Calif. Being a small operation, I sell most of my store products to ranch customers in the immediate area, many of whom live in and around the Auburn area. I reach these customers by advertising on KAHI radio in Auburn. Now, while there are radio stations located in another city, I can't advertise on them. These stations play commercials for the people living in Sacramento. But these people are not my customers. No, the Auburn community is my customer. Also, we are a small operation, so we can't afford the advertising rates that those stations charge. As you can tell, I couldn't advertise on the radio if it weren't for KAHI.

Let me explain why advertising on KAHI makes sense. As stated earlier, many of my customers live in and around Auburn. KAHI is the only radio station that broadcasts from Auburn and thus is the only way to reach these customers. KAHI doesn't charge a lot of money for these advertisements, and as a result, I can buy a group of advertisements to spread my commercials at different times.

Thank you for your time,



Connie Watson

EISLEY NURSERY

380 NEVADA ST. - AUBURN, CA 95603
530.885.5163

1/06/2006

To the FCC,

I'm a small business owner, and I'm writing to inform you that KAHI offers the only radio advertising possibility for me. In Auburn, CA, I own a community nursery know as Easley Nursery. My nursery sells a host of garden items to the community. Here in Auburn, my business is somewhat of an institution because my family started this business seventy-three years ago. We have owned and operated this business the entire seventy-three years.

I advertise on our town's local radio station, KAHI, for several reasons. KAHI offers the most affordable advertising rates. The radio stations in Sacramento, on the other hand, are geared to the residents of that city, so their prices easily exceed my allowance for advertising. The high prices, itself, limit me strictly to KAHI. KAHI is not only affordable, but also KAHI is the "local guy" who aims at the "local folks" (my customers). The stations in Sacramento are the "out of town guys" who aim at the "out of town folks" (not my customers).

KAHI also involves my company in its radio shows from time to time. My daughter, Earlene, often appears on KAHI's Saturday gardening show. She talks to our customers and to others about the techniques that will enhance their gardening experience. For the residents of our town, this show is a free community service.

I'll close by saying that KAHI is the local station (the only one) available for advertising, providing affordable rates and exposure for my business. I couldn't advertise on the radio without KAHI.


EARL EISLEY
EISLEY NURSERY



P.O. BOX 5544 • AUBURN, CA 95604-5544
CL #631612

Phone (530) 885-3449 • (916) 782-9242 • Fax (530) 885-3564

1/09/06

Dear Federal Communication Commission,

My husband and I own Maki Heating and A/C in Auburn, CA. We maintain our customer base and gain new customers by advertising our company and its' services to the residents of Auburn and the surrounding small communities. Local radio is an excellent way to do this. We advertise on KAHI radio because it is the only local radio station in the entire city of Auburn. We have been advertising on KAHI for many years. The station's format is set-up for the local residents, so we know our customers hear our commercials.

Because they are local KAHI charges a fair cost for the commercials. We could never afford the larger radio stations that are outside Auburn. Those stations do not focus on our customers and this market anyway. KAHI is our only option for radio advertising. Without KAHI we wouldn't be able to advertise locally on the radio.

KAHI is a tremendous asset to our community. It provides national & local news, traffic information, and local programming with interesting community news. KAHI and its hosts contribute to our community in many ways, whether it be partnering with our service organizations for fundraising or providing coverage for many community events. We wouldn't be the community we are without KAHI radio station in the Auburn area.

Thank you,

A handwritten signature in cursive script that reads "Cheryl Maki".

Cheryl Maki General Manager
(Former Mayor & City Council Member 94-2004)



FARM BUREAU CO-OP SINCE 1950

16

January 4, 2006

Dear Federal Communications Commission:

Placer County Farm Supply is a supply store for the many farms in the Auburn area. An effective way for us to reach our clients is through radio advertising. We reach our Auburn customers by advertising on radio station KAHI. KAHI is our choice because KAHI sells affordable advertising and because KAHI's primary audience is the Auburn community, who are our customers.

There are other radio stations, but they are located in Sacramento, which is outside of Auburn. I can't advertise on those stations because their rates are too expensive and those stations broadcast to the Sacramento metropolitan audience. Consequently, the loss of KAHI would prevent me from advertising on the radio to my customers in Auburn.

In addition, Penny Coey, from our store, hosts a public service program on KAHI. Weekly, Penny discusses animal and farm issues that are important to the farming and ranching community of Auburn. Obviously, this program couldn't exist without radio station KAHI.

Sincerely,

Pam Fanini
Advertising Manager

The Golden Gecko Garden Center

4665 Marshall Rd.
Garden Valley, CA
95633

Phone: 530.333.2394
Fax: 530.333.2364
www.thegoldengecko.com



December 29, 2005

Dear FCC,

My name is Trey Pitsenberger. I own The Golden Gecko Garden Center, which sells garden supplies to the general public. I advertise on KAHI 950am, which is the local radio station for Auburn, California. I chose KAHI because its local broadcast ensures that my customers are hearing my advertising. Additionally, being the local station, KAHI's rates are affordable.

I advertise during KAHI's Saturday gardening show called "The Garden Guru." This live, local talk show takes phone calls about gardening issues from Auburn residents. Needless to say, this local program is the perfect format for my business advertising. Where else would you find a local gardening show that allows local businesses to advertise?

Let me emphasize that KAHI is my only option to advertise on the radio to the residents of Auburn. The larger stations that are outside Auburn neither advertise directly to the Auburn area nor offer affordable advertising rates.

Sincerely,

Trey Pitsenberger
The Golden Gecko Garden Center
www.thegoldengecko.com

(15)

357 Nevada Street, Suite 40
Auburn, California 95603
Telephone: (530) 885-8181.
Fax: (530) 885-1479
E-Mail: tina@aub.com

Tina's Garage

Administrators of the
Vehicle Donation Program
for the Boys & Girls Club of Auburn! ~

January 14, 2006

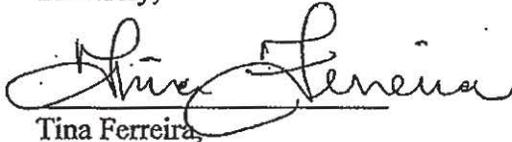
Dear FCC,

I have a unique quality in my industry. I am a female business owner of a shop in a predominantly male field; automotive repair. My business is located in the city of Auburn, California. My business goal is to serve the residents of my hometown of Auburn and the very immediate communities. Like many of Auburn's businesses, I advertise on the radio which is broadcast to the residents of Auburn. KAHI radio, as you know, is the only radio station in Auburn. Advertising on other radio stations broadcasting from Sacramento would not achieve my objective, which is to target my hometown people with hometown-style marketing. The Sacramento stations have too broad a range, and do not localize or personalize their broadcast area. Another factor I have considered is that the advertising rates for the Sacramento stations are excessive, and would not fit the budget of a small, local business such as myself. KAHI not only targets the market of clientele I am looking for, but provides these services at a reasonable fee.

Another way that KAHI is valuable to me is in assisting me with a non-profit program that I administer. It is a service that I provide exclusively for an Auburn non-profit that assists the children of our community. KAHI provides an avenue for me to share news of this program with the community so that others can get involved.

What KAHI provides to my business, and the opportunity to foster the non-profit program, is very important to me. The loss of KAHI would mean the loss of my broadcast advertising. I would cease to advertise on the radio altogether. I am very happy with all that KAHI has meant to my business and would not want to lose that.

Sincerely,



Tina Ferreira,

Owner



1/10/06

Dear FCC:

Located in Auburn, California, the Sentinel is the last locally owned newspaper in Placer County. Over the years, we have developed a strong relationship with KAHI. Given that KAHI and our paper are both local, independent media sources, the two of us have teamed to form a media partnership. The media partnership allows KAHI to advertise and place its program schedule in our paper at no cost. In turn, I appear on KAHI twice a week at no cost to explain the local events and news stories of the Auburn area. Known as *The Sentinel Connection*, my show offers a perspective to the news that isn't possible to explain in print. And because news stories are dynamic, I offer a fresh view of the news, updating and adding comment to the stories. Many listen to keep up to date with the community happenings. These listeners view my show as a strong community service.

The media agreement is a great example of two local businesses working together to benefit both themselves and the public. Our paper benefits because it gets free radio advertising that my paper couldn't otherwise afford. The Sentinel counts on KAHI because this type of agreement works only with a local station. Our paper couldn't possibly develop this type of agreement with one of the radio stations outside of Auburn.

Sincerely,



Don Chaddock
Executive Editor



2160 Grassvalley Hwy.
Auburn, CA. 95603

January 9, 2006

To Whom It May Concern,

Our small, locally owned company, Sunrise Natural Foods, has a store in Auburn, CA. Luckily, there is a radio station in the town (KAHI) that allows us to advertise locally.

You see, radio advertising is important because we wish to tell our customers about our products and also our product specials that frequently occur. KAHI gives our company exactly what we are looking for, local advertising and advertising prices that a small store like ours can afford.

For our company to radio advertise to Auburn, KAHI is our only possibility. The stations in other cities advertise not to Auburn, but to the people who shop in Sacramento. Also, our company can't afford to advertise on those stations merely to target our Auburn audience.

Thank you,

A handwritten signature in black ink, appearing to read "Amy Taylor", with a long, sweeping underline.

Amy Taylor

General Manager

X-STREAM TILE and STONE SUPPLY

January 9, 2006

To Whom It May Concern:

X-Stream Tile and Stone Supply is a fairly new small business in the Auburn area. When I started my company, I was lucky to have KAHI available to expose my new business to the local community. The reason that I chose KAHI is an obvious one. The people here in Auburn know KAHI as the local station that advertises the local businesses and KAHI's advertising prices are acceptable. I have now been advertising on KAHI for about eighteen months. As a new business in the Auburn area, advertising is very important to my company. I choose not to advertise on the Sacramento stations because they are unable to reach my local customers, and I found their advertising rates too expensive. For me to continue my advertising, I will need KAHI.

Sincerely,



Steve Cox
Owner, X-Stream Tile and Stone Supply

Better Breathers Club
c/o Sutter Auburn Faith Hospital
11815 Education Street
Auburn, CA 95602

December 17, 2005

To Whom It May Concern,

The Better Breathers Club is a non-profit group that meets monthly at Sutter Auburn Faith Hospital to support people, and the loved ones of people, who experience any sort of breathing difficult. We do not have an advertising budget, but KAHN Radio makes it possible for us to get our meeting announcements out to the public.

KAHN Radio has a two hour local public service program every Saturday morning from 6:00 to 8:00. I call in every month to announce our upcoming meeting. I am given the opportunity to talk about our organization and the people we serve, and to encourage people to join us.

KAHN also has a weekly "Time for Seniors" program that I was invited to do an interview on. This program allows non-profit organizations like mine to get our information out to the local Senior listeners.

Because there is no other "local" radio station in town, without the free public service time provided by KAHN, The Better Breathers Club would not be able to get information on our group out to the Auburn area.

Sincerely,



Rosemary Johnson, President -

Better Breathers
Sutter Auburn Faith Hospital.

Foothill Community Church of Religious Science
2945 First Street
Auburn, CA 95602

December 22, 2005

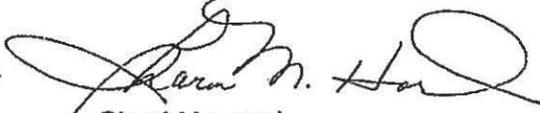
To Whom It May Concern,

The Foothill Community Church of Religious Science relies on KAHI radio to keep the community of Auburn informed about our special functions. We know we can write, fax, or email KAHI and our announcements will not be overlooked. And if it a last minute thing that we haven't gotten to KAHI we just call in during the Community Happenings program on Saturday mornings and somebody is always there to take our call, live on the air!

Frequently we have special services or workshops that are of interest to people who are not members of our church. We know we can rely on KAHI to help us get this information out to the community. And KAHI does this for us for free!

There are a lot of radio stations on the dial but there is only one that is located in Auburn and spends all day everyday talking about Auburn and the surrounding foothill communities. Without the free public service time provided by KAHI, a lot of small non-profit business, like The Foothill Community Church of Religious Science, would not be able to publicize events to Auburn area.

Sincerely,



Shari Howard
Publicity Chairperson



BOARD OF DIRECTORS
Don Hutchinson, President
Bernice Rowe, Vice President
Ron Feist, Secretary
John Curtan, Treasurer
Paul Carlson
Earl Circle
Jeffrey Ochrach
Julie Stringham

January 13, 2006

To Federal Communications Commission:

Sierra Family Services is one of many non-profit agencies located in Auburn. Not unlike the others, we have benefited from KAHI, our town's local radio station. Our agency counsels those who suffer from drug dependency. Our program has been quite successful over the years. Last year, we made over 13,000 counseling contacts. Many of our clients now live better lives because of our counselors.

Being a non-profit, our agency holds fundraisers to generate money to pay for our operations. When our agency does, we need to announce the event to the public to generate ticket sales. KAHI does this for us. KAHI has always allowed us to broadcast public service announcements. Last week, when I asked KAHI to broadcast an announcement for an upcoming event, KAHI began broadcasting our announcement the very same day!

KAHI is an asset for us as well as the other non-profits. All of the non-profits have access on KAHI to make announcements at no charge. Our agency needs to continue announcing our fundraisers and other events so that we can continue to generate revenue for our operations. KAHI is the only station available for these broadcasts. If the station were not around, we could no longer make our public service announcements.

Sincerely,

Jon Kerschner
Executive Director
Sierra Family Services, Inc.



Loomis Basin Congregational

United Church of Christ

6440 King Road, P.O. Box 21

Loomis, CA 95650-0021

~~(916) 652-6011~~ ~~jacquemoncrief@aol.com~~

~~The Rev. Dr. Jacqueline Moncrief, Pastor~~

Jackie Brown

December 17, 2005

To Whom It May Concern,

The Loomis Basin Congregational United Church of Christ is located in the small town of Loomis, just a few miles west of Auburn. We are a small church and can not afford to advertise on television, radio, or in the newspaper. But we know KAHI radio will announce our events for free.

This month alone we had two special events that KAHI announced for us: a Christmas Breakfast on December 3rd, and a special mid-December candlelight worship service on December 13th. In both cases when I called KAHI radio they gave me a live on-air interview on the spot! Try doing that with your big city radio station!

This free service that KAHI provides to local non-profit businesses is invaluable. There are no other community focused radio stations in the area. Three cheers for KAHI!

Sincerely,

Darlys Murray

EXHIBIT B

KAHN Community Focused Programming

KAHI Community Focused Programming (as of 07/2006)

Weekdays 6:00 to 9:00 AM

The KAHl Morning Show: Barry in the Morning with Barry Stigers is a locally produced, locally oriented morning news program that focuses on the Foothills. Mondays we give time to the local 4-H clubs as their Director, June Stewart, checks in with what the club members have going on (fair, fun and events). Each Tuesday, following Auburn city council meetings, we host Auburn city council member, Kevin Hanley, for a discussion of the previous nights meeting. Using the agenda we go over each item and discuss what the decisions mean to the community. On Tuesday and Thursday mornings at 8:30 AM we get live updates from Reporters at the Mountain Democrat in Placerville, for up to the minute news of El Dorado County (all part of being the "Voice of the Foothills"). Fridays we have Victoria Beninga from Foothills Families with family friendly activity report for the upcoming weekend

If it happens in the foothills it happens on the KAHl Morning Show--politicians, community groups, local coaches, authors, representatives from the county adoption agency, and more. The show is flexible enough to allow for guests to walk right in and sit down to discuss issues on-air. Both of our studios have large windows opening onto Lincoln Way, a main street in Auburn. This encourages community members to drop in and "chat." We have recently had visits from everyone from Auburn City Council members to, the Mayor of Auburn, various members of boards: Auburn Recreation District Board members, representatives from the local Transportation Planning Board, Planning Commissioners etc.

Weekdays 9:00 to 12:00 Noon

Daytimes with Dave & Jenn with Dave Rosenthal and Jennifer Richardson is a locally produced continuation of the KAHl Morning Show. Less hard news, and more of a locally oriented magazine type program that focuses strictly on Auburn and the surrounding Foothills. Every Monday we start the week with local TWIG (this week in government) notes, a segment that lets people know which governmental bodies are meeting when and where with highlighted agenda items that listeners are invited to call-in and discuss. On Wednesday mornings we have political news for the Auburn area from the Auburn Sentinel's Editor in Chief, Don Chaddock, who joins us live. Every week we strive to get the best local guests from school and community theater folks to the Auburn Symphony. Each year we celebrate Symphony Week with a guest a day to discuss the symphony.

If it happens in the foothills it happens on Daytimes with Dave & Jenn--politicians, community groups, local coaches, authors, representatives from the county adoption agency, and more. The show is flexible enough to allow for guests to walk right in and sit down to discuss issues on-air. Both of our studios have large windows opening onto Lincoln Way, a main street in Auburn. This encourages community members to drop in and "chat." We have recently had visits from everyone from Auburn City Council members to, the Mayor of Auburn, various members of boards: Auburn Recreation District Board members, representatives from the local Transportation Planning Board, Planning Commissioners etc.

Monday 8:30 to 9:00 AM

"The Heat Is On" is KAHl's weekly discussion of matters of concern to the local law enforcement community. This program is hosted by Placer County Sheriff, Ed Bonner, Auburn's Chief of Police, Nick Willick and on alternating Mondays by CHP Commanders Rick Ward or Dennis Martinez. Members of our local law enforcement community discuss local crime, local traffic, and local safety issues. Topics range from general law enforcement to the weekend accident report. Other discussions revolve around recent laws that have been enacted, stupid criminals of the week and any special events that each of the particular agencies are working on.

Monday 3:00 to 4:00 PM

"A Time for Seniors" is KAHl's weekly discussion of matters of concern to members of our local senior community. This program is hosted by Candace Roeder, Director of Placer County Seniors First/Senior Link. Candice covers such topics as senior abuse by non-caregivers, dangers in shopping center parking lots, telemarketing fraud scams, finding work after 50, adult daycare & wellness centers, health insurance counseling, transportation where public transit is not available or appropriate, and senior nutrition & your health.

Friday 3:00 to 3:30PM

"Inside the Car Business" is KAHl's locally produced weekly program dealing with all aspects of the automotive business. From how to negotiate the best price on your next car purchase to new and future automotive technology. The phone lines are open for listener comments and questions.

Tuesday 3:00 to 4:00 PM

"The Republic Radio Show" with Bill Prancikas and Dick Marshall (Publisher and Editor of the Republic Magazine.) is KAHl's weekly, locally focused conservative talk program. Bill and Dick discuss local politics from the conservative perspective. As with all of KAHl's locally produced programs, the phone lines are always open for listener questions, comments, and opposing views.

Thursday 3:00 to 3:30 PM

"Tomer Time with Tomer Tal" is another of KAHl's weekly discussion programs. The subject is local business talk and legal advice for the small business. Tomer Time is an exciting look into the business environment from a financial and legal perspective. Every week Tomer presents guest from varying business disciplines to discuss how their functional area affects business as a whole and particularly how a local small business owner can benefit from their services.

Friday 3:30 to 4:00PM

Health Matters is KAHl's weekly discussion on alternatives to traditional medicine. Local Chiropractor, Dr. Ronald Berg, discusses what he refers to as "the things the AMA doesn't want you to know about." The phone lines are always open for comments, questions, and opposing views.

Wednesday 3:00 to 3:30 PM

Community Connections is another weekly community focused program KAHl provides. Hosted by Loyce Smallwood who also writes a column entitled "Foothill Connections" and does the man-on-the-street weekly citizen response question for the Auburn Sentinel newspaper. Community Connections focuses on community leaders, business people and movers-and-shakers in the local community.

Friday at 7:00 PM (seasonal)

High School Game of the Week KAHl's Sports Director, Bob Chapman, calls KAHl's High School Game of the Week, live each Friday night during the school year. KAHl covers football, basketball, and baseball at the high school level.

Saturday at 1:00 PM (seasonal)

Sierra College Game of the Week KAHl Sports Director, Bob Chapman, calls Sierra Community College Game of the Week, live each Saturday afternoon during the school year.

Saturday 6:00 to 8:00 AM

"The Swap Shop" is KAHl's live call-in listener classified ads and events of local nonprofit groups. This program is hosted by KAHl employee, Jerry Henry. Every local event which is submitted to KAHl for our "Community Happenings" report gets a personal (email) invitation to call in and speak live on the air about their event. We spend 2 hours each week discussing local yard sales as well as events at the local AIDS Foundation, Cancer Support Group, Genealogical Society, Boy Scout Group, various local churches, etc.

Saturday 8:00 to 9:00 AM

"The KAHl Corral" is KAHl's weekly discussion of matters of concern to local farmers and ranchers. Hosted by Penny Cuey, of Placer County Farm Supply and Margo Farrely, of the American Quarter Horse Association. Guests include experts on local foothills equestrian trails, local Veterinarians, and horse trainers. West Nile Virus is in near epidemic status in Placer County today and the equestrian community is hardest hit. Therefore the KAHl Corral features weekly reports from Dr. Jamie Scott, Vector Ecologist with the Placer County Mosquito Abatement District. Dr. Scott frequently co-hosts the program providing a full hour of tips on how to fight West Nile Virus in our local area. The KAHl Corral accepts live call in questions on farming and equestrian.

Saturday 9:00 to 10:00 AM

"The Garden Guru" is KAHl's weekly discussion of matters of concern to local gardeners, garden clubs, and farmers. Hosted by Don Yamasaki, Horticulturist and former nurseryman, and his wife, Chere Yamasaki. This program features guests from local nurseries and garden clubs and accepts live call-in gardening questions. Don Yamasaki is KAHl's Garden Guru (The Gu), dispensing gardening tips, horticultural folklore, and botanical babble every Saturday morning from 9 to 10 am.

Saturday 10:00 to 11:00 AM

Sundance Computer Hour. This show brings computer tips and discussions to Foothills listeners. It is hosted by owner of Sundance Computers, Thom Finks. The show is informative, but casually presented, and conveys information for all levels of computer users. Topics range from all aspects of hardware, including processors, motherboards, video requirements for various applications, modems and peripherals such as scanners and cameras. Software discussions include operating systems. Listeners are treated to tips and shortcuts for system maintenance, office programs and the Internet. This part of the show always draws a great deal of interest as hosts and listeners share information-laden websites with multiple themes. Listeners are invited to call in with their questions during the show.

KAHl has, for more than two years, partnered with the Auburn office of the California Welcome Center to produce a Public Service campaign entitled **"101 Things To Do in Placer County."** Along the same lines we also produce a **"KAHl Community Bulletin Board"** highlighting activities and events of local non-profit organizations. These sixty second PSA's run at least 10 times per day on KAHl.

We also stay involved with the community with frequent in-kind sponsorships for various community events. Our Mid-Morning Show Hosts, Dave Rosenthal and Jennifer Richardson, volunteers as MCs or Auctioneers for groups like the organizers of the local dog park, nursery schools, high schools, the Auburn Symphony, ect. for their fundraising events.

EXHIBIT C

Declaration of Douglas M. Sherman

DECLARATION

I, Douglas M. Sherman, pursuant to Section 1.16 of the Commission's Rules, hereby declares and states as follows:

1. I am President of IHR Educational Broadcasting, licensee of a number of broadcast stations, including AM Broadcast Station KAHL, 950 kHz, Auburn, California and AM Broadcast Station KSMH, 1620 kHz, West Sacramento, California. These are so-called "paired" existing band and expanded band AM stations.

2. If forced to choose a license to surrender between its paired existing band and expanded band AM station licenses, IHR Educational Broadcasting would surrender the license for its existing band station, KAHL, and would continue service over its expanded band station, KSMH.

3. IHR is in agreement with KAHI Corporation to sell KAHI to KAHI Corporation if the Commission will, as we request, waive Section 73.1150(c) of its Rules.

4. All statements contained herein are true and correct and are made under penalty of perjury.

DATED this 17th day of August, 2006.



Douglas M. Sherman

EXHIBIT D

Engineering Report

HATFIELD & DAWSON

CONSULTING ELECTRICAL ENGINEERS
9500 GREENWOOD AVE. N.
SEATTLE, WASHINGTON 98103

JAMES B. HATFIELD, PE
BENJAMIN F. DAWSON III, PE
THOMAS M. ECKELS, PE
STEPHEN S. LOCKWOOD, PE
DAVID J. PINION, PE

PAUL W. LEONARD, PE
ERIK C. SWANSON, EIT
THOMAS S. GORTON, PE

TELEPHONE
(206) 783-9151
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(206) 789-9834
E-MAIL

hatdaw@hatdaw.com

MAURY L. HATFIELD, PE
CONSULTANT
BOX 1326
OAKHURST, NSW, AUSTRALIA

ENGINEERING REPORT

Prepared for KAHI Corporation
Interference Conditions for 950 kHz Operation
KAHI, 950 kHz, Auburn, CA

The purpose of this report is to provide an analysis of the nighttime allocation conditions which would limit the possible re-use of 950 kHz with the present KAHI antenna location and nighttime pattern following the "expanded band sunset date" for the present licensed operation.

Because the licensee of KAHI was awarded an expanded band allotment, the basis of which was an analysis of comparative interference reduction by elimination of the 950 kHz operation, it is clear that the present operation is the source of substantial nighttime interference to some other AM facility or facilities.

ANALYSIS

KAHI is the largest contributor to the nighttime interference level of first adjacent channel station KQKE (960 kHz, Oakland), because the KAHI nighttime antenna has its maximum radiation lobe almost directly toward Oakland.¹

Call: KQKE

Contributors:

Call	Freq (kHz)	City	St	Ct	Limit (mV/m)	%	RSS
							Limit (mV/m)
KAHI	0950	AUBURN	CA	US	4.422	100.0	4.422
KESP	0970	MODESTO	CA	US	1.539	34.8	4.682
KGKL	0960	SAN ANGELO	TX	US	1.213	25.9	4.837
KKNT	0960	PHOENIX	AZ	US	1.121	23.2	4.965
KCMD	0970	PORTLAND	OR	US	1.110	22.4	5.087

¹At the time of licensing of the KAHI nighttime antenna, adjacent channel skywave protection was not required.

ENGINEERING REPORT, p. 2
 KAHI, Auburn, CA

In order to eliminate this interference contribution, as defined by Sec. 73.182 of the FCC Rules, it would be necessary to reduce the radiation so that the interference contribution becomes less than 25% of the RSS value of all of the other existing eligible contributors. The following table shows this situation, with KAHI reduced to 140 Watts.

Call: KQKE

Contributors:

Call	Freq (kHz)	City	St	Ct	Limit (mV/m)	(%)	RSS Limit (mV/m)
KESP	0970	MODESTO	CA	US	1.539	100.0	1.539
KGKL	0960	SAN ANGELO	TX	US	1.213	78.8	1.959
KKNT	0960	PHOENIX	AZ	US	1.121	57.2	2.257
KCMD	0970	PORTLAND	OR	US	1.110	49.2	2.515
KOVO	0960	PROVO	UT	US	1.087	43.2	2.740
KKJX	0960	KLAMATH FALLS	OR	US	1.053	38.4	2.935
OAX4D-A	0960	PANAMERICANA		PE	0.940	32.0	3.082
CFAC/A	0960	CALGARY	AB	CA	0.900	29.2	3.211
XEKAM/A	0950	ROSARIO	BC	MX	0.827	25.8	3.316
KAHI-P	0950	AUBURN	CA	US	0.825	24.9	3.417
KHTY	0970	BAKERSFIELD	CA	US	0.748	21.9	3.498

Operation with 140 watts and the present antenna would result in a radiation pattern with an RMS value of 123.3 mV/m/km, which is less than the minimum allowable for "protected" nighttime service, 141 mV/m. This power level is an acceptable level for class D nighttime service by a "daytime" AM station, and would also be exempt from a nighttime principal community coverage requirement.

ENGINEERING REPORT, p. 3
KAHI, Auburn, CA

CONCLUSION

Operating with 140 Watts and the presently licensed nighttime antenna, KAH1 would no longer contribute to the 25% RSS interference level of any co-channel or first-adjacent channel station, and the KQKE 50% RSS night limit would be reduced from 4.42 mV/m to 2.26 mV/m.²

July 7, 2006



The image shows a circular professional engineer seal for Benjamin F. Dawson III, E8377, State of California, Electrical Engineering. The seal is stamped over a handwritten signature in black ink. The signature is written in a cursive style and appears to read 'Ben Dawson III'. The seal contains the text 'REGISTERED PROFESSIONAL ENGINEER', 'BENJAMIN F. DAWSON III', 'E8377', 'ELECTRICAL', and 'STATE OF CALIFORNIA' with a star on the right side.

Benj. F. Dawson III, P.E.

²The 50% RSS value is used for coverage computations, while the 25% RSS value is the limiting amount to be considered as a contribution from an allocation standpoint.

Hatfield & Dawson Consulting Engineers

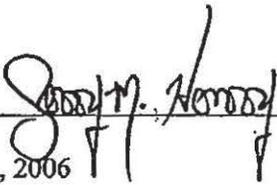
EXHIBIT E

Declaration of Jerry Henry, President of KAHN Corporation

DECLARATION OF JERRY HENRY

I, Jerry Henry, under penalty of perjury, hereby declare the following:

1. I am the President of KAHl Corporation.
2. To the best of my knowledge and belief, all facts stated in the "Request for Relief from License Condition or, in the Alternative, Request for Waiver", which I have reviewed and to which this declaration is attached, are true and correct.



July 30, 2006

EXHIBIT 2

TOM McCLINTOCK
4TH DISTRICT, CALIFORNIA

2331 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2511

2200A DOUGLAS BOULEVARD, SUITE 240
ROSEVILLE, CA 95661
(916) 786-5560

Congress of the United States
House of Representatives
Washington, DC 20515-0504

COMMITTEE ON
NATURAL RESOURCES
SUBCOMMITTEE ON FEDERAL LANDS
CHAIRMAN
SUBCOMMITTEE ON
WATER, POWER, AND OCEANS
COMMITTEE ON THE BUDGET

March 16, 2016

Mr. Peter Doyle
Chief, Audio Division, Media Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Proposed Rule, FCC Proceeding 15-142

Dear Mr. Doyle:

I write in regard to the proposed rule for FCC Proceeding 15-142, "Revitalization of the AM Radio Service," which would force dual-station license holder Immaculate Heart Radio to surrender its standard band license. This rule will ultimately eliminate KAHI radio from the air in Northern California.

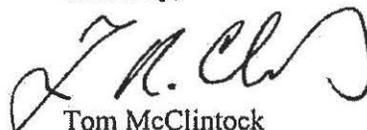
KAHI radio's ability to broadcast is essential to the Sierra Foothills community in Northern California. Based in downtown Auburn, the station is used to promote events and businesses in the surrounding area. Their broadcasts include local radio shows and advertisements for local small businesses. Most importantly, KAHI serves as an avenue for local law enforcement and forestry departments to provide essential emergency updates in times of crisis, especially the recent catastrophic wildfires.

KSMH, the expanded band license holder for this dual-station license, which would survive the proposed rule, focuses on regional issues, rather than local issues. On-air programs, as well as advertisements and events on the broadcast, cater to an audience well outside of the Sierra Foothills community.

Taking away KAHI's ability to broadcast would deprive the people of Auburn and the surrounding community of local radio shows, advertisements, and an essential outlet for emergency updates and reports.

Thank you for your consideration. Should you have any questions, please contact Rachel Long at my office, at (202) 225-2511.

Sincerely,



Tom McClintock