

## FIRST ATTACHMENT TO EXHIBIT 24

### STATEMENT RE COMPLIANCE WITH § 73.203

1. This application for a Minor-Change Construction Permit (the *Application*), filed by Locally Owned Radio, LLC (*Locally Owned*), seeks an authorization for Class C2 facilities for radio station KIRQ(FM), Channel 271C3, Kimberly, Idaho, FCC Facility ID No. 164129 (the *Station* or *KIRQ*). The Station is presently licensed with Class C3 facilities. See FCC File No. BLH-20070514ABY.

2. By means of FCC Form 301 application for a Minor-Change Construction Permit, FCC File No. 20061102ABF, Locally Owned proposed to upgrade the Station from Class C3 to Class C2 status and to change the Station's community of license from Twin Falls, Idaho to Kimberly, Idaho. The Commission granted that application on May 22, 2007. Due to the challenging economic climate, Locally Owned was unable to implement the upgrade authorized by Construction Permit BPH-20061102ABF. As a result, that Construction Permit has just expired, without Locally Owned being able to implement it during its term. Locally Owned is confident that, with the improving economy, Locally Owned will be able to implement the upgrade to Class C2 status within the term of the replacement Construction Permit.

3. Because the Construction Permit has expired, FM Idaho is reapplying for essentially the same technical facility. However, because Construction Permit BPH-20061102ABF already modified the Station's license to change its community of license from Twin Falls, Idaho to Kimberly, Idaho, it is not necessary for Locally Owned to specify, in this application, a change in

community of license. Therefore, Locally Owned is responding to Section III-B, FM Engineering, Item 33, in the negative.

4. Thus, this application seeks only an upgrade from Class C3 to Class C2 status on the already authorized Channel 271. Accordingly, this Application complies with the requirements of § 73.203(b) of the Rules:

*Applications filed on a first come, first served basis for the minor modification of an existing FM broadcast station may propose any change in channel and/or class and/or community not defined as major in § 73.3573(a). [....]*

5. Section 73.3573(a) states, in pertinent part:

A major facility change for a commercial or a noncommercial educational full service FM station [...] is any change in frequency or community of license which is not in accord with its current assignment, except for the following:

[....]

(ii) A change to a higher or lower class co-channel, first-, second-, or third-adjacent channel, or intermediate frequency[.]