

Moreover, our engineering analysis has also determined that the requested substitution of Channel 295B1 for Channel 295B at Yucca Valley and its reallocation to Desert Hot Springs, California, at the proposed site for Station KYOR, would result in the provision of a 70 dBu signal to 63.3 % of the Hemet-San Jacinto, California, urbanized area (as well as 5% of the Riverside-San Bernardino, California, urbanized area). In instances where a requested relocation would result in the provision of a 70 dBu signal over 50% or more of the urbanized area, a Tuck analysis is required to determine if the proposed community is entitled to a first local service preference, or whether it should be credited with all of the aural services licensed to the urbanized area. See *Headland, Alabama and Chattahoochee, Florida*, 10 FCC Rcd 10352 (1995); *Huntington Broadcasting Co. v. FCC*, 192 F.2d 33 (D.C. Cir. 1951); *RKO General, Inc.*, 5 FCC Rcd 3222 (1990); and *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988). However, your engineering statement claims that the proposed downgrade and relocation of Station KYOR(FM) would result in the provision of a 70 dBu signal to only 47.2% of the Palm Springs Urbanized Area, and therefore a *Tuck* analysis is not required. The engineering statement did not include the relevant coverage information with respect to the Hemet-San Jacinto, California, urbanized area, which would require the submission of a *Tuck* analysis. See *Elizabeth City, North Carolina and Chesapeake, Virginia*, 9 FCC Rcd 3586 (1994).

In view of the above, the proposal submitted on behalf of Big City Radio-LA, L.L.C. is unacceptable for consideration.

Sincerely,

John A. Karousos
Chief, Allocations Branch
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