

### Section 307(b) Showing

The change in the community of license proposed in the instant FCC 301 minor change application for KNEZ, Channel 297C, Fernley, Nevada (FIN 166018) (“Station”) will result in a preferential arrangement of FM channel allotments and is consistent with Section 307(b) of the Communications Act of 1934, as amended.<sup>1</sup> In the instant application, Shamrock Communications, Inc. (“Shamrock”) proposes that the Commission reallocate Channel 297C from Fernley, Nevada to Hazen, Nevada and modify the license for the Station to specify operation on Channel 297C at Hazen, Nevada (“Hazen Application”).

As will be demonstrated below, the reallocation of Channel 297C to Hazen, Nevada will provide Hazen with its first local service (FM Allotment Priority No. (3) First local transmission service), and Fernley, Nevada will not lose its sole existing broadcast service as Fernley will continue to be served by KDJJ(FM), Channel 231C1 (FIN 190451) (70 dBu service).<sup>2</sup>

Accordingly, Shamrock requests that the FM Table of Allotments be amended as follows:

<u>Community</u>	<u>Present Channel</u>	<u>Proposed Channel</u>
Hazen, Nevada	None	297C
Fernley, Nevada	231C1, 297C	231C1

#### **The Reallocation of Channel 297C From Fernley, Nevada to Hazen, Nevada Will Result in a Preferential Arrangement of FM Channel Allotments/Assignments.**

1. Shamrock is the licensee of KNEZ(FM), currently authorized on Channel 297C at Fernley, Nevada (FIN 166018). The Station is one of two broadcast facilities licensed to serve

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<sup>1</sup> Section 73.3573(g)(2) of the FCC’s rules allows community of license changes to be filed as minor modification applications so long as the original facility is mutually exclusive with the proposed new facility. The currently allotted Channel 297C at Fernley, Nevada is short-spaced with the proposed reallocation of the Channel to Hazen, Nevada and thus mutually exclusive.

<sup>2</sup> *Revision of FM Assignment Policies and Procedures*, Second Report and Order, 90 FCC 2d 88 (1988). The FM allotment priorities are: (1) First fulltime aural service; (2) Second fulltime aural service; (3) First local service; and (4) Other public interest matters. Co-equal weight is given to Priorities (2) and (3).

Fernley, Nevada. It is noted that Fernley, Nevada is well served by at least five other full-time broadcast services: KRZQ(FM), Channel 281C (FIN 165338), Fallon, Nevada (60 & 70 dBu service); KZTI(FM), Channel 287C (FIN 189473), Fallon Station, Nevada (60 & 70 dBu service); KWNZ(FM), Channel 292C (FIN 164200), Lovelock, Nevada (60 & 70 dBu service); KYSA(FM), Channel 202C1 (FIN 124888), Sparks, Nevada (60 & 70 dBu service); and KRNG(FM), Channel 267C2 (FIN 60327), Fallon, Nevada (60 & 70 dBu service). See Exhibit 1 for a Contour Map of these stations. Accordingly, the change of the community of license proposed in the instant Hazen Application will not result in Fernley, Nevada being un-served by a local broadcast service.

2. The new community of license of Hazen, Nevada proposed in the instant Hazen Application currently has no operating full-time local broadcast facilities licensed or allotted to it. Shamrock will be providing Hazen with its first local broadcast service (FM Allotment Priority No. (3) First local transmission service ).

**Hazen, Nevada is a Community for Allotment Purposes.**

3. Hazen, Nevada is a community for allotment purposes and is deserving of a first local service. Hazen is an unincorporated community with a population of 2,581 persons. Hazen is a good example of a new western fast developing industrial growth area. Because of Hazen's location along State Route 50A, there has been significant construction of new homes to provide housing for the numerous workers at the nearby industrial parks. This rapid growth in Hazen is fueled by its location near several large industrial parks that includes a number of major businesses, including the new Tesla Gigafactory 1, the United Parcel Service, and Sherwin Williams. The new Tesla Gigafactory 1 is a Lithium-Ion battery manufacturing plant in an

industrial park in nearby Clark, Nevada that includes the world's largest building (by useable space). The Tesla Gigafactory 1 opened on July 29, 2016.

4. Hazen is also located along the Union Pacific Railroad and is at the intersection of the Union Pacific mainline and the connector between Hazen and Hawthorne, Nevada. The Hawthorne connector connects the Union Pacific mainline with the Hawthorne Army Depot and also to planned rail lines running from Hawthorne to Silver Peak, Nevada. Silver Peak is in the Clayton Valley in Nevada and is the location of the largest deposit of Lithium in North America. This Lithium is used in production of batteries at the Tesla Gigafactory 1.

5. Hazen is the location of the new "Gateway Commerce Center" (information at [www.gccdevelopment.com](http://www.gccdevelopment.com)). This is an expansion of the current Hazen Industrial Park. In addition, the new Watco Intermodal Rail Center is being built currently at the new Gateway Commerce Center. See Exhibit 2. This is to provide transportation connections to the rail line at Hazen, the Gateway Commerce Center, and other local industrial locations.

6. Hazen is also located along the route of the new planned Interstate 11. Interstate 11 will connect Mexico, Arizona and southern Nevada to Interstate 80 at an exit near Hazen, allowing a connection to Northern California, Idaho, and Canada.

7. Hazen is the location of a number of its own businesses. The largest of these is the "Vulcan Power Company" which operates a large Geothermal Power Plant in Hazen. Also located in Hazen are the BLT Companies. The BLT Companies own Vista Equipment, which is located at the Gateway Commerce Center. Vista Equipment rents and leases industrial equipment. See Exhibit 3. Hazen is home to the Hazen Store, a general store that is on the National Register of Historic places, see Exhibit 4. There are other smaller businesses in Hazen such as O'Connor Plumbing as an example. See Exhibit 5.

8. Hazen is a well-known crossroads locally and has more planned development of businesses in the near future, see Exhibit 6. Hazen even has its own historic State Plaque as it was one of the original communities in Churchill County, Nevada, see Exhibit 7.

9. This rapid growth at Hazen presents a need for a first local broadcast service. It should be noted that Hazen is not within any Urbanized area. In light of these factors, no "Tuck" analysis is required.

10. Attached as Exhibit 8 is an allocations study showing that the proposed allotment of Channel 297C to Hazen, Nevada is fully spaced under the Table of Distances in 47 C.F.R. §73.207 with a site restriction of 43 kilometers North-Northeast (allotment coordinates are 039-54-35 N; 118-55-15 W). Attached as Exhibit 9 is a map showing that Hazen, Nevada is within the 70 dBu contour using the fully spaced allotment coordinates of 039-54-35 N; 118-55-15 W with a non-directional 100 kilowatts ERP at 600 meters above average terrain.

11. The reallocation of Channel 297C from Fernley, Nevada to Hazen, Nevada and the modification of the Station's facilities to specify operation on Channel 297C at Hazen, Nevada will provide a first local service (FM Allotment Priority No. (3) First local transmission service) to Hazen. This proposal is for a change of Community of License only, there will be no change in antenna location, power output or service area. Also, the allotment coordinates also remain unchanged. Because there is no change to the service area, there is no "Gain" or "Loss" area with regard to population or area and no location would actually lose any service and no "white" area will be created. As noted in paragraph 1, Fernley, Nevada is well served by at least five other full-time broadcast services.

## **Conclusion**

12. The grant of the proposed Scenario will serve the public interest by providing Hazen, Nevada a first local service (FM Allotment Priority No. (3) First local transmission service). Fernley, Nevada will continue to be served by station KDJJ(FM), Channel 231C1 (FIN 190451). Accordingly, Shamrock hereby respectfully requests that the Commission reallocate Channel 297C from Fernley, Nevada to Hazen, Nevada and modify the license for its Station KNEZ(FM), Fernley, Nevada (FIN 166018), to specify operation on Channel 297C at Hazen, Nevada.

# Contour Analysis

Kevin Fitzgerald  
Job: KNEZ Hazen 5 Service.fmj  
Master Database: 2016\_Sep\_18.fmd  
Lat: N39:35:40 Lon: W119:12:16 NAD-27  
Scale: 1:1000000  
Channel: 297 Class: C  
Status: Licensed, Construction Permit, Application  
Channels:  
Range: 100 km, Clearance: -0.5km  
Comments: No Comments  
Description: KNEZ, 107.3, Hazen, NV; Fernley 5 Service Study

rfInvestigator Version 3.8.3  
by rfSoftware, Inc.  
Date: 9/19/2016 4:32:30 PM  
Key:  
City Grade  
Protected  
Co-Channel  
1st Adj  
2nd/3rd Adj

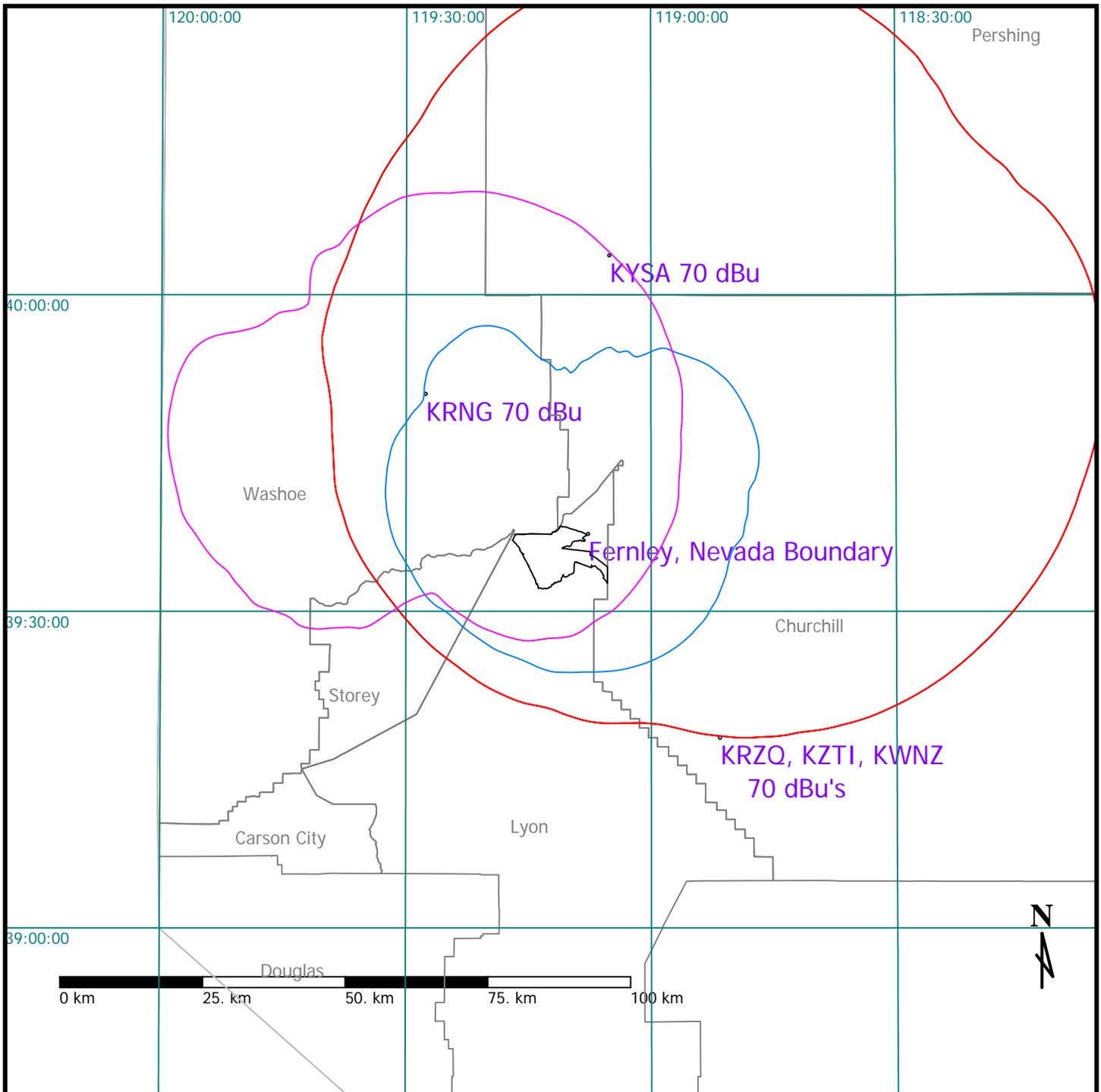


Exhibit 2

## LVN News Service

February 23, 2016

# Rail Center moving forward in Lyon, Churchill counties



Plans have been announced for a future rail center and industrial park west of between Fernley and Fallon.

Northern Nevada Development Authority (NNDA), Gateway Commerce Center LLC and Watco Companies, LLC (Watco) have announced a new and long awaited rail center and industrial park is set to move forward in Lyon and Churchill counties.

Watco will partner with GWCC to build an Intermodal Rail Center as part of the larger industrial park development.

The Gateway Commerce Center project is a phased 2,000 acre development located in both Churchill and Lyon Counties near Hazen on U.S. Highway 50 Alternate. When completed, the park's Intermodal Rail Center will provide direct rail access enabling the development's occupants, as well as business throughout northern Nevada, to ship to and from locations across North America and to access major sea ports for global trade. The park will provide a major logistics center that's unparalleled in the state, once again moving Northern Nevada to the forefront of economic growth within the Western United States.

“The addition of the Gateway Commerce Center is an exciting addition as we work to place Nevada at the top of the list for companies seeking the best expansion location in the West,” said Nevada Governor Brian Sandoval. “The rail center will help enhance Nevada’s existing transportation infrastructure and will offer an additional option for cost-effective logistics.”

Watco, Gateway Commerce Center’s partner for the rail aspect of the park, is a transportation company providing transportation, terminal, port services solutions and mechanical repair operations for customers throughout North America and Australia. The Pittsburg, Kan., based enterprise is one of the nation’s largest short rail companies, operating 35 short line railroads with more than 4,700 miles of track. Watco’s Terminal and Port Services division currently manages 55 terminals, 29 switching locations, 9 warehouses and 2 port locations.

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“We are excited about the opportunity to partner with Gateway Commerce Center, LLC on this important project,” said Rob Thrall, VP of Business Development of Watco Companies. “The center’s ideal geographic location and the business friendly environment of the State of Nevada are a winning combination for the successful marketability of the park, as the development progresses.”

Gateway Commerce Center will enjoy many advantages, including a dual served mainline rail accessible industrial park located near the junction of I-80, U.S. 50 and U.S. 95. In addition, the site is within a Class 3 Waste Disposal Zoning area making it capable of hosting major recyclers and other industrial operations requiring this type of zoning and who are dependent on major rail services. Class 3 Waste Disposal zoning combined with mainline rail is only currently available at two sites in the U.S., one in Texas and another in Oklahoma.

“The recent economic activity in Northern Nevada demonstrates the need for a development such as the Gateway Commerce Center,” said William Rose, Principal of Gateway Commerce Center, LLC. “This project has been in the works for years, and we are happy that the timing is finally right and that everything is lining up perfectly.”

“Once again, the Sierra Region of Nevada is proving to be the best bet in the West,” said Robert Hooper, Executive Director of Northern Nevada Development Authority. “The addition of the Gateway Commerce Center is a major game changer, not only for Lyon and Churchill Counties and the State of Nevada, but for the entire West Coast.”

NNDA has assisted the Gateway Commerce Center developers for more than three years and continues to coordinate the process with the support of Churchill County, Lyon County and the City of Fernley.

Ed McKechnie, Executive Vice President and Chief Commercial Officer of Watco Companies, will be speaking at NNDA’s monthly breakfast event on Wednesday at the Carson Nugget from 7 to 8:30 a.m. McKechnie will discuss Watco’s interest in the Gateway Commerce Center project, the

future of rail transportation in the United States, and the role Northern Nevada will play as a growing industrial hub. For more information and to register for the event, visit [www.nnda.org](http://www.nnda.org).

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Exhibit 4



## Hazen Store in Nevada

[More details](#)

William Hoffknecht - Own work

CC BY-SA 3.0

File: HazenStore2.JPG

Created: 2

September 2012

Location: 39° 33′

50″ N, 119° 2′ 56″ W

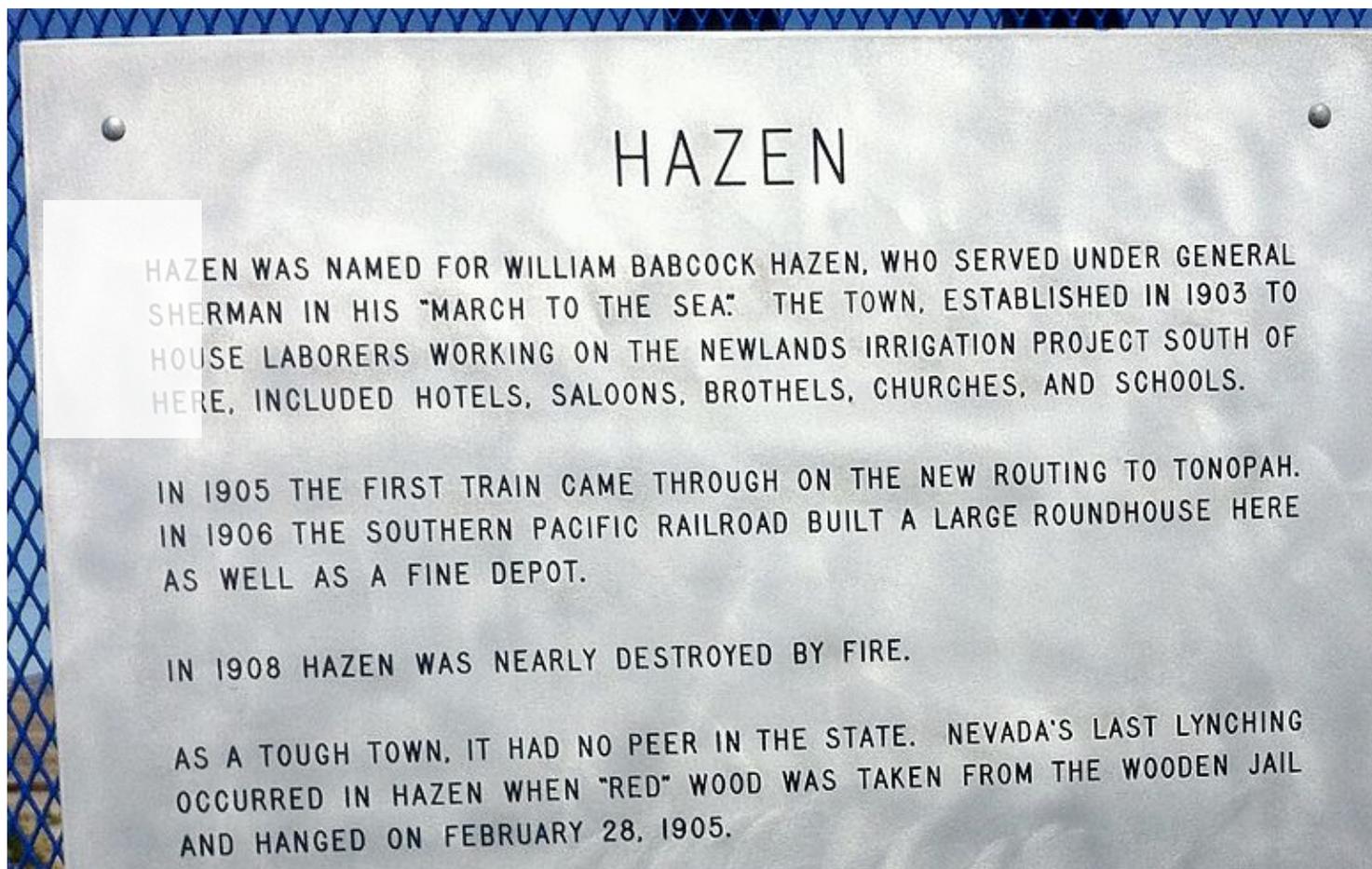
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## Exhibit 7



Hazen highway marker near Fallon

[More details](#)

FAHansson - Own work

Hazen highway marker near Fallon

CC BY-SA

File: Hazen

Highway

Marker.jpg

Created: 28

March 2015

Location:

39° 33′ 48.49″

N, 119° 2′

52.73″ W

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Kevin Fitzgerald  
 Job: KNEZ Hazen Allotment.fmj  
 Master Database: 2016\_Sep\_18.fmd  
 Lat: N39:54:35 Lon: W118:55:15 NAD-27  
 Channel: 297 Class: C  
 Status: Licensed, Construction Permit, Application  
 Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF  
 Range: 100 km  
 Comments: No Comments  
 Description: KNEZ, 107.3, Hazen, NV; Allotment Coordinate Spacing Study

Callsign	City	Stat	Latitude (NA)	Longitude (NAD)	Ser Channel	Class	Stat	73	207	73	207	ERP	HAA	Adjac	Distan	Be	Vert	73	215	CI
KNEZ	FERNLEY	NV	N39:54:46	W118:55:18	FM 297 : 107.3 M	C	LIC	290	-289.65	100.0	600	Co-C	0.35	3490.00	-269.65					
KRNO	INCLINE VIL	NV	N39:18:38	W119:53:01	FM 295 : 106.9 M	C	LIC	105	1.12	35.00	911	2nd A	106.1	23135.00	7.12					
KSRN	KINGS BEACCA	NV	N39:18:48	W119:52:59	FM 299 : 107.7 M	C3	LIC	96	9.89	0.23	874	2nd A	105.8	2310.23	15.89					
KQPT	COLUSA	CA	N39:48:25	W121:37:35	FM 298 : 107.5 M	B	CP	217	14.81	15.00	156	1st A	231.8	26715.00	36.81					
20100225ASUTTER	CR	CA	N38:27:59	W120:31:27	FM 298 : 107.5 M	A	APP	165	46.81	4.80	111	1st A	211.8	2214.80	69.81					
20100226ASUTTER	CR	CA	N38:25:45	W120:33:25	FM 298 : 107.5 M	A	APP	165	51.82	1.87	184	1st A	216.8	2211.87	74.82					
20100224ASUTTER	CR	CA	N38:25:45	W120:33:25	FM 298 : 107.5 M	A	APP	165	51.82	1.80	186	1st A	216.8	2211.80	74.82					
KLCA	TAHOE CITY	CA	N39:18:38	W119:53:01	FM 243 : 96.5 MHz	C1	LIC	41	65.12	6.10	903	IF	106.1	2316.10	65.12					
KLVS	LIVERMORE	CA	N37:49:17	W121:46:49	FM 297 : 107.3 M	B	LIC	274	65.61	8.10	491	Co-C	339.6	2270.00	71.61					
KNEZ-FM1	RENO	NV	N39:35:04	W119:48:06	FM 297 : 107.3 M	DB	LIC	0	83.70	17.50	0	Co-C	83.70	24417.50	-5.30					
KQPT	COLUSA	CA	N39:17:17	W122:20:02	FM 298 : 107.5 M	B	LIC	217	84.19	28.00	193	1st A	301.1	25728.00	106.19					
KOYO-LP	OROVILLE	CA	N39:29:55	W121:32:47	FM 296 : 107.1 M	L1	LIC	142	87.77	0.00	0	1st A	229.7	2590.00	109.77					

# Contour Analysis

Kevin Fitzgerald  
Job: KNEZ Hazen Allotment.fmj  
Master Database: 2016\_Sep\_18.fmd  
Lat: N39:45:11 Lon: W118:54:17 NAD-27  
Scale: 1:1000000  
Channel: 297 Class: C  
Status: Licensed, Construction Permit, Application  
Channels:  
Range: 100 km, Clearance: -0.5km  
Comments: No Comments  
Description: KNEZ, 107.3, Hazen, NV; 70 dBu Contour, Allotment Coordinate Study

rfInvestigator Version 3.8.3  
by rfSoftware, Inc.  
Date: 9/19/2016 4:07:47 PM  
Key:  
City Grade  
Protected  
Co-Channel  
1st Adj  
2nd/3rd Adj

