

307(b) EXHIBIT

Cumulus Licensing LLC (“Cumulus”), permittee of Channel 266C0 at Dinosaur, Colorado (the “Station”), hereby submits this Application which proposes to delete Channel 266C0 at Dinosaur, Colorado and allot Channel 267C3 to Parachute, Colorado as that community’s first local service.

As demonstrated in the Technical Exhibit, Channel 267C3 can be allotted to Parachute consistent with Section 73.207 of the Commission’s Rules. *See* Exhibit B. A 70 dBu signal can be provided to Parachute from the proposed reference coordinates. *See* Exhibit B2. The population and area within the proposed 70 dBu contour is 22,691 persons in 2,197.7 square kilometers, and within the proposed 60 dBu contour is 36,505 persons in 5953.3 square kilometers. *See* Exhibit B6. There are 16 stations providing protected service to Parachute. *See* Exhibit B7.

Cumulus desires to change the community of license of the Station from Dinosaur to Parachute 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), *recons. granted in part*, 5 FCC Rcd 7094 (1990).¹ There, the Commission stated that a station may change its community of license without subjecting the license to other expressions of interest if (1) the proposed allotment is mutually exclusive with the current allotment; (2) the current community of license will not be deprived of its only local service; and (3) the proposed arrangement of allotments is preferred under the Commission’s allotment priorities.

¹ *See also, Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, 21 FCC Rcd 14212 (2006).

These criteria are met here. First, the proposed use of Channel 267C3 at Parachute is mutually exclusive with the current use of Channel 266C0 at Dinosaur. *See* Exhibit B2. Second, Dinosaur will not be deprived of existing local service because the proposed station is an unbuilt facility. The Commission has held that the removal of unbuilt facilities does not present the same loss of service concerns as the removal of an operating station that the public has become reliant upon. *See, e.g., Linden, Texas, et al.*, 16 FCC Rcd 10853, 10854 (2001); *Grand Isle and Empire, Louisiana*, 15 FCC Rcd 9162, 9163 (2000); *Chatom and Grove Hill, Alabama*, 12 FCC Rcd 7664, 7665 (1997). Finally, the provision of a first local service to Parachute (2000 U.S. Census population 1,006), and the loss of a potential first local service at Dinosaur (2000 U.S. Census population 319) both fall under Priority 3. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982). However, the Commission has held that under Priority 3, the provision of service to the larger community is preferred. *See, e.g., Ardmore, Alabama, et al.*, 17 FCC Rcd 16332, 16334-35 (2002); *Three Oaks and Bridgman, Michigan*, 5 FCC Rcd 1004, 1004 (1990). In addition, as discussed below, Cumulus is proposing to allot Channel 262C0 at Dinosaur which will insure that Dinosaur retains a potential first local service. Therefore, a first local service to Parachute is preferred over a first local service to the smaller community of Dinosaur.

The entire loss area will continue to receive at least 5 other aural services and will thus remain well served, except for a small area that will lose its only potential aural service and another area that will be left with one aural service. This is considered *de minimis*.² *See* Exhibit

² *See Eldorado, Mason, Mertzon and Fort Stockton, Texas*, DA 07-61 (2007) (the provision of a first aural service to 124 persons was *de minimis*); *Freer, Hebronville, and Orange Grove, Texas*, 19 FCC Rcd 4742 (2004) (the provision of a first aural service to 178 persons was *de minimis*); *Wallace, Idaho and Big Fork, Montana*, 19 FCC Rcd 15267 (2004) (the provision of a first aural service to 55 persons and the creation of a gray area consisting of 150 persons were *de minimis*); *Sparta and Buckhead, Georgia*, 16 FCC Rcd 2169 (2001) (the creation of gray area consisting of 124 persons was *de minimis*); *Seabrook, Texas, et al.*, 10 FCC Rcd 9360 (1995) (the provision of a second aural service to 455 persons was *de minimis*).

B4. However, in order ensure that these 68 persons are not deprived of a potential service, Cumulus proposes the allotment of Channel 262C0 at Dinosaur (2000 U.S. Census population 319), as its first local service.³ Channel 262C0 can be allotted to Dinosaur consistent with Section 73.207 the Commission's Rules with respect to all existing and proposed domestic allotments and facilities.⁴ See Technical Exhibit for Dinosaur Application. A 70 dBu signal can be provided to Dinosaur from the proposed reference coordinates. See Technical Exhibit for Dinosaur Application. Should this channel be allotted to Dinosaur, Cumulus hereby states that it will apply for the channel and if authorized, will construct the facility.

Parachute is not located in an Urbanized Area and the proposed 70 dBu signal of the Station will not encompass any percentage of an Urbanized Area. Therefore, this relocation does not implicate the Commission's policy against migration of stations from rural to urban areas. See *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988). Parachute, Colorado enjoys the attributes that the Commission traditionally associates with a community. Parachute is listed in the 2000 U.S. Census with a population of 1,006 and therefore is presumed to have the status of a community for allotment purposes. See *Arnold and Columbia, California*, 7 FCC Rcd 6302 (1992).

Situated along the Parachute River, Parachute is located in Garfield County, Colorado. The ZIP code assigned to Parachute is 81635 and the U.S. Postal Service operates one branch in

³ Cumulus recognizes that the Media Bureau's decision in *Sells* prohibits proposals that utilize vacant allotments to cover "white area" that was previously served with an existing service. See *Amendment of Section 73.202(b) FM Table of Allotments, FM Broadcast Stations (Sells, Arizona)*, Report and Order, MB Docket No. 02-376, 19 FCC Rcd 22459 (rel. Nov. 22, 2004) ("*Sells*"), petition for recon. pending. However, the situation in this proceeding is distinguishable because Cumulus is not leaving an area without an existing service; it is leaving an area without potential service. In order to insure that this area continues to have potential service, Cumulus is proposing a new allotment at Dinosaur.

⁴ Cumulus is contemporaneously filing a separate petition for rule making for this channel in accordance with paragraph 17 of the Commission's decision in *Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, 21 FCC Rcd 14212 (2006).

Parachute. According to Christina Trout of the Parachute Town Government, Parachute was incorporated as a town in 1908. The local town government operates under a manager/town council form of governance. The town council is composed of six elected members. The mayor and council members serve four-year terms. The town has a water, parks and recreation, fire, police and library departments. The Garfield County School District 16 serves Parachute, Colorado. Bea Underwood Elementary School, St. John's Middle School and the Grand Valley High School are located in Parachute. The Garfield County Public Library System operates the Parachute Branch Library in Parachute. *See Exhibit 1.*

A number of local businesses identify with the community by using "Parachute" in their name, including Parachute Lube & Service, Parachute Super 8, Parachute Mini-Storage, Parachute True Value Hardware, Parachute Veterinary Clinic, Parachute Texaco and Parachute Quick Lube. Several local business are member of The Parachute-Battlement Mesa Chamber of Commerce. Churches that are home to Parachute include the Parachute Faith Baptist, Assembly of God Church and the Grand Valley Christian Church. A local monthly newspaper, the *Parachute Sun*, publishes local news and items of local interest. *See Exhibit 1.*

For the foregoing reasons the Commission should (i) delete Channel 266C0 at Dinosaur, Colorado and allot Channel 267C3 at Parachute, Colorado as that community's first local service, and (ii) Channel 262C0 at Dinosaur as its first local service.

U.S. Census Bureau

American FactFinder

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Parachute town, Colorado



city/ town, county, or zip

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2005 data
 not available
2000 for this geography

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Census 2000 Demographic Profile Highlights:

[Reference Map](#)

General Characteristics - [show more >>](#)

	Number	Percent	U.S.		
Total population	1,006			map	brief
Male	505	50.2	49.1%	map	brief
Female	501	49.8	50.9%	map	brief
Median age (years)	29.3	(X)	35.3	map	brief
Under 5 years	96	9.5	6.8%	map	
18 years and over	662	65.8	74.3%		
65 years and over	90	8.9	12.4%	map	brief
One race	966	96.0	97.6%		
White	874	86.9	75.1%	map	brief
Black or African American	8	0.8	12.3%	map	brief
American Indian and Alaska Native	16	1.6	0.9%	map	brief
Asian	4	0.4	3.6%	map	brief
Native Hawaiian and Other Pacific Islander	7	0.7	0.1%	map	brief
Some other race	57	5.7	5.5%	map	
Two or more races	40	4.0	2.4%	map	brief
Hispanic or Latino (of any race)	199	19.8	12.5%	map	brief
Household population	1,006	100.0	97.2%	map	brief
Group quarters population	0	0.0	2.8%	map	
Average household size	2.64	(X)	2.59	map	brief
Average family size	3.42	(X)	3.14	map	
Total housing units	415			map	
Occupied housing units	381	91.8	91.0%		brief
Owner-occupied housing units	143	37.5	66.2%	map	
Renter-occupied housing units	238	62.5	33.8%	map	brief
Vacant housing units	34	8.2	9.0%	map	

Social Characteristics - [show more >>](#)

	Number	Percent	U.S.		
Population 25 years and over	552				
High school graduate or higher	428	77.5	80.4%	map	brief
Bachelor's degree or higher	70	12.7	24.4%	map	



ZIP Code Lookup

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81635

81636 (PO BOX)

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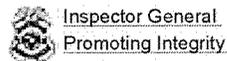
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81635

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Business Name:

Address:

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235 S Rail Road Ave

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[Lift-Up Of Parachute](#)

121 N Fisher Ave

(970) 285-7903 [Write a Review](#)

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[Parachute Conoco](#)

201 Columbine Ct

(970) 285-7755 [Write a Review](#)

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(970) 285-7711 [Write a Review](#)

<u>Parachute Lube & Svc</u>	312 E 1st St
(970) 285-9077 Write a Review	Parachute, CO Map
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<u>Parachute Mini-Storage</u>	158 Cardinal Way
(970) 285-7102 Write a Review	Parachute, CO Map
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<u>Parachute Parks & Recreation</u>	101 Cardinal Way
(970) 285-0388 Write a Review	Parachute, CO Map
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<u>Parachute Police Dept</u>	222 Grand Valley Way
(970) 285-7630 Write a Review	Parachute, CO Map
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<u>Parachute Public Library</u>	244 Grand Valley Way
(970) 285-9870 Write a Review	Parachute, CO Map
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<u>Parachute Public School Dist</u>	251 N Parachute Ave
(970) 285-9821	Parachute, CO Map
<hr/>	
<u>Parachute Quick Lube</u>	150 Columbine Ct
(970) 285-9217 Write a Review	Parachute, CO Map
<hr/>	
<u>Parachute School Super</u>	251 N Parachute Ave
(970) 285-7759 Write a Review	Parachute, CO Map
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<u>Parachute Sheriff Dept</u>	77 Tamarisk Trl
(970) 285-9127	Parachute, CO Map
<hr/>	
<u>Parachute Sun</u>	101 Tamarisk Trl
(970) 285-7182 Write a Review	Parachute, CO Map
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<u>Parachute True Value Hardware</u>	201 Columbine Ct
(970) 285-6678 Write a Review	Parachute, CO Map
<hr/>	
<u>Parachute True Value Hardware</u>	150 Columbine Ct
(970) 285-6678	Parachute, CO Map
<hr/>	
<u>Smith, Lee DVM - Parachute Veterinary Clinic</u>	120 1st St
(970) 285-0356 Write a Review	Parachute, CO Map

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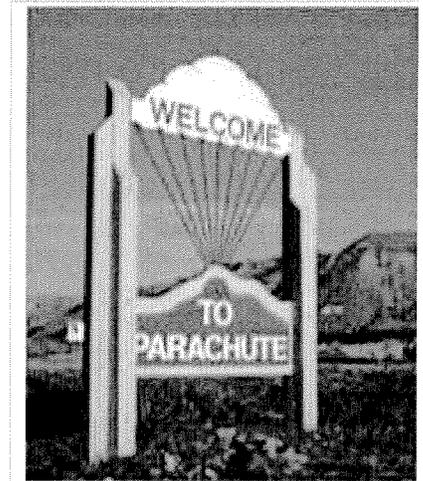
WELCOME TO THE OFFICIAL TOWN OF PARACHUTE WEBSITE.

About Parachute

Wednesday, 19 April 2006

The Town of Parachute is a small community of approximately 1,300 people located about halfway between Grand Junction and Glenwood Springs, Colorado on I-70, North of the Colorado River.

Across the river to the South lies the unincorporated subdivision of Battlement Mesa with an estimated population of 4,200. After enduring the booms and surviving the busts, Parachute has grown into a thriving community of quiet residential neighborhoods with supporting businesses and services. Current oil/gas exploration and production is a major contributor to the local economy -- providing jobs and supporting businesses. There is a mix of new residential subdivisions and older residential units for the industry housing. In town recreation is available at Cottonwood Park with fishing at nearby Parachute Pond.



Welcome to Parachute

Last Updated (Friday, 13 October 2006)

December 2006 Agenda

Written by Christina Trout
 Tuesday, 12 December 2006

December 14, 2006 Board of Trustees Agenda

Last Updated (Tuesday, 19 December 2006)

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Licensed Businesses

Wednesday, 26 July 2006

A list of the businesses licensed in the Town of Parachute can be found here .

Last Updated (Tuesday, 12 September 2006)

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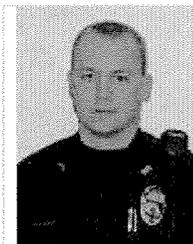
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POLICE

Jan Cross



Officer Birely



Officer Greg Birely

Officer Wood



Officer Shaun Wood

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Friday, 04 November 2005



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LICENSED BUSINESSES / AUTO/TRUCK SERVICES

- | | |
|------------------------------|--|
| Dave's Automotive | 250 W. 1st Street
Parachute, CO 81635 |
| L-D Enterprises, Inc. | 312 E. 1st Street
Parachute, CO 81635 |
| NAPA Auto Parts | 314 E. 1st Street
Parachute, CO 81635 |
| Nobody's Power Wash | 170 Horizon Circle
Parachute, CO 81635 |
| Parachute Conoco Station | 201 Columbine
Parachute, CO 81635 |
| Parachute Shell Station | 252 Green Street
Shell Plaza
Parachute, CO 81635 |
| Quick Lube | 120 S. Columbine
Parachute, CO 81635 |
| Toby's Vacuum Truck Services | 16 Murray Court
Parachute, CO 81635 |
| Valley Car Wash | 258 S. Railroad
Parachute, CO 81635 |
| W-B Supply | 143 N. Russey
Parachute, CO 81635 |

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LICENSED BUSINESSES / FOOD MARTS

Parachute Conoco Station

201 Columbine
Parachute, CO 81635

Parachute Shell Station

252 Green Street
Shell Plaza

Tiendita El Paiscano

Parachute, CO 81635
144 E. 1st Street
Parachute, CO 81635

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LICENSED BUSINESSES / HAIR SALONS/SPA

- | | |
|-------------------------|--|
| Cuttin Loose With Style | 101 Cardinal Way Unit 2
Parachute, CO 81635 |
| Kelli's Klip & Kurl | 116 E. 1st Street
Parachute, CO 81635 |
| Perfect 10 | 237 E. 1st Street
Parachute, CO 81635 |
| Time Out Day Spa | 122 N. Watson
Parachute, CO 81635 |

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LICENSED BUSINESSES / RESTAURANTS

El Rio New Mexican Cafe

393 E. 2nd Street
Parachute, CO 81635

Grand Valley Pub and Grill

101 Cardinal Way #8
Parachute, CO 81635

Hong's Garden

333 E. 2nd Street
Parachute, CO 81635

Subway

310 E. 1st Street
Parachute, CO 81635

Sunrise Scramble

103 E. 1st Street
Parachute, CO 81635

The Outlaws Restaurant

315 E. 1st Street
Parachute, CO 81635

Wendy's Restaurant

195 S. Columbine
Parachute, CO 81635

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