

Exhibit 32 - Section 307(b)

AGM California (“AGM”), licensee of radio station KGFM(FM), Bakersfield, California, hereby submits this application (“Application”) which proposes to delete Channel 268B at Bakersfield, California and allot Channel 269A at Edison, California as that community’s first local service.

As demonstrated in the Engineering Report of Delawder Communications, Inc. (the “Engineering Report”) appended to this Application as Exhibit 26, Channel 269A can be allotted to Edison consistent with Section 73.207 of the Commission’s rules. A 70 dBu signal can be provided to Edison from the proposed reference coordinates. See Exhibit 32. The proposed Channel 269A facility at Edison will provide a 70 dBu signal to 105,853 persons over 936 square kilometers, and a 60 dBu signal to 427,946 persons over 2,984 square kilometers.

AGM desires to change the community of license of KGFM from Bakersfield to Edison under the guidelines set forth in *Amendment of the Commission’s Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989) (“*Change of Community R&O*”), recon. granted in part, 5 FCC Rcd 7094 (1990), and the new procedures adopted by the Commission in *Revision of Procedures Governing Amendment of FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, 21 FCC Rcd 14212 (2006). This Application complies with the criteria set forth in *Change of Community R&O* and Section 307(b) of the Communications Act of 1934, as amended, 47 U.S.C. §307(b). First, the proposed use of Channel 269A at Edison (population of 476) is mutually exclusive with the current use of Channel 268B at Bakersfield. Second, Bakersfield will not be deprived of its only local service. Third, the provision of a first local service to Edison under Priority 3 will result in a preferential arrangement of allotments over the retention of a second local service at Bakersfield (2000 U.S. Census population of 286,316)

under the fourth allotment priority. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

The city of Edison, California is an unincorporated community located in Kern County, California, east of Bakersfield. Edison has a population of 476.¹ There are many substantial businesses in Edison that employ hundreds of agricultural workers at every level. Edison is a major farm community for potatoes, carrots and many other foods. Some of the larger employers include Giumarra Vineyards, Kirschenmann Farms and the Edison School District.

Edison has its own post office which is located at 12299 Edison Highway in Edison and its own zip code (93220). As stated above, Edison has its own school district which provides Orangewood Elementary School and Edison Middle School. According to 2004 U.S. Census Bureau data, there are at least separate 15 business establishments within the Edison zip code area which employ 183 persons. The annual payroll of those persons is \$6,338,000. There also are two churches in Edison. *See Appendix.*

The Commission has previously found this type of indicia sufficient to establish community status for allotment purposes. *See, e.g. Encino, Texas*, 18 FCC Rcd 23984 (Aud. Div. 2003) (finding Encino to be a community for allotment purposes where it was a Census Designated Place with a population of 110 persons and having comparable community indicia); *Marathon and Mertzson, Texas*, 18 FCC Rcd 23986 (Aud. Div. 2003) (finding Marathon to be a community for allotment purposes where it was a Census Designated Place with a population of 455 persons and having comparable community indicia). *See also Kenansville, Florida*, 5 FCC Rcd 2663, 2664 (Pol. Rul. Div. 1990) (finding city with population of 700 not listed in census reports with similar commercial activity to be community for allotment purposes), *aff'd*, 10 FCC

¹ This population figure is based on 2000 U.S. Census block data.

Rcd 9831 (1995); *Powhatan and Goochland, Virginia*, 12 FCC Rcd 3191, 3192-93 (MMB 1997) (finding Powhatan and Goochland to be communities for allotment purposes despite their exclusion from census reports).

An analysis of AGM's reallocation proposal pursuant to *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) ("*Tuck*") is not necessary because station KGFM is already located in the Bakersfield Urbanized Area. See, e.g., *Okmulgee and Glenpool, Oklahoma*, 18 FCC Rcd 14370 (MB 2003); *Lampasas and Leander, Texas*, 15 FCC Rcd 6113, 6113-14 (MMB 2000); *Athens and Doraville, Georgia*, 18 FCC Rcd 17627, 17628 (MB 2003) (NPRM).

The deletion of Channel 268B at Bakersfield, allotment of Channel 269A at Edison, and corresponding modification of the KGFM station license to specify operation at the new community will result in a preferential arrangement of allotments. The FM allotment priorities are: (1) first full-time aural service; (2) second full-time aural service; (3) first local service; and (4) other public interest factors. Co-equal weight is given to priorities (2) and (3). See *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

Priorities 1 and 2 are not implicated in this case because both Bakersfield and Edison continue to be well-served. The proposed reallocation of Channel 269A to Edison will serve Priority 3, which serves a higher allotment than continuing to retain an additional service at Bakersfield, which will continue to be well-served.

For the foregoing reasons, the Commission should delete Channel 268B at Bakersfield, allot Channel 269A at Edison, and modify station KGFM's license to specify operation on Channel 269A at the new community.

APPENDIX A



EDISON, CA

Local Weather

Clear **53**
 Feels Like: 53°F
 Wind: W at 6 mph

Friday, Jan 19, 2007

LOCAL GUIDE

News | Entertainment | Travel | Schools | Health | Business

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EDISON News

Two Jail Officers Plead Not Guilty To Drug Charges
 Two Kern County sheriff's officers pleaded not gui...

Bakersfield woman killed in car accident identified
 The name of a 62-year-old woman who died of injuri...

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 A Tehachapi man was found dead yesterday after a p...

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County:

Town/City:

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Find all zip codes

Between Miles

And Miles

of ZIP:

Local EDISON Facts

Zip Code:	93220
Area Code:	661
City:	EDISON
City Type:	Z [P.O. Box Only]
State:	CA
County:	KERN
Latitude:	35.329035
Longitude:	-118.859203
Elevation:	408
County FIPS:	029
State FIPS:	06
Time Zone:	8
Day Light Savings:	Y
Growth Rank:	0
Growth %:	0
Region:	West
Division:	Pacific
City Alias(es):	EDISON
Population:	0
Households per Zip Code:	0
Average House Value:	\$0
Avg. Income Per Household:	\$0
Persons Per Household:	3.00
White Population:	0
Black Population:	0
Hispanic Population:	0
Number of Businesses:	16
1st Quarter Payroll:	\$1,345,000
Annual Payroll:	\$7,503,000
# of Employees:	193
2003 Housing Units:	0

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 Zip Code Data

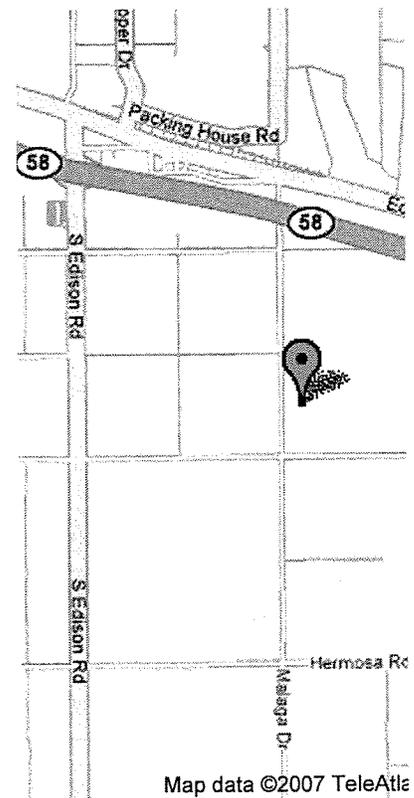
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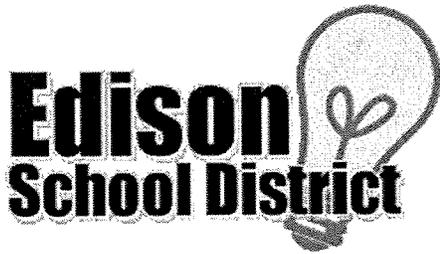
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EDISON Entertainment

Local Restaurants
 Local movie theaters
 Events and Night life
 Local Shopping Malls



Navigation

- Orangewood School
- Edison Middle School
- Board of Trustees
- Job Opportunities
- Nutrition Services Division
- William's Settlement
- Parents Make the Difference

Info

Edison Elementary School District
 P.O.Box 368
 Edison, CA 93220-0368
 (661) 363-5394

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Welcome to Edison School District
 Please choose a school site.



Orangewood Elementary School



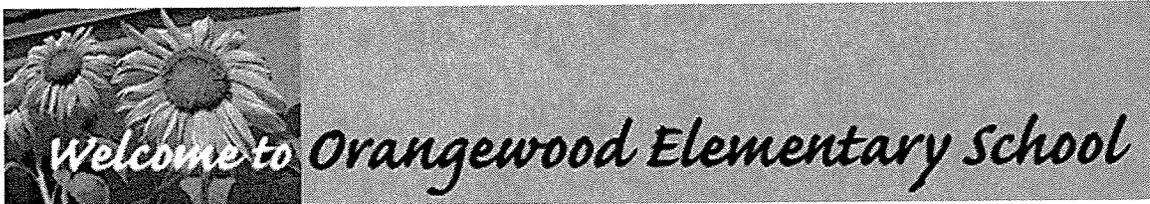
Edison Middle School

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Home



Bell Schedule

BE THE BEST!

After School
Activities

NEWS: Welcome Back to School! No School on January 15

Curriculum



Day Care



1/8 - ESD Board Meeting, OW Cafeteria @ 6:00pm

Faculty



1/9 - PTC Meeting, Cafeteria @ 2:15pm

Programs & Services



1/9 - Report Card Day

Class Websites &
Projects



1/11 - Semester Awards Assemblies



1/15 - NO SCHOOL - Dr. Martin Luther King Jr. Day



1/17 - Jump Rope for Hearts Kickoff Assembly @ 1:00pm



1/23 - SSC Meeting, Library @ 2:15pm



1/26 - Outdoor Flag Assembly @ 8:05am



Mission Statement: Orangewood Elementary School's mission is to educate and challenge all students in a caring atmosphere that assures every student's achievement and further social growth.

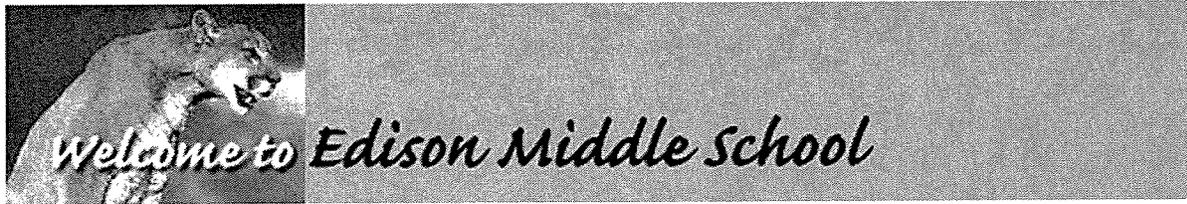


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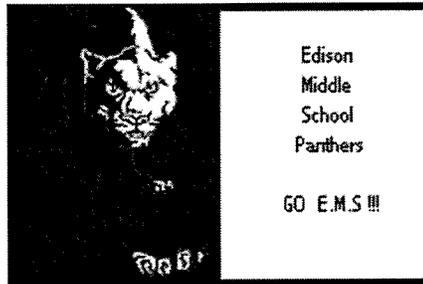
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EDISON MIDDLE SCHOOL

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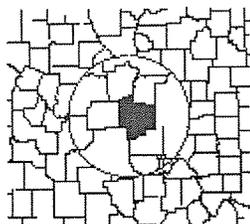
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U.S. Census Bureau

**ZIP Code
Business
Patterns
(NAICS)**

**2004 Industry Code Summary
ZipCode 93220
EDISON, CA**

CenStats



To see a different year, select one 2004

Total for ZIP Code 93220	
Number of establishments: 15	First quarter payroll in \$1,000: 1,469
Number of employees: 183	Annual payroll in \$1,000: 6,338

			Number of Establishments by Employment-size class									
	Industry Code	Industry Code Description	Total Estabs	1-4	5-9	10-19	20-49	50-99	100-249	250-499	500-999	1000 or more
Detail	-----	Total	15	7	5	1	1	1	0	0	0	0
Detail	11----	Forestry, fishing, hunting, and agriculture	1	0	0	0	0	1	0	0	0	0
Detail	21----	Mining	1	0	1	0	0	0	0	0	0	0
Detail	31----	Manufacturing	1	0	1	0	0	0	0	0	0	0
Detail	42----	Wholesale trade	6	2	3	0	1	0	0	0	0	0
Detail	44----	Retail trade	2	2	0	0	0	0	0	0	0	0
Detail	48----	Transportation & warehousing	1	0	0	1	0	0	0	0	0	0
Detail	53----	Real estate & rental & leasing	1	1	0	0	0	0	0	0	0	0
		Professional, scientific										

Detail	54----	& technical servi	1	1	0	0	0	0	0	0	0	0
Detail	81----	Other services (except public administration	1	1	0	0	0	0	0	0	0	0

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