



United States of America
FEDERAL COMMUNICATIONS COMMISSION
FM BROADCAST STATION CONSTRUCTION PERMIT

Authorizing Official:

Official Mailing Address:

HORIZON BROADCASTING GROUP LLC
2484 NW HOSMER LAKE DR
BEND OR 97701

Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

Facility ID: 13581

Grant Date: August 25, 2008

Call Sign: KWLZ-FM

This permit expires 3:00 a.m.
local time, 36 months after the
grant date specified above.

Permit File Number: BPH-20070119AAT

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

Commission rules which became effective on February 16, 1999, have a bearing on this construction permit. See Report & Order, Streamlining of Mass Media Applications, MM Docket No. 98-43, 13 FCC RCD 23056, Para. 77-90 (November 25, 1998); 63 Fed. Reg. 70039 (December 18, 1998). Pursuant to these rules, this construction permit will be subject to automatic forfeiture unless construction is complete and an application for license to cover is filed prior to expiration. See Section 73.3598.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of Permittee: HORIZON BROADCASTING GROUP LLC

Station Location: OR-WEST LINN

Frequency (MHz): 96.3

Channel: 242

Class: C3

Hours of Operation: Unlimited

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Transmitter output power: As required to achieve authorized ERP.

Antenna type: Directional

Antenna Coordinates: North Latitude: 45 deg 29 min 20 sec
West Longitude: 122 deg 41 min 40 sec

	Horizontally Polarized Antenna	Vertically Polarized Antenna
Effective radiated power in the Horizontal Plane (kW):	2.90	2.90
Height of radiation center above ground (Meters):	81	81
Height of radiation center above mean sea level (Meters):	391	391
Height of radiation center above average terrain (Meters):	297	297

Antenna structure registration number: 1033770

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 Pursuant to the grant of this construction permit and the authority found in Sections 4(i), 5(c)(1), 303 and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b), 0.283, 1.420, 73.203(b), and 73.3573 of the Commission's Rules, the FM assignment IS MODIFIED as follows:

Community	Channel No.
West Linn, OR	Add 242C3
Warm Springs, OR	Delete 243C

Pursuant to Section 316(a) of the Communication Act of 1934, as amended, license BLH-19860127KG IS MODIFIED to specify operation on Channel 242C3 at West Linn, OR in lieu of Channel 243C at WARM Springs, OR.

Special operating conditions or restrictions:

- 2 BEFORE PROGRAM TESTS ARE AUTHORIZED, permittee shall submit the results of a complete proof-of-performance to establish the horizontal plane radiation patterns for both the horizontally and vertically polarized radiation components. This proof-of-performance may be accomplished using the complete full size antenna, or individual bays therefrom, mounted on a supporting structure of identical dimensions and configuration as the proposed structure, including all braces, ladders, conduits, coaxial lines, and other appurtenances; or using a carefully manufactured scale model of the entire antenna, or individual bays therefrom, mounted on an equally scaled model of the proposed supporting structure, including all appurtenances. Engineering exhibits should include a description of the antenna testing facilities and equipment employed, including appropriate photographs or sketches and a description of the testing procedures, including scale factor, measurements frequency, and equipment calibration.
- 3 BEFORE PROGRAM TESTS ARE AUTHORIZED, permittee shall submit an affidavit from a licensed surveyor to establish that the directional antenna has been oriented at the proper azimuth.
- 4 BEFORE PROGRAM TESTS ARE AUTHORIZED, permittee/licensee shall submit an affidavit that the installation of the directional antenna system was overseen by a qualified engineer. This affidavit shall include a certification by the engineer that the antenna was installed pursuant to the manufacturer's instructions and list the qualifications of the certifying engineer.
- 5 The relative field strength of neither the measured horizontally nor vertically polarized radiation component shall exceed at any azimuth the value indicated on the composite radiation pattern authorized by this construction permit.

A relative field strength of 1.0 on the composite radiation pattern herein authorized corresponds to the following effective radiated power:

2.9 kilowatts.

Principal minima and their associated field strength limits:

180 - 200 degrees True: 0.73 kilowatts

- 6 Permittee has specified use of the antenna listed below to demonstrate compliance with the FCC radiofrequency electromagnetic field exposure guidelines. If any other type or size of antenna is to be used with the facilities authorized herein, THE AUTOMATIC PROGRAM TEST PROVISIONS OF 47 C.F.R. SECTION 73.1620 WILL NOT APPLY. In this case, a FORMAL REQUEST FOR PROGRAM TEST AUTHORITY must be filed in conjunction with FCC Form 302-FM, application for license, BEFORE program tests will be authorized. The request must include a revised RF field showing to demonstrate continued compliance with the FCC guidelines.

Type: Shively 6810, three sections, 0.5 wavelength spacing

Special operating conditions or restrictions:

7 ***** This is a Section 73.215 contour protection grant *****
***** as requested by this applicant *****

8 PROGRAM TESTS PURSUANT TO THIS CONSTRUCTION PERMIT WILL NOT COMMENCE UNTIL KXXO(FM), OLYMPIA, WA, FACILITY 67027, COMMENCES PROGRAM TESTS IN ACCORDANCE WITH CONSTRUCTION PERMIT BPH-20070119AAS. A LICENSE TO COVER THIS CONSTRUCTION PERMIT WILL NOT BE GRANTED UNTIL KXXO(FM) IS GRANTED A LICENSE TO COVER CONSTRUCTION PERMIT BPH-20070119AAS.

9 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.

*** END OF AUTHORIZATION ***

EXHIBIT 12

DOCKET FILE COPY ORIGINAL

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

MAILED
JUN 28 2010

In the Matter of)
)
Amendment of Section 73.202(b)) MB Docket No. 09-130
FM Table of Allotments,) RM-11538
FM Broadcast Stations.)
(Maupin, Oregon))
)

FCC Mail Room

MEMORANDUM OPINION AND ORDER

Adopted: June 25, 2010

Released: June 28, 2010

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a Petition for Reconsideration filed on behalf of Maupin Broadcasting Company ("Petitioner"), directed to the *Report and Order* issued in this proceeding, which allotted Channel 244C2 at Maupin, Oregon.¹ No parties filed comments in response to the Petition for Reconsideration.

2. In its Petition for Reconsideration, Petitioner now withdraws its expression of interest in the allotment of Channel 244C2 at Maupin. Petitioner states that due to changed economic conditions, it is no longer interested in constructing and operating a station at Maupin. In compliance with Section 1.420(j) of the Commission's Rules, Petitioner states that no consideration has been or will be received by it in return for the withdrawal of its expression of interest. Petitioner also requests the dismissal of its pending application for a new station at Maupin.²

3. **Discussion.** We will grant the Petition for Reconsideration and dismiss the petitioner's expression of interest because it demonstrated compliance with §1.420 (j). There is no other expression of interest in vacant Channel 244C2 at Maupin. It is Commission policy to refrain from maintaining an allotment where there are no *bona fide* expressions of interest.³ Accordingly, we will delete Channel 244C2 at Maupin.⁴

4. The Commission will send a copy of this *Memorandum Opinion and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A).

5. **Ordering Clauses.** Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g), and (r), and 307(b) of the Communications Act of 1934, as amended, and 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED That effective August 12, 2010, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the

¹ Petitioner proposed Channel 244C2 at Maupin, as its first local service. No other parties filed comments or expressions of interest in that allotment. *See Maupin, Oregon, Report and Order*, 25 FCC Rcd 78 (MB 2010).

² *See* File No. BNPH-20081107AEN.

³ *See Coosada, Alabama, Memorandum Opinion and Order*, 17 FCC Rcd 21171 (MB 2002).

⁴ *See Wickenburg, Bagdad, and Aguila, Arizona*, 16 FCC Rcd 15793 (Allocations Branch 2001).

communities listed below, as follows:

<u>Community</u>	<u>Channel</u>
Maupin, Oregon	---

6. IT IS FURTHER ORDERED That the petition for reconsideration filed by Maupin Broadcasting Company IS GRANTED.

7. IT IS FURTHER ORDERED That this proceeding IS TERMINATED.

8. For further information concerning the above, please contact Rolanda F. Smith at (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

EXHIBIT 13



United States of America
FEDERAL COMMUNICATIONS COMMISSION
FM BROADCAST STATION CONSTRUCTION PERMIT

Authorizing Official:

Official Mailing Address:

STEPHANIE LINN
PO BOX 1180
NEWPORT OR 97365

Dale E. Bickel
Senior Engineer
Audio Division
Media Bureau

Facility ID: 63205

Grant Date: May 24, 2010

Call Sign: KSHL

This permit expires 3:00 a.m.
local time, May 24, 2013.

Permit File Number: BPH-20080331ACW

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

Commission rules which became effective on February 16, 1999, have a bearing on this construction permit. See Report & Order, Streamlining of Mass Media Applications, MM Docket No. 98-43, 13 FCC RCD 23056, Para. 77-90 (November 25, 1998); 63 Fed. Reg. 70039 (December 18, 1998). Pursuant to these rules, this construction permit will be subject to automatic forfeiture unless construction is complete and an application for license to cover is filed prior to expiration. See Section 73.3598.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of Permittee: STEPHANIE LINN

Station Location: OR-COBURG

Frequency (MHz): 97.7

Channel: 249

Class: C3

Hours of Operation: Unlimited

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Transmitter output power: As required to achieve authorized ERP.

Antenna type: Non-Directional

Antenna Coordinates: North Latitude: 44 deg 00 min 08 sec
West Longitude: 123 deg 06 min 50 sec

	Horizontally Polarized Antenna	Vertically Polarized Antenna
Effective radiated power in the Horizontal Plane (kW):	2.80	2.80
Height of radiation center above ground (Meters):	104	104
Height of radiation center above mean sea level (Meters):	499	499
Height of radiation center above average terrain (Meters):	300	300

Antenna structure registration number: 1035780

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.

- 2 ***** This is a Section 73.215 contour protection grant *****
***** as requested by this applicant *****

- 3 Pursuant to the grant of this construction permit and the authority found in Sections 4(i), 5(c)(1), 303 and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b), 0.283, 1.420, 73.203(b), and 73.3573 of the Commission's Rules, the FM assignment for KSHL is modified as follows:

Community	Channel No.
Coburg, OR	Add 249C3
Gleneden Beach, OR	Delete 248C2

Pursuant to Section 316(a) of the Communication Act of 1934, as amended, the license for KSHL IS MODIFIED to specify operation on Channel 249C3 at Coburg, OR in lieu of Channel 248C2 at Gleneden Beach, OR.

Special operating conditions or restrictions:

- 4 Program tests for KSHL pursuant to this construction permit may not commence until program tests commence for KNRQ-FM on Channel 250C2 at Tualatin, OR, and a license will not be granted to cover this construction permit until a license is granted to cover KNRQ-FM's operations on Channel 250C2 at Tualatin, OR.

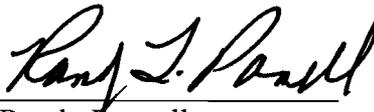
*** END OF AUTHORIZATION ***

CERTIFICATE OF SERVICE

I, Randy Pannell, in the law firm of Wiley Rein LLP, do hereby certify that I have on this 5th day of August, 2010, unless otherwise noted, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "**Counterproposal**" to the following:

*Deborah A. Dupont
Audio Division, Media Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

J. Dominic Monahan
Luvaas Cobb
Forum Building
777 High Street, Suite 300
P.O. Box 10747
Eugene, Oregon 97401
(Counsel to Black Hills Broadcasting, L.P.)


Randy Pannell

* VIA HAND DELIVERY