

Friday, January 18, 2013

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, Maryland 20743

Received & Inspected

JAN 22 2013

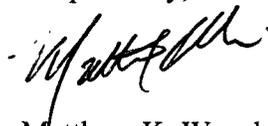
FCC Mail Room

Regarding: Petition for Rulemaking

Ms. Dortch –

I am sending to the Commission this original Petition for Rulemaking with four copies with respect to the creation of a broadcast FM C4 allotment class, as well as revisions to certain sections of the Commission's Rules, most notably Section 73.215. I certify that everything contained herein is correct to the best of my knowledge. If you have any questions, then please do not hesitate to call me at 601-201-2789, by email at matt@wyab.com, or by mail at SSR Communications, Inc., 740 Highway 49 North, Suite R, Flora, MS 39071.

Respectfully,



Matthew K. Wesolowski
Chief Executive Officer
SSR Communications, Inc.
740 Highway 49 North
Suite R
Flora, Mississippi 39071
601-201-2789

Orig.

Received & Inspected

JAN 22 2013

FCC Mail Room

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

In the Matter of)
)
Amendment of Sections 73.207, 73.210,)
73.211, 73.215, and 73.3573 of the)
Commission's Rules related to Minimum)
Distance Separation Between Stations,)
Station Classes, Power and Antenna Height)
Requirements, Contour Protection for Short)
Spaced FM Assignments, and Processing)
FM Broadcast Station Applications)

Docket No. MB _____
RM- _____

To the Commission

PETITION FOR RULEMAKING

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Table of Contents

	Page
Introduction and Summary	1
I. History Of Proposals To Expand Coverage In The FM Band	3
II. Creation Of A Class C4 Allocation	5
III. Amendments Of Sections 73.207, 73.210, 73.211 And 73.215 Of The Commission’s Rules Required to Accommodate A C4 Allocation	8
IV. Show Cause Order Procedures For Stations Not Currently Authorized Under Section 73.215.....	10
V. Amendments To Section 73.3573 of the Commission’s Rules Required To Accommodate A 73.215 Show Cause Order Procedure.....	12
VI. Conclusion	13

Introduction and Summary

SSR Communications, Incorporated (“Petitioner”), respectfully submits this petition proposing to create two engineering changes to the Commission’s Rules for FM broadcast service. First, Petitioner proposes the creation of a new FM “C4” category that would permit commercial operators to specify broadcast facilities of 12,000 Watts of effective radiated power from an antenna height above average terrain of 100 meters. Second, Petitioner proposes the creation of a “Show Cause Order” procedure that would allow sub-maximum FM facilities not currently authorized under Section 73.215 of the Commission’s Rules to be reclassified as 73.215 facilities. Petitioner respectfully requests that the Commission adopt these changes, as they would serve the public interest and benefit several minority-owned Class A FM stations.

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

In the Matter of)
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Amendment of Sections 73.207, 73.210,) Docket No. MB _____
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Commission's Rules related to Minimum)
Distance Separation Between Stations,)
Station Classes, Power and Antenna Height)
Requirements, Contour Protection for Short)
Spaced FM Assignments, and Processing)
FM Broadcast Station Applications)

To the Commission

PETITION FOR RULEMAKING

SSR Communications, Incorporated (“Petitioner”), pursuant to Section 1.401 of the Commission’s Rules,¹ respectfully submits this Petition for Rulemaking, urging the Commission to amend Sections 73.207,² 73.210,³ 73.211,⁴ 73.215,⁵ and 73.3573⁶ of the Commission’s Rules to (1) create a new Zone II FM broadcast station class, or “C4” allocation, consisting of a maximum effective radiated power level of 12,000 Watts from a reference antenna height above average terrain of 100 Meters; and (2) create a “Show Cause Order” procedure whereby sub-maximum class FM facilities not currently authorized under Section 73.215 of the Commission’s

¹ See 47 C.F.R. §1.401.

² See 47 C.F.R. §73.207(b)(1) (describing the Commission’s current separations standards).

³ See 47 C.F.R. §73.210(a) (stating that “the rules applicable to a particular station, including minimum and maximum facilities requirements, are determined by its class. Possible class designations depend upon the zone in which the station’s transmitter is located, or proposed to be located. The zones are defined in § 73.205. Allotted station classes are indicated in the Table of Allotments, § 73.202. Class A, B1 and B stations may be authorized in Zones I and I-A. Class A, C3, C2, C1, C0 and C stations may be authorized in Zone II.”)

⁴ See 47 C.F.R. §73.211(a) (describing the Commission’s power and antenna height requirements, stating “(1) Except as provided in paragraphs (a)(3) and (b)(2) of this section, FM stations must operate with a minimum effective radiated power (ERP) as follows: (i) The minimum ERP for Class A stations is 0.1 kW (ii) The ERP for Class B1 stations must exceed 6 kW (iii) The ERP for Class B stations must exceed 25 kW (iv) The ERP for Class C3 stations must exceed 6 kW (v) The ERP for Class C2 stations must exceed 25 kW (vi) The ERP for Class C1 stations must exceed 50 kW (vii) The minimum ERP for Class C and C0 stations is 100 kW.”)

⁵ See 47 C.F.R. §73.215(e) (describing the Commission’s minimum short-space distance separation requirements for antenna locations).

⁶ See 47 C.F.R. §73.3573 (concerning the Commission’s processing of FM broadcast station applications).

Rules could be reclassified as 73.215 facilities, if (1) the facilities have been operating below their respective class-maximum parameters for ten years or more, and (2) these facilities do not apply for full-class facilities within a 180-day window following a valid triggering application and accompanying a Show Cause Order. As detailed below, such policy changes would serve the interests of the public and benefit minority-owned stations.

I. History of Proposals to Expand Coverage in the Commercial FM Band

The Commission should amend its radio engineering rules to combat the abysmal state of minority broadcast ownership⁷ and assist minority-owned radio stations, especially new market entrants, to enhance their competitiveness by expanding coverage for these stations in the commercial FM band.

After concluding that “[m]inority radio entrepreneurs face significant competitive disadvantages due to their ownership of facilities having inferior engineering parameters,”⁸ the Commission’s Advisory Committee for Diversity in the Digital Age (“Diversity Committee”) recommended that the Commission consider several proposals, including the recommendation to create new classes of stations.⁹ The purpose of the proposals was to increase diversity while providing greater access to capital and facilitating investment in new entrants.¹⁰

The Diversity Committee recommended a rulemaking for the creation of two new classes of “Medium Power FM” (“MPFM”) stations. One class, “Class A1,” would operate at 1500 watts at 100 meters HAAT. The other, Class “A2,” would operate at 1,000 watts at 50 meters

⁷ A study in mid-2009, for example, revealed that minorities controlled 7.24 percent or 815 of the nation’s commercial radio stations. See Catherine J.K. Sandoval et al., *Minority Commercial Radio Ownership in 2009: FCC Licensing and Consolidation Policies, Entry Windows, and the Nexus Between Ownership, Diversity and Service in the Public Interest* (2009) at p. 4, available at <http://nmtc.org/wp-content/uploads/2009/04/Minority-Commercial-Radio-Broadcasters-Sandoval-MMTC-2009-final-report.pdf> (last visited April 9, 2012).

⁸ See Recommendation for FCC Consideration of Nine Means of Diversifying Ownership in the Commercial FM Radio Band, Emerging Technologies Subcommittee, Advisory Committee on Diversity for Communications in the Digital Age (June 11, 2004) at p. 2, available at <http://transition.fcc.gov/DiversityFAC/041004/FMRadioWhitePaper.doc> (last visited April 9, 2012) (“FM Radio White Paper”).

⁹ See *id.* at 5. See also Recommendation on Diversifying Ownership in the Commercial FM Radio Band, Emerging Technologies Subcommittee, Advisory Committee on Diversity for Communications in the Digital Age (Oct. 4, 2004), available at <http://transition.fcc.gov/DiversityFAC/adopted-recommendations/AdoptedFMRadioRules.pdf> (last visited April 13, 2012).

¹⁰ See FM Radio White Paper at p.1.

HAAT.¹¹ The Diversity Committee contended that the initiative would maximize spectrum efficiency and that the “stations would be considerably less powerful than a Class A facility. MPFM stations would principally be designed for communities where even a Class A facility is not necessary to serve the entire public, or for niche service to neighborhoods in large markets.”¹² The Diversity Committee also maintained that although the implementation of MPFM stations might not be feasible in every national region, “it could have substantial usefulness in the less populated areas of the southern, midwestern, mountain and northwestern states, many of which are likely to experience rapid population growth and diversification over the next generation.”¹³ The Diversity Committee also contended that MPFM stations would be “particularly beneficial to minorities by making possible cost-effective geographic niche service in large markets, and by making possible full market coverage in medium or small markets where new entrants often begin to build their companies.”¹⁴ Although the proposal to create MPFMs has not been the subject of a petition for rulemaking, the proposal was recently endorsed by a coalition of 50 national organizations in the quadrennial review proceeding.¹⁵ This petition can be treated as a logical extension of the MPFM proposal and is designed to benefit Class A stations, especially those owned by minorities, who do not qualify for the full effective radiated power of a C3 allotment.

II. Creation of a Class C4 FM Allocation

The Commission should create a Class C4 FM allocation to serve the public interest and create potential opportunities for minority-owned stations. The Commission’s current table of

¹¹ See *id.* at p. 8.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ See Supplemental Comments of the Diversity and Competition Supporters in Response to the Notice of Proposed Rulemaking, 2010 Quadrennial Regulatory Review, MB Docket No. 09-182, *et al.* (April 3, 2012) at pp. 44-45, available at <http://mmtconline.org/wp-content/uploads/2012/04/Supplemental-Media-Ownership-Comments-040312.pdf> (last visited January 13, 2013).

Zone II FM classes, as found in Section 73.211(b), includes four maximum effective radiated power values spread out amongst six total permissible Zone II FM classes. Specifically, FM Class A, C3, C2, C1, C0, and C licensees and permittees may request maximum effective radiated power values of 6,000 Watts (7.8 dBk, for A), 25,000 Watts (14.0 dBk, for C3), 50,000 Watts (17.0 dBk, for C2), and 100,000 Watts (20.0 dBk, for C1, C0, and C). The relationship in maximum effective radiated power levels between all of the “C Classes” is a uniform 3.0 Decibels, but the relationship between the Class A and Class C3 allocation is approximately twice the value of the others (6.2 Decibels).

Petitioner believes that the Commission’s current FM Class system could achieve instant internal consistency through the creation of a class “C4” allocation, which would allow for a maximum effective radiated power level of 12,000 Watts (10.8 dBk) from a reference antenna height above average terrain of 100 Meters. Once provisioned, the C4 station class would fill in the current incompatible effective radiated level power gap between FM Class A and FM Class C3 allocations, thereby attaining a near-uniform 3.0 Decibel relationship between the maximum effective radiated power levels of each adjacent FM class.

The implementation of a C4 allocation would provide a potential upgrade opportunity to hundreds of FM Class A facilities currently operating in Zone II. As Exhibit One illustrates, the Petitioner examined a select listing of 1,236 licensed non-reserved band FM Class A facilities in order to determine the potential effective radiated power upgrade (without the aid of a channel change) opportunity of each facility. In creating this list, the Petitioner only considered Class A stations in states wholly encompassed by Zone II, while stations located in the Mexican or Canadian border zones were rejected. Furthermore, FM Class A facilities whose current community of license could not be served by a fully-spaced proposed C4 allocation, even if a

potential C4 allocation could have existed in the same general vicinity to serve an alternate nearby community, were excluded. Given these restrictive parameters, Petitioner nevertheless found that 376 of the subject 1,236 (approximately 30.4%) licensed Class A stations considered would be eligible to apply for a C4 facility.¹⁶ Were a less restrictive methodology to be employed, Petitioner believes that several hundred additional licensed FM Class A (and even other class) facilities would be able to take advantage of the proposed C4 allocation, thereby enabling improved radio service to millions of potential listeners.

As a conservative estimate illustrates that potential C4 allocations exist for well over three hundred licensed FM Class A facilities, Petitioner contends that the immeasurable benefit to the interests of the public has already been established. Petitioner also believes, however, that a potential C4 allocation would be of particular significance and advantage to minority-owned broadcast operations. Exhibit Two illustrates this point by listing the stations found using a subset of the above-referenced potential C4 facilities, and further restricting the search to 1) minority-owned stations, 2) operating in one of seven Southeastern states (Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina), and 3) located in Arbitron-defined radio markets. Using this narrow set of criteria, the Petitioner was able to identify sixteen stations eligible for a potential C4 upgrade that would place a more competitive minority-owned signal over a rated radio market. Petitioner was also able to locate numerous other minority-owned stations outside of Arbitron-defined markets that would similarly be able to upgrade to a C4 allocation.¹⁷ Petitioner recognizes that implementation of a potential C4 allocation would allow for dozens, if not hundreds of upgrade opportunities for existing minority-owned facilities, and as such, is a well-defined instance of furthering the public interest.

¹⁶ See Exhibit One (attached hereto). Petitioner concedes that study conditions were overly restrictive and did not explore potential C4 allocation availability in a comprehensive fashion.

¹⁷ See Exhibit Two (attached hereto).

III. Amendments of Sections 73.207, 73.210, 73.211 and 73.215 of the Commission’s Rules Required to Accommodate a C4 Allocation

In order to accommodate the requests in furtherance of a proposed C4 allocation herein, Petitioner has identified several necessary minor revisions to Section 73.207, 73.210, 73.211, and 73.215 of the Commission’s Rules, as follows:

1) Amendment of Section 73.207(b)(1) of the Commission’s Rules:

Petitioner respectfully requests that the following minimum distance separation requirements table be merged into the Commission’s current separations standards, in kilometers:

Relation	Co-Channel	200 kHz	400/600 kHz	10.6/10.8 Mhz
A to C4	127	80	36	11
B1 to C4	159	105	49	13
B to C4	195	129	70	16
C4 to C4	132	85	37	12
C4 to C3	147	93	42	13
C4 to C2	171	111	56	16
C4 to C1	205	138	76	23
C4 to C0	220	157	87	26
C4 to C	231	170	95	30

(note: distances were computed using the Commission’s F(50,50) and F(50,10) “curves” propagation methodology, then rounded to the nearest kilometer)

2) Amendment of Section 73.210(a) of the Commission’s Rules:

Petitioner respectfully requests that the current text of 73.210(a) of the Commission’s be amended to read:

(a) The rules applicable to a particular station, including minimum and maximum facilities requirements, are determined by its class. Possible class designations depend upon the zone in which the station’s transmitter is located, or proposed to be located. The zones are defined in § 73.205. Allotted station classes are indicated in the Table of Allotments, § 73.202. Class A, B1 and B stations may be authorized in Zones I and I-A. Class A, C4, C3, C2, C1, C0 and C stations may be authorized in Zone II.

3) Amendment of Section 73.210(b)(2) of the Commission's Rules:

Petitioner respectfully requests that the current text of 73.210(b)(2) of the Commission's be amended to read:

- (3) For a station in Zone II:
 - (i) If this distance is greater than 28 km and less than or equal to 33 km, the station is Class C4.
 - (ii) If this distance is greater than 33 km and less than or equal to 39 km, the station is Class C3.
 - (iii) If this distance is greater than 39 km and less than or equal to 52 km, the station is Class C2.
 - (iii) If this distance is greater than 52 km and less than or equal to 72 km, the station is Class C1.
 - (iv) If this distance is greater than 72 km and less than or equal to 83 km, the station is Class C0.
 - (v) If this distance is greater than 83 km and less than or equal to 92 km, the station is Class C.

4) Amendment of Section 73.211(a) of the Commission's Rules:

Petitioner respectfully requests that the current text of 73.211(a) of the Commission's be amended to read:

- (a) *Minimum requirements.* (1) Except as provided in paragraphs (a)(3) and (b)(2) of this section, FM stations must operate with a minimum effective radiated power (ERP) as follows:
 - (i) The minimum ERP for Class A stations is 0.1 kW.
 - (ii) The ERP for Class B1 stations must exceed 6 kW.
 - (iii) The ERP for Class B stations must exceed 25 kW.
 - (iv) The ERP for Class C4 stations must exceed 6 kW.
 - (v) The ERP for Class C3 stations must exceed 12 kW.
 - (vi) The ERP for Class C2 stations must exceed 25 kW.
 - (vii) The ERP for Class C1 stations must exceed 50 kW.
 - (viii) The minimum ERP for Class C and C0 stations is 100 kW.

5) Amendment of Section 73.211(b) of the Commission's Rules:

Petitioner respectfully requests that the following reference antenna height above average terrain and maximum effective radiated power level be merged into the Commission's current table:

Station class	Maximum ERP	Reference HAAT in meters (feet)	Class contour distance in kilometers
C4	12 kW (10.8 dBk)	100 (328)	33

6) Amendment of Section 73.215(e) of the Commission’s Rules:

Petitioner respectfully requests that the following minimum short-space distance separation requirements table be merged into the Commission’s current minimum short-space distance standards, in kilometers:

Relation	Co-Channel	200 kHz	400/600 kHz
A to C4	105	60	30
B1 to C4	131	84	43
B to C4	160	105	64
C4 to C4	118	70	33
C4 to C3	130	80	36
C4 to C2	154	97	49
C4 to C1	189	122	69
C4 to C0	204	141	80
C4 to C	214	153	89

These aforementioned changes to the Commission’s engineering rules will be necessary to create the proposed C4 allocation.

IV. Show Cause Order Procedures For Stations Not Currently Authorized Under Section 73.215

The Commission should allow licensees and permittees of FM non-reserved band stations intent on making a minor modification to be able to direct (via the filing of “triggering” application) a neighboring co-channel or adjacent channel facility not presently authorized under Section 73.215. These licensees and permittees should be allowed to accept a Section 73.215 designation, provided their facilities have been operating below their maximum-class effective radiated power level and reference antenna height above average terrain (or the equivalent antenna height above average terrain and effective radiated power level combination thereof, in the case of an affected station’s antenna height exceeding the reference antenna height for its class) for a period of ten consecutive years preceding the filing date of the “triggering” station’s application.

Under this policy, the triggering station would request that the Commission issue an “Order to Show Cause” to the licensee of the affected station directing the licensee to either respond to the Order within thirty days, indicating its intent to construct full facilities, or assent to the Section 73.215 designation. If the licensee of the affected station responds affirmatively with its intention to construct full facilities, then the licensee will be given an additional 180-day period in which to file a Form 301 Construction Permit Application specifying full facilities. If such an application from the affected station is received, then the Commission will move to dismiss the triggering station’s application. Should the affected station fail to file for a maximum-class facility, however, then the Commission will immediately assign a Section 73.215 designation to the affected station and resume processing the triggering station’s application.

This policy, much as the Commission’s creation of a Class C0 classification in 2000,¹⁸ will alleviate the current “spectrum warehousing” relationship that exists between licensees and permittees of FM non-reserved band facilities. In a 2010 decision, for example, the Commission’s Audio Division stated that warehousing of spectrum “in the face [of] competing demand is plainly contrary to the public interest.”¹⁹ In this case, spectrum warehousing related to a series of unbuilt upgrade construction permits prevented a radio station from realizing a specific upgrade plan. The Commission had issued a total of three construction permits for identical facilities in 2003, 2006, and 2009, covering a period of nine years in which the station benefited from spectrum warehousing and enjoyed contour overprotection for both the construction permit and licensed facilities. This overprotection ultimately denied a specific

¹⁸ See 1998 Biennial Regulatory Review -- Streamlining of Radio Technical Rules in Parts 73 and 74, Second Report and Order, 15 FCC Rcd 21649, 21655-21668 ¶¶15-34 (2000).

¹⁹ See In re Liberman Broadcasting of Dallas, License, LLC, 25 FCC Rcd 4765, 4768 (2010).

competing upgrade opportunity for another station to improve service to its community of license. The Commission declined to continue contour protection for the licensed facilities.²⁰

Petitioner believes that stations operating with sub-maximum class facilities not authorized under Section 73.215 fit the scenario described above, as they are overprotected for some unspecified and nebulous future upgrade plan against a specific competing service improvement proposal of a co-channel or adjacent channel non-reserved FM band licensee or permittee. Further, the Commission has deemed that nine years is more than enough time for a licensee to build out an upgraded facility, so the ten-year allowance proposed by the Petitioner is more than reasonable. Finally, this proposal does not represent a wholesale revision to Section 73.215. Instead, this amendment would only achieve significance when the Commission receives a “triggering application” with a specific service improvement proposal from a non-reserved FM band licensee or permittee. Petitioner respectfully asserts that such a policy change would be in the public interest, as many millions of listeners would be able to receive enhanced FM service without impacting the actual service areas of neighboring facilities.

V. Amendments to Section 73.3573 of the Commission’s Rules Required to Accommodate A 73.215 Show Cause Order Procedure

1) Amendment of Section 73.3573, Note 5 of the Commission’s Rules

In order to accommodate the proposals herein, Petitioner respectfully requests that an additional note (“Note 5”) be added to Section 73.3573 *Processing FM Broadcast Station Applications* of the Commission’s Rules, as follows:

NOTE 5 TO § 73.3573: A station not authorized under §73.215 operating with an antenna height above average terrain (“HAAT”) or an effective radiated power level (“ERP”) below that of its class-maximum HAAT and ERP (or equivalent class-maximum HAAT and ERP combination thereof, in the case of a station operating with a HAAT that exceeds its reference HAAT) for a ten year

²⁰ See *id.* at 4765-4768.

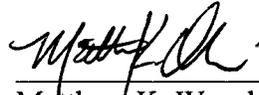
period preceding the date of the filing of a triggering application for construction permit that is short-spaced to such a station is subject to designation as §73.215 facility. Triggering applications may utilize §73.215. Triggering applications must certify that no alternative channel is available for the proposed service. Available alternative frequencies are limited to frequencies that the proposed service could use at the specified antenna location in full compliance with the distance separation requirements of §73.207, without any other changes to the FM Table of Allotments. Copies of a triggering application and related pleadings must be served on the licensee of the affected station. If the staff concludes that a triggering application is acceptable for filing, it will issue an order to show cause why the affected station should not be designated as a §73.215 station. The order to show cause will provide the licensee 30 days to express in writing an intention to seek authority to modify the subject station's technical facilities to its maximum class HAAT and ERP (or equivalent maximum HAAT and ERP combination thereof) or to otherwise challenge the triggering application. If no such intention is expressed and the triggering application is not challenged, the subject station will be designated as a §73.215 station, and processing of the triggering application will be completed. If an intention to modify is expressed, an additional 180-day period will be provided during which the affected station licensee must file an acceptable construction permit application to increase antenna height and/or effective radiated power to its class maximum values, or equivalent combination thereof. Upon grant of such a construction permit application, the triggering application will be dismissed. The affected station licensees must serve on triggering applicants copies of any FAA submissions related to the application grant process. If the construction is not completed as authorized, the subject affected station will be designated automatically as a §73.215 facility.

VI. Conclusion

Petitioner respectfully urges the Commission to grant this petition to promote the public interest by enabling many existing non-reserved band FM broadcast facilities to significantly improve their service areas without impacting the actual service areas of other co-channel and adjacent channel stations. Further, implementing these proposals will enable the minority-owned stations identified in the attached exhibits to compete more effectively in rated radio markets via the proposed C4 allocation and the Section 73.215 Show Cause Order process. Amending the

rules contemplated herein will result in improved FM service to many millions of listeners, thus serving the public interest and promoting fair and efficient use of FM broadcast spectrum.

Respectfully submitted,



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EXHIBIT 1: PETITIONER-CONTEMPLATED STATIONS ELIGIBLE FOR C4 UPGRADE

KAAZ-82198-LARAMIE-WY
KACY-77876-ARKANSAS-CITY-KS
KALCO-FM-12813-ALAMOSA-CO
KAMJ-24666-GOSNELL-AR
KAVB-164094-HAWTHORNE-NV
KAVH-82035-EUDORA-AR
KAYF-164121-BAYFIELD-CO
KAYV-189566-CRESTED-BUTTE-CO
KBBE-15841-MCPHERSON-KS
KBDZ-15022-PERRYVILLE-MO
KBHL-11042-OSAKIS-MN
KBKG-60197-CORNING-AR
KBKK-86913-BALL-LA
KBOA-FM-33673-PIGGOTT-AR
KBRB-FM-33219-AINSWORTH-NE
KBVT-9221-HAUGHTON-LA
KBVV-FM-7758-ALTA-IA
KBZE-40580-BERWICK-LA
KCAR-FM-86554-BAXTER-SPRINGS-KS
KCFS-60487-SIOUX-FALLS-SD
KCGB-FM-12434-HOOD-RIVER-OR
KCHA-FM-41100-CHARLES-CITY-IA
KCHE-FM-60491-CHEROKEE-IA
KCII-FM-71015-WASHINGTON-IA
KCLH-63807-CALEDONIA-MN
KCLT-71608-WEST-HELENA-AR
KCML-79009-ST-JOSEPH-MN
KCMR-67199-MASON-CITY-IA
KCOO-166072-DUNKERTON-IA
KCPJ-12706-ALBERT-LEA-MN
KCST-FM-12139-FLORENCE-OR
KCTN-16780-GARNAVILLO-IA
KCTT-FM-178-YELLVILLE-AR
KCVK-83870-OTTERVILLE-MO
KCZE-41098-NEW-HAMPTON-IA
KDBN-162254-PARCHUTE-CO
KDBU-189515-DUBOIS-WY
KDDG-33463-ALBANY-MN
KDEL-FM-24733-ARKADELPHIA-AR
KDEX-FM-16832-DEXTER-MO
KDKN-86018-ELLINGTON-MO
KDLC-189558-DULAC-LA
KDOM-FM-72906-WINDOM-MN
KDVB-164159-EFFINGHAM-KS
KDVC-164124-LOMA-CO
KECH-FM-1163-SUN-VALLEY-ID
KEDG-86925-ALEXANDRIA-LA
KEGM-184957-RUDD-IA
KEKS-166016-OLPE-KS
KEOJ-35975-CANEY-KS
KERL-164112-COTTON-PLANT-AR
KERM-46739-TORRINGTON-WY
KESM-FM-72447-EL-DORADO-SPRINGS-MO
KETT-164137-MITCHELL-NE
KEWS-164236-SAC-CITY-IA
KFAH-170971-PINELAND-TX
KFFX-69778-EMPORIA-KS
KFYZ-FM-9416-PELUSAS-LA
KGBR-62150-GOLD-BEACH-OR
KGFY-22267-STILLWATER-OK
KHAM-85062-BRITT-IA
KHBT-10902-HUMBOLDT-IA
KHCA-34525-WAMEGO-KS
KHMB-34020-HAMBURG-AR
KHNA-166005-WAMUSUTTER-WY
KHWK-17239-TONOPAH-NV
KHZZ-164308-SARGENT-NE
KIDN-FM-57339-BURNS-CO
KIJQ-85056-LIMON-CO
KIMY-69913-WATONGA-OK
KIND-FM-171002-ELK-CITY-KS
KIQZ-46737-RAWLINS-WY
KITT-17436-SODA-SPRINGS-ID
KIYY-77326-SAGEVILLE-IA
KJBL-84864-JULESBURG-CO
KJXB-18085-TRUMANN-AR
KJCY-84242-ST-ANSGAR-IA
KJFM-22218-LOUISIANA-MO
KJNA-FM-37785-JENA-LA
KJYN-164154-SOUTH-PARK-WY
KJZI-183330-VICI-OK
KKBK-FM-24795-BAKER-OR
KKIT-164164-TAOS-NM
KKRK-34460-COFFEYVILLE-KS
KKTS-FM-17411-DOUGLAS-WY
KLEN-5991-CHEYENNE-WY
KLRG-FM-9654-REDWOOD-FALLS-MN
KLMD-166023-TALENT-OR
KLMJ-25914-HAMPTON-IA
KLNC-58730-LINCOLN-NE
KLRC-31470-SILOAM-SPRINGS-AR
KLXQ-40223-MOUNTAIN-PINE-AR

KLYR-FM-22057-CLARKSVILLE-AR
KMAR-FM-4762-WINNSBORO-LA
KMCS-47086-MUSCATINE-IA
KMDZ-88975-LAS-VEGAS-NM
KMGK-6652-GLENWOOD-MN
KMGM-18046-MONTEVIDEO-MN
KMKR-59346-CANYONVILLE-OR
KMLK-85169-EL-DORADO-AR
KMMG-4758-BENTON-CITY-WA
KMGE-4048-BUTLER-MO
KMGS-166044-WHEATLAND-WY
KMMS-FM-3042-BUTTE-MT
KMXH-21854-ALEXANDRIA-LA
KMXW-48683-SPARKS-NV
KMYQ-170998-NORTH-ENGLISH-IA
KNFO-8780-BASALT-CO
KNUJ-FM-77674-SLEEPY-EYE-MN
KNYE-78350-PAHRUMP-NV
KOKY-15161-SHERWOOD-AR
KORC-62264-BURNS-OR
KPAD-166006-WHEATLAND-WY
KPAU-164122-CENTER-CO
KPCR-165960-FOWLER-CO
KPOS-87570-FOUKE-AR
KPRT-FM-165985-KIRTLAND-NM
KPZK-FM-25860-CABOT-AR
KQJO-189489-ST-JOSEPH-LA
KQRA-79138-BROOKLINE-MO
KQUL-55671-LAKE-OZARK-MO
KQXQ-165955-CUBA-MO
KREO-79134-PINE-BUFFS-WY
KRFO-FM-30125-OWATONNA-MN
KRFS-FM-64016-SUPERIOR-NE
KRJT-164224-ELGIN-OR
KRKG-FM-78988-PASCO-WA
KRKZ-FM-189499-NETARTS-OR
KRMK-171005-LAS-VEGAS-NM
KRQN-89113-VINTON-IA
KRRM-60215-ROGUE-RIVER-OR
KRSB-FM-7119-ROSEBURG-OR
KRSL-FM-71553-RUSSELL-KS
KRVS-FM-72018-AFTON-WY
KSLD-FM-164163-SIMMESPORT-LA
KSNO-FM-57337-SNOWMASS-VILLAGE-CO
KSTH-85760-HOLYOKE-CO
KSYR-9681-BENTON-LA
KTGR-FM-34408-FULTON-MO
KTHN-7046-LA-JUNTA-CO
KTHP-84879-HEMPHILL-TX
KTIA-FM-6417-BOONE-IA
KTIL-FM-164182-BAY-CITY-OR
KULH-84290-WHEELING-MO
KUMX-57668-NORTH-FORT-POLK-LA
KUUR-162283-CARBONDALE-CO
KVAB-26862-CLARKSTON-WA
KVLN-77279-ATKINS-AR
KVLK-FM-27158-GUNNISON-CO
KVLE-28114-HUMNOKE-AR
KVMZ-86171-WALDO-AR
KVPI-FM-70234-VILLE-PLATTE-LA
KVTY-57193-LEWISTON-ID
KVUV-84328-WENDOVER-NV
KWDI-164298-IDALIA-CO
KWIA-184659-MOVILLE-IA
KWLR-23849-MAUMELLE-AR
KWSA-15528-PRICE-UT
KWUZ-164293-PONCHA-SPRINGS-CO
KWVR-FM-70756-ENTERPRISE-OR
KWXR-171026-RELIANCE-WY
KXCL-164277-ROCK-CREEK-PARK-CO
KXCL-164277-WESTCLIFFE-CO
KXEA-170999-LOWRY-CITY-MO
KXJN-166043-MOOSE-WILSON-ROAD-WY
KXJW-171027-NORTH-ROCK-SPRINGS-WY
KXML-164259-SALMON-ID
KXNA-71703-SPRINGDALE-AR
KXRZ-6651-ALEXANDRIA-MN
KYDN-58901-MONTE-VISTA-CO
KYEL-76511-DANVILLE-AR
KYLZ-170181-PAROWAN-UT
KYME-164235-ROCKFORD-IA
KYMK-FM-11605-AURICE-IA
KYMT-189491-GASSVILLE-AR
KYPY-36160-DONALDSONVILLE-LA
KYSL-35577-FRISCO-CO
KYSK-76918-BILLINGS-MT
KYZK-1164-SUN-VALLEY-ID
KZAT-FM-14846-BELLE-PLAIN-IA
KZCU-82843-WOODWARD-OK
KZEWE-60645-WHEATLAND-WY

KZJF-5383-JEFFERSON-CITY-MO
KZKK-15267-HURON-SD
KZKR-82888-JONESVILLE-LA
KZLQ-88808-MANSURA-LA
KZMA-89496-NAYLOR-MO
KZMX-FM-46712-HOT-SPRINGS-SD
KZTP-164085-SIBLEY-IA
KZTQ-77800-SUN-VALLEY-NV
KZTS-49255-CAMMACK-VILLAGE-AR
WAAO-FM-13502-ANDALUSIA-AL
WABO-FM-40489-WAYNESBORO-MS
WAGR-FM-21155-LEXINGTON-MS
WAIN-FM-67714-COLUMBIA-KY
WALI-25206-WALTERBORO-SC
WANK-9311-LAFAYETTE-FL
WANV-162367-ANNVILLE-KY
WAOB-825-BRANTLEY-AL
WAVJ-15527-PRINCETON-KY
WBDX-54445-TRENTON-GA
WBFA-43093-FORT-MITCHELL-AL
WBGA-36929-ST-SIMONS-ISLAND-GA
WBGE-89183-BAINBRIDGE-GA
WBHQ-68760-BEVERLY-BEACH-FL
WBOB-FM-164202-ENFIELD-NC
WBTY-61255-HOMERVILLE-GA
WBYW-166008-LYNN-HAVEN-FL
WCBJ-82447-CAMPTON-KY
WCDA-43861-VERSAILLES-KY
WCHZ-17129-WARRENTON-GA
WCLE-FM-55099-CALHOUN-TN
WCSN-FM-52820-ORANGE-BEACH-AL
WCDZ-41066-VERO-BEACH-FL
WDBG-183372-DEXTER-AR
WDEB-FM-4135-JAMESTOWN-TN
WDOG-FM-24620-ALLENDALE-SC
WDEAM-FM-89045-BUENA-VISTA-GA
WEXR-82188-STONEWALL-MS
WFDL-FM-171035-WOODBURY-GA
WFDZ-170183-PERRY-FL
WFFF-FM-25817-COLUMBIA-MS
WFFI-18714-KINGSTON-SPRINGS-TN
WFIW-FM-65151-LOUDON-TN
WFOJ-22005-JACKSONVILLE-BEACH-FL
WFKS-11409-MELBOURNE-FL
WFGX-73392-HENDERSON-TN
WFLE-FM-21719-FLEMINGSBURG-KY
WFFM-36617-SUMRALL-MS
WFMV-24376-SOUTH-CONGAREE-SC
WFTM-FM-62216-MAYSVILLE-KY
WFXE-15847-COLUMBUS-GA
WFXO-10701-CENTRE-AL
WGGQ-64493-HAYTI-MO
WGGY-53945-WICKLIFFE-KY
WGTI-173-WINDSOR-NC
WGUJ-28903-MARCO-FL
WGUU-FM-25467-NEW-ELLENSTON-SC
WHAY-67124-WHITLEY-CITY-KY
WHDX-164161-BUXTON-NC
WHLT-164162-BUXTON-NC
WHHT-48702-HORSE-CAVE-KY
WHLG-27674-PORT-ST-LUCIE-FL
WHVJ-36659-STANVILLE-GA
WHMA-FM-52320-ALEXANDRIA-AL
WHNJ-184726-BIG-PINE-KEY-FL
WHRP-22264-GURLEY-AL
WHVE-26639-RUSSELL-SPRINGS-KY
WHWT-170944-NEW-HOPE-AL
WIIS-72196-KEY-WEST-FL
WIJW-70637-HARRIMAN-TN
WIKO-15518-TUSCULUM-TN
WILT-74159-WILMINGTON-NC
WJAJ-6748-MARIANNA-FL
WJDR-63792-PRENTISS-MS
WJEC-36451-VERNON-AL
WJUN-30280-COLUMBIA-AL
WJMM-FM-22085-KEENE-KY
WJNS-FM-72816-BENTONIA-MS
WJSJ-40483-FERNANDINA-BEACH-FL
WJTT-6752-RED-BANK-TN
WKCA-56222-SALT-LICK-KY
WKCB-FM-27249-HINDMAN-KY
WKHT-40854-KNOXVILLE-TN
WKSO-29955-NATCHEZ-MS
WKTM-70118-SOPERTON-GA
WKVS-22015-LENOIR-NC
WKXN-73194-FORT-DEPOSIT-AL
WKYF-164226-FREDONIA-KY
WKYR-FM-73199-BURKESVILLE-KY
WKZM-11037-SARASOTA-FL
WLCCZ-171006-LINCOLNTON-GA
WLFX-4809-BEREA-KY
WLHC-85995-ROBBINS-NC

WLHR-FM-54561-LAVONIA-GA
WLIN-FM-78151-DURANT-MS
WLJA-FM-36892-ELLIJAY-GA
WLJC-27695-BEATTVILLE-KY
WLKS-FM-43776-WEST-LIBERTY-KY
WLKK-FM-72780-SOMERSET-KY
WLLY-FM-24230-PALM-BEACH-GARDENS-FL
WLOV-FM-189546-DAYTONA-BEACH-SHORES-FL
WLOQ-3122-OCEAN-ISLE-BEACH-NC
WLOQ-170946-SHARPSBURG-NC
WLRN-53476-MILLEDGEVILLE-GA
WLWZ-63847-COLLINS-MS
WLYB-189541-LIVINGSTON-AL
WLYE-FM-57897-GLASGOW-KY
WMBZ-171033-WAYNESBORO-TN
WMK-FM-14731-MIDDLESBORO-KY
WMDX-43654-MONTICELLO-KY
WMOD-71647-BOLIVAR-TN
WMSK-FM-162349-STURGIS-KY
WMUT-87534-GRENADA-MS
WMXA-22877-PELIKA-AL
WMXK-48752-MORRISTOWN-TN
WMXV-6709-ST-JOSEPH-TN
WMYT-34006-CAROLINA-BEACH-NC
WNDD-1099-SILVER-SPRINGS-FL
WNDD-72201-CHEIFLAND-FL
WNFZ-31837-POWELL-TN
WNGA-26854-HELEN-GA
WNNG-FM-15309-UNADILLA-GA
WNTP-73954-TOPSAIL-BEACH-NC
WNWS-FM-29671-JACKSON-TN
WNXX-52882-JACKSON-LA
WOHT-77811-GRENADA-MS
WOKV-FM-28894-PONTE-VEDRA-BEACH-FL
WOLI-FM-73239-EASLEY-SC
WPBX-14618-CROSSVILLE-TN
WPFT-170936-PIGEON-FORGE-TN
WPGA-FM-54726-PERRY-GA
WPLC-183339-PALM-COAST-FL
WPLL-FM-21797-TRENTON-FL
WPNC-FM-52737-PLYMOUTH-NC
WPRN-FM-82197-LISMAN-AL
WPUB-FM-34295-CAMDEN-SC
WPZS-52553-INDIAN-TRAIL-NC
WQEM-41641-COLUMBIANA-AL
WQNC-28898-HARRISBURG-NC
WQYZ-24513-OCEAN-SPRINGS-MS
WQZX-26479-GREENVILLE-AL
WRBE-FM-1063-LUCEDALE-MS
WRBF-171028-PLAINVILLE-GA
WRJG-69768-CAMDEN-TN
WRJY-472-BRUNSWICK-GA
WRLV-FM-37255-SALYERSVILLE-KY
WRXG-94009-GULF-BREEZE-FL
WRXK-FM-72375-ROSSVILLE-GA
WRZE-3121-KINGSTREE-SC
WSBH-166009-SATELLITE-BEACH-FL
WSGC-FM-84470-TIGNALL-GA
WSNT-FM-54830-SANDERSVILLE-GA
WSPX-54503-BOWMAN-SC
WSTG-41571-AMITE-LA
WTHO-FM-8475-THOMSON-GA
WTID-85767-THOMASTON-AL
WTKE-FM-10055-NICEVILLE-FL
WTMG-6268-WILLISTON-FL
WTNV-165320-TIPTONVILLE-TN
WTOT-FM-37510-GRACEVILLE-FL
WTPR-FM-12496-MCKINNON-TN
WTRG-17568-GASTON-NC
WTRZ-17759-SPENCER-TN
WTUA-23895-PINOPOLIS-SC
WTUK-18281-HARLAN-KY
WTXO-704-ASHLAND-AL
WUCC-189539-WILLISTON-SC
WUFF-FM-21211-EASTMAN-GA
WUGO-9212-GRAYSON-KY
WUJM-61305-GULFPORT-MS
WULS-57758-BROXTON-GA
WUUU-22992-FRANKLINTON-LA
WVFG-30281-UNIONTOWN-AL
WVLE-60148-SCOTTSVILLE-KY
WVLI-18335-PORT-ST-JOE-FL
WVOC-FM-13589-WEST-COLUMBIA-SC
WVOK-FM-73609-OXFORD-AL
WVRH-1208-NORLINA-NC
WVYB-41669-HOLLY-HILL-FL
WVFG-78706-DONALDSONVILLE-GA
WWLT-72442-MANCHESTER-KY
WWWWD-86172-BOLINGBROKE-GA
WXIS-71481-ERWIN-TN

WVRH-1208-NORLINA-NC
WVYB-41689-HOLLY-HILL-FL
WWGF-78706-DONALSONVILLE-GA
WWLT-72442-MANCHESTER-KY
WWWB-86172-BOLINGBROKE-GA
WXIS-71481-ERWIN-TN
WXJB-170182-HOMOSASSA-FL
WXKQ-FM-64430-WHITESBURG-KY
WXKW-170942-KEY-WEST-FL
WXKZ-FM-18549-PRESTONSBURG-KY
WXOF-47881-YANKEETOWN-FL
WXRS-FM-36212-SWAINSBORO-GA
WXWX-171032-MARIETTA-MS
WYAB-77646-FLORA-MS
WYFC-5153-CLINTON-TN
WYGC-59076-HIGH-SPRINGS-FL
WYGO-39691-MADISONVILLE-TN
WYGY-40915-FORT-THOMAS-KY
WYKE-71585-INGLIS-FL
WYNN-FM-22049-FLORENCE-SC
WYRQ-FM-74277-LITTLE-FALLS-MN
WYSC-71318-MCRAE-GA
WYYU-54517-DALTON-GA
WZBN-43240-CAMILLA-GA
WZCH-29129-WARNER-ROBINS-GA
WZDQ-54032-HUMBOLDT-TN
WZJS-60647-BANNER-ELK-NC
WZZS-64699-ZOLFO-SPRINGS-FL

**EXHIBIT 2: SELECT SOUTHEASTERN U.S. ARBITRON-RATED METRO AREA
MINORITY-OWNED CLASS A'S ELIGIBLE FOR C4 UPGRADE**

**WZBN 105.5 FM / Camilla, GA (Albany, GA)
LIGHT MEDIA HOLDINGS, INC. / Minority owned**

**WTUA 105.9 FM / Pinopolis, SC (Charleston, SC)
PRAISE COMMUNICATIONS, INC. / Minority owned**

**WSPX 94.5 FM / Bowman, SC (Charleston, SC)
GLORY COMMUNICATIONS, INC. / Minority owned**

**WQNC 92.7 FM / Harrisburg, NC (Charlotte, NC)
RADIO ONE OF NORTH CAROLINA, LLC. / Minority owned**

**WPZS 100.9 FM / Indian Trail, NC (Charlotte, NC)
RADIO ONE OF NORTH CAROLINA, LLC. / Minority owned**

**WPRN 107.7 FM / Lisman, AL (Meridian, MS)
JOY CHRISTIAN COMMUNICATIONS, INC. / Minority owned**

**WOLI 103.9 FM / Easley, SC (Greenville, SC)
SS BROADCASTING HOLDINGS, LLC. / Minority owned**

**WLCZ 98.7 FM / Lincolnton, GA (Augusta, GA)
GLORY COMMUNICATIONS, INC. / Minority owned**

**WKXN 95.9 FM / Greenville, AL (Montgomery, AL)
AUTAUGAVILLE RADIO, INC. / Minority owned**

**WJJN 92.1 FM / Columbia, AL (Dothan, AL)
WILSON BROADCASTING CO., INC. / Minority owned**

**WHLJ 97.5 FM / Statenville, GA (Valdosta, GA)
LATAURUS PRODUCTIONS, INC. / Minority owned**

**WFXE 104.9 FM / Columbus, GA (Columbus, GA)
DAVIS BROADCASTING, INC. OF COLUMBUS / Minority owned**

**WFMV 95.3 FM / South Congaree, SC (Columbia, SC)
GLORY COMMUNICATIONS, INC. / Minority owned**

**WEAM 100.7 FM / Buena Vista, GA (Columbus, GA)
DAVIS BROADCASTING, INC. OF COLUMBUS / Minority owned**

**KSYR 92.1 FM / Benton, LA (Shreveport, LA)
ACCESS.1 LOUISIANA HOLDING COMPANY LLC / Minority owned**

**KBTT 103.7 FM / Haughton, LA (Shreveport, LA)
ACCESS.1 LOUISIANA HOLDING COMPANY LLC / Minority owned**