

**Community of License Change - Section 307(b)**  
**KWTO-FM Channel 267C – Buffalo, Missouri**

This comprehensive Section 307(b) showing is presented on behalf of Zimmer Midwest Communications, Inc. ("ZMCI"), licensee of KWTO-FM Channel 267C (101.3 MHz), Facility ID No. 63339, licensed to Springfield, Missouri. This minor modification application proposes a community of license change for KWTO-FM to operate on Channel 267C to be licensed as the second local transmission service to Buffalo, Missouri. The Section 307(b) indicia for KWTO-FM demonstrates that the proposed community of license change would serve the public interest, as required by Section 307(b) of the Communications Act of 1934, under Priority 4 of *Revision of FM Assignment Policies and Procedures, Second Report and Order*, 90 FCC 2d 88 (1982).

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) as modified by the *Rural Radio* decision, 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. These criteria are met here. First, the proposed KWTO-FM modification is mutually exclusive with the licensed KWTO-FM facility. Springfield, Missouri will continue to be well served with 13 full power radio stations. There would be seven full power commercial and non-commercial FM stations and six full power AM stations remaining should the KWTO-FM city of license change be approved. At present, the 307(b) balancing required is simply whether the modification would serve the public interest and outweigh making no modification

at all. Springfield, MO is included in the Springfield, MO Urbanized Area and KWTO-FM places an FCC F(50,50) 70 dBu contour over 100 percent of the corporate boundaries of Springfield, MO. Therefore, this is an Intra- Urbanized Area city of license change<sup>1</sup>. Finally, the proposal satisfies Priority 4 “Other public interest benefits”. The reassignment of KWTO-FM as the second local transmission service to the 3,126 residents of Buffalo, MO (2020 US Census) is preferred to retention of the 14<sup>th</sup> local transmission service at Springfield. Furthermore, 1,022 persons would receive an additional reception service. Table One – Section 307(b) Analysis shows the Priority 4 gains of 3,136 persons for the second local service and 1,022 persons for an additional reception service. In conclusion, the proposed KWTO-FM change in community of license will benefit the public interest.

### **White/Gray Population Study**

This KWTO-FM minor modification application makes no change to the transmit location or effective radiated power and makes a slight increase in the antenna center of radiation. Therefore, there is no white or gray area or population created. Therefore, No White/Gray exhibit is included.

### **Gain - Loss Studies**

There is no loss associated with the KWTO-FM minor modification application. Therefore, no underserved areas or population will be created as a result of the proposed KWTO-FM modification. There is a gain of 1,022 persons and 1,480.8 sq. km. in area in the FCC F(50,50) 60 dBu contour. Therefore, only a gain study is included. The gain study is included in the Section 307(b) V-Soft Population Report which is included in this Section 307(b) Exhibit.

<sup>1</sup> See Gearhart, Oregon, Report and Order, 26 FCC Rcd 10259 (MB 2011) (“Gearhart”), and Goleta, California, Letter from Peter H. Doyle to Mark N. Lipp, 26 FCC Rcd 12496 (MB 2011) (“Goleta”).

## **Buffalo, Missouri**

Buffalo is a city in southwest Missouri and is the county seat city of Dallas County, Missouri. The population was 3,084 at the 2010 census. According to The City of Buffalo web site, Buffalo was named for the prairie on which it is situated. The land originally was owned by Martin Randleman and William E. Williams. It was surveyed about 1841, although the first buildings were erected about 1838 by Mr. Williams and Joseph F. Miles. Other early inhabitants were brothers Samuel and Caswell Williams, William L. and I.N. Morrow, Alf Moore, Mr. Florence, William M. Lovan and sons Marshall G. and James R. Founded in 1839 as a pioneer village on the edge of the prairie and the Niangua River hills and woodlands. Buffalo was first incorporated as a city in 1854. Today Buffalo is a growing county seat in a rural county of nearly 16,637 people. A post office called Buffalo has been in operation since 1846.

Buffalo, Missouri was determined to qualify as a community for allotment purposes back in 1965 when a construction permit with the call sign of KBFL-FM was granted by the FCC to the Dallas County School District No. 1 for a 10 watt non-commercial FM station operating on 91.3 MHz. Therefore, the evidence in support of Buffalo, MO as a community eligible for allotment will be brief.

According to the Missouri Official Manual, Buffalo is a Fourth class city. The Buffalo city government has a mayor and six aldermen. Buffalo provides municipal water and sewer and contracts for refuse service. Buffalo is the home to the Dallas County R-I School District. The school district includes a service area that includes students from western Laclede, southern Dallas, and eastern Polk counties. The school district includes an elementary school in Buffalo

(Dillard A. Mallory Elementary). Buffalo Prairie Middle School, Buffalo High School, and the Dallas County Technical Center (at Louisburg) are all part of the school district. The school district currently has an enrollment of approximately 1,800 students grades K-12. Buffalo has two large city parks. The city also features an extensive network of trails and sidewalks connecting Buffalo Prairie Middle School to the south across town to the new city park to the north. Buffalo features numerous opportunities within the city for recreation including Buffalo Bowl, numerous restaurants, live music at the Maple & Main, and various street festivals throughout the year. Dallas County Public Library is located at 219 W Main St. in Buffalo. The Buffalo Police Department is located at 311 Poplar St. in Buffalo and has a total of nine officers. The Buffalo City Fire & Rescue provides fire suppression, emergency medical care, hazmat cleanup, and all other services to the City of Buffalo and is located at 211 W. Benton St.

The Buffalo, Missouri Post Office is located at 215 N Pine St, in Buffalo. The zip code for Buffalo is 65622.

### **Summary**

Because no white or gray areas are being served, Priorities One and Two cannot be credited to the KWTO-FM application. Priority 3 cannot be credited to the KWTO-FM application because it covers a majority of an Urbanized area with an FCC F(50,50) 70 dBu contour. The 3,126 residents of Buffalo, MO would receive a second local transmission service and an additional 1,022 persons would receive an additional reception service under Priority 4 “Other public interest benefits”. Therefore, it is believed the proposed KWTO-FM modification meets the requirements of Section 307(b) under Priority 4.

V-Soft Communications Population Report FCC F(50,50) 60 dBu  
Gain Study

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Transmitter Information:  
Call Letters: **KWTO-FM Application**  
File Number: 0000143248  
Latitude: 37-11-41.20 N  
Longitude: 092-56-07.60 W  
ERP: 100.00 kW  
Channel: 267  
Frequency: 101.3 MHz  
AMSL Height: 900.7 m  
Elevation: 471.0 m  
HAAT: 456.15 m  
Horiz. Antenna Pattern: Omni  
Vert. Elevation Pattern: No  
Propagation Model: FCC Model  
Location Variability: 50.0%  
Time Variability: 50.0%  
HAAT Method: FCC  
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Transmitter Information:  
Call Letters: **KWTO-FM Licensed**  
File Number: BLH20030124AEU  
Latitude: 37-11-41.20 N  
Longitude: 092-56-07.60 W  
ERP: 100.00 kW  
Channel: 267  
Frequency: 101.3 MHz  
AMSL Height: 896.7 m  
Elevation: 471.0 m  
HAAT: 453.8 m  
Horiz. Antenna Pattern: Omni  
Vert. Elevation Pattern: No  
Propagation Model: FCC Model  
Location Variability: 50.0%  
Time Variability: 50.0%  
HAAT Method: FCC  
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Population Database: 2010 US Census (PL)  
Primary Terrain: NED 3 Second US Terrain  
Population report for field strength greather than 60.0 dBuV/m.

**Total Population covered by KWTO-FM Application: 645,293 persons**  
**Total Population covered by KWTO-FM Licensed: 644,271 persons**  
**Net Change: 1,022 persons**

**Total Area covered by KWTO-FM Application: 21,875.87 sq. km**  
**Total Area covered by KWTO-FM Licensed: 21,727.79 sq. km**  
**Net Change: 1,480.8 sq. km**  
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**Table One**  
**FCC Section 307(b) Analysis**

Station	Priority 1		Priority 2		Priority 3		Priority 4	
	Loss	Gain	Loss	Gain	Loss	Gain	Additional Reception Service	Second full time aural service
KWTO-FM Appl.							645,293	3,061
KWTO-FM Lic.							644,271	0
Net Change	0	0	0	0	0	0	1,022	3,061
FCC 307(b) Communications Act - Allotment Priorities								
Priority 1: Service to white areas - First full-time aural service								
Priority 2: Service to gray areas - Second full-time aural service								
Priority 3: First local transmission service								
Priority 4: Other public interest benefits								