

Statement of Justification for Relocation of KRCB Transmitter Site

Rural California Broadcasting Corp. (RCBC) hereby amends its pending minor CP modification application for noncommercial educational television KRCB, Cotati, California (File No 0000059424) to provide the following justification for the proposed relocation of KRCB from its existing transmitter site in Sonoma County, California to Mt. Sutro in San Francisco. As reflected below, the relocation of the transmitter site will result in the movement of the station's contour to the south, resulting in the loss of KRCB coverage in certain areas in the northern end of its current coverage area. RCBC urges that the public interest will nevertheless be served by the relocation of the station. The move would create no television coverage "white area," as there is at least one other over-the-air television signal throughout the KRCB loss area. The move would create an NCE-TV "white area" containing 36,300 persons, less than one percent of the overall KRCB population currently covered. However, MVPD penetration in the DMA is over 95%, which means that the number of potential viewers that might lose NCE-TV service may be as small as 1,815, about .04% of the population currently covered.

RCBC believes that the relocation of KRCB would be in the public interest, as the number of people who actually may lose NCE-TV service is very small, and there are serious and perhaps insurmountable problems finding a transmitter site for operation of KRCB on channel 5 that will avoid a loss area. Moreover, the requirement to move to channel 5 results from the incentive auction process, in which the Commission determined that loss of service considerations would not be applied. Finally, unfortunately, as explained below, the alternative to the requested move to Mt. Sutro may well be RCBC's having to take the station off the air and surrendering the KRCB license for cancellation.

Background

KRCB is being repacked from channel 23 to channel 5, pursuant to a winning incentive auction bid. In the incentive auction, RCBC had the option to move from UHF to low band VHF, or to surrender the KRCB license, with either option resulting in the same auction payout. RCBC believes strongly in its noncommercial educational television mission, and it chose to continue operations of KRCB, but understood that operation on a low VHF channel was not an attractive prospect going forward for reasons of difficulty of reception and the inability to fully take advantage of ATSC 3.0 capabilities, and KRCB realized that it might have problems implementing a low VHF operation at its existing transmitter site.

Subsequent to the incentive auction, RCBC used a substantial portion of its auction proceeds to acquire the license for another NCE-TV station KCSM-TV (now KPJK (TV)), San Mateo, California, which will continue to operate on a UHF channel and which serve significant portions of the KRCB coverage area.

RCBC currently holds a CP for maximized channel 5 facilities at the existing KRCB transmitter site (LMS File No. 0000034469). KRCB is in Phase 8 of the repack.

The current KRCB transmitter site is located at Sonoma Mountain, owned by Sonoma County. As RCBC has previously informed the Commission, moving to channel 5 at that location would

require replacement of the tower, which is currently at full capacity. The County has told RCBC that it would require RCBC to bear the full cost of that new tower, creating a significant unanticipated expense of millions of dollars to RCBC in moving to channel 5. Moreover, the County has informed RCBC that it may not even be willing to permit the TV station to remain at Sonoma Mountain at all. Based on RCBC's research, the only other suitable TV tower site nearby is a Crown Castle site, #856204, but that tower is already at capacity and thus not available for KRCB on channel 5.

As noted above, pursuant to FCC consent, RCBC has acquired the license for NCE station KPJK (TV) (formerly KCSM-TV), San Mateo, CA. KPJK's transmitter site is at Mt. Sutro in San Francisco. From that site, KPJK provides service throughout the San Francisco DMA, including much of the KRCB existing service area.

Mt. Sutro Tower Incorporated, (STI) has approached RCBC suggesting that RCBC relocate KRCB on channel 5 to Mt. Sutro as well. STI has confirmed that Mt. Sutro can accommodate KRCB's operation. Obviously, in addition to not having to spend millions of dollars to construct a new tower, money that can be better applied to RCBC's programming and community service, there would be operational advantages for RCBC in having both stations operating from the same transmitter site, and the move is consistent with FCC policy favoring co-location of TV stations at established transmitter sites.

KRCB can be operated from Mt. Sutro consistent with TV spacing and interference rules, and thus the pending KRCB relocation application does not require any waiver of FCC rules. However, in order for the KRCB signal not to extend beyond the currently authorized maximized channel 5 contour to the south, some of KRCB's coverage to the north is lost by virtue of the move to Mt. Sutro.

Coverage Study

Hammett & Edison, Inc., RCBC's engineering consultants, has calculated that the current population covered by KRCB is 4,475,000. As reflected in the attached maps prepared by the engineering consultants, the move to Mt. Sutro would result in withdrawal of KRCB's coverage to 669,900 persons, about 15% of the existing KRCB covered population. However, all areas of lost coverage are also covered by one or more other TV stations (commercial or noncommercial), and thus no viewer would lose their only over-the-air television service.

The maps also show that, looking only at NCE service, 633,600 of the persons in the area of lost coverage would have alternative over-the-air NCE television service, meaning that only 36,300 persons would lose over-the-air NCE television service. This is, as noted, less than one percent of the population in the coverage area of KRCB. However, a recent study (2015) of MVPD DMA Level Digital Subscriber Data by One Touch Intelligence, LLC, which can be found online at http://researchexcellence.com/files/pdf/2015-07/id302_mvpd_dma_level_digital_subscriber_data_june_2015.pdf, shows that the San Francisco–Oakland–San Jose DMA had over 95% MVPD penetration as of the date of the study (December, 2014). Thus, the number of persons losing NCE television service may be as small as 1815, .04% of the population in KRCB's current contour.

Justification for Relocation

RCBC is committed to providing public television service and community engagement throughout its traditional service area in the northern portion of the San Francisco DMA. But RCBC also needs to be a careful steward of its funds, and the prospect of spending millions of dollars on a new tower to implement the change to channel 5, if indeed Sonoma County will permit RCBC to even do so, has left RCBC searching for alternative transmitter sites for KRCB. RCBC has concluded that the best location is Mt. Sutro, which (1) can accommodate KRCB; (2) is fully consistent with all FCC technical rules and policies; and (3) which is the site of RCBC's newly acquired NCE-TV station KPJK and thus offers significant operational advantages.

No provision of the Communications Act and no Commission rule prohibits relocation of a station transmitter creating a loss area, as Section 307(b) issues do not arise where, as here, there is no proposal to change community of license (Cotati, California) and the community of license will continue to receive the required level of service (as it does with the KRCB proposed move to Mt. Sutro). At issue may be a Commission policy that does not favor reductions in television service, absent countervailing public interest benefits, but RCBC has not found any recent FCC decisions applying that policy outside of the context of city of license changes implicating Section 307(b) concerns, as opposed to facility changes for existing licensed stations that are not proposing to change city of license.

To the extent that such a policy is applied here, KRCB notes that there is no TV "white" area created, and the NCE-TV "white area" may actually contain as few as 1815 persons who currently obtain NCE-TV service over the air. Balanced against that loss is the risk that RCBC may not be able to transition KRCB to channel 5 at any site that will avoid a loss in service area, and even if it can, it will be required to spend significant funds -- which would otherwise support its public service mission -- to build a new tower.

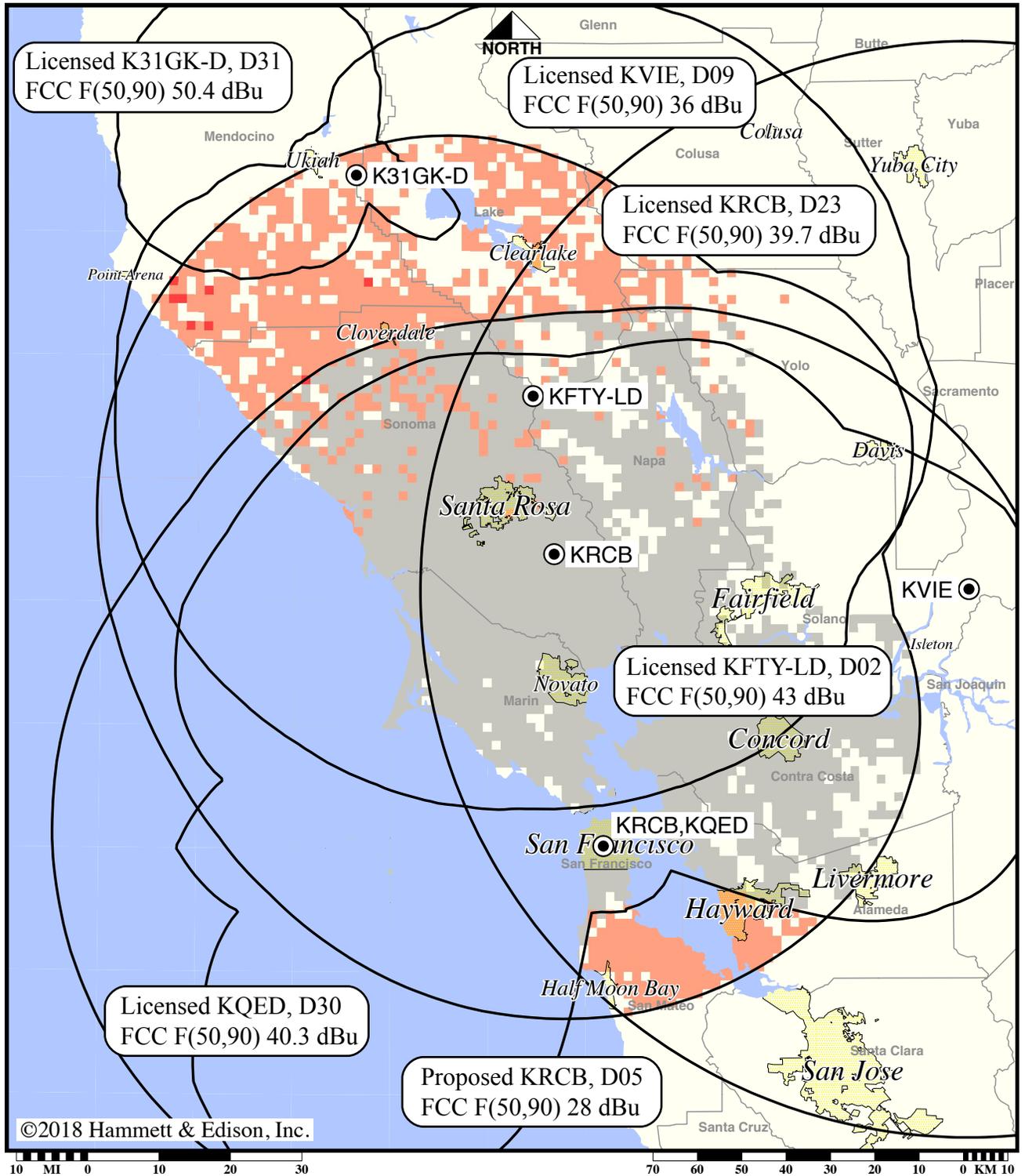
Moreover, in the context of the TV incentive auction, the Commission determined to reject considerations of service loss in the context of winning license relinquishment bids, and also noted that it could not examine potential loss of specific programming formats, which would run afoul of the long-standing policy of not considering formats in the analogous context of reviewing an assignment application. See, Report and Order in GN Docket No. 12-268, *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, at ¶¶368 and notes 1093 and 1093 (2014). RCBC chose to move to channel 5 in the incentive auction instead of relinquishing the KRCB channel outright, but the Commission offered and would have permitted it to accept a relinquishment bid, and the result would have been far greater loss of service than contemplated by KRCB's move to Mt. Sutro. As noted above, if the Commission denies the RCBC application to relocate KRCB to Mt. Sutro, and if no reasonable alternative site for the station can be found that avoids the loss areas to the north, RCBC will ultimately need to surrender the license for KRCB, resulting in a far greater loss of service.

If the KRCB application is granted, RCBC will explore alternatives to expand coverage of its signal into the "loss" area. These alternatives could include a power increase for KRCB, TV translator stations or a future Single Frequency Network operation, possibly in connection with the implementation of ATSC 3.0.

Conclusion

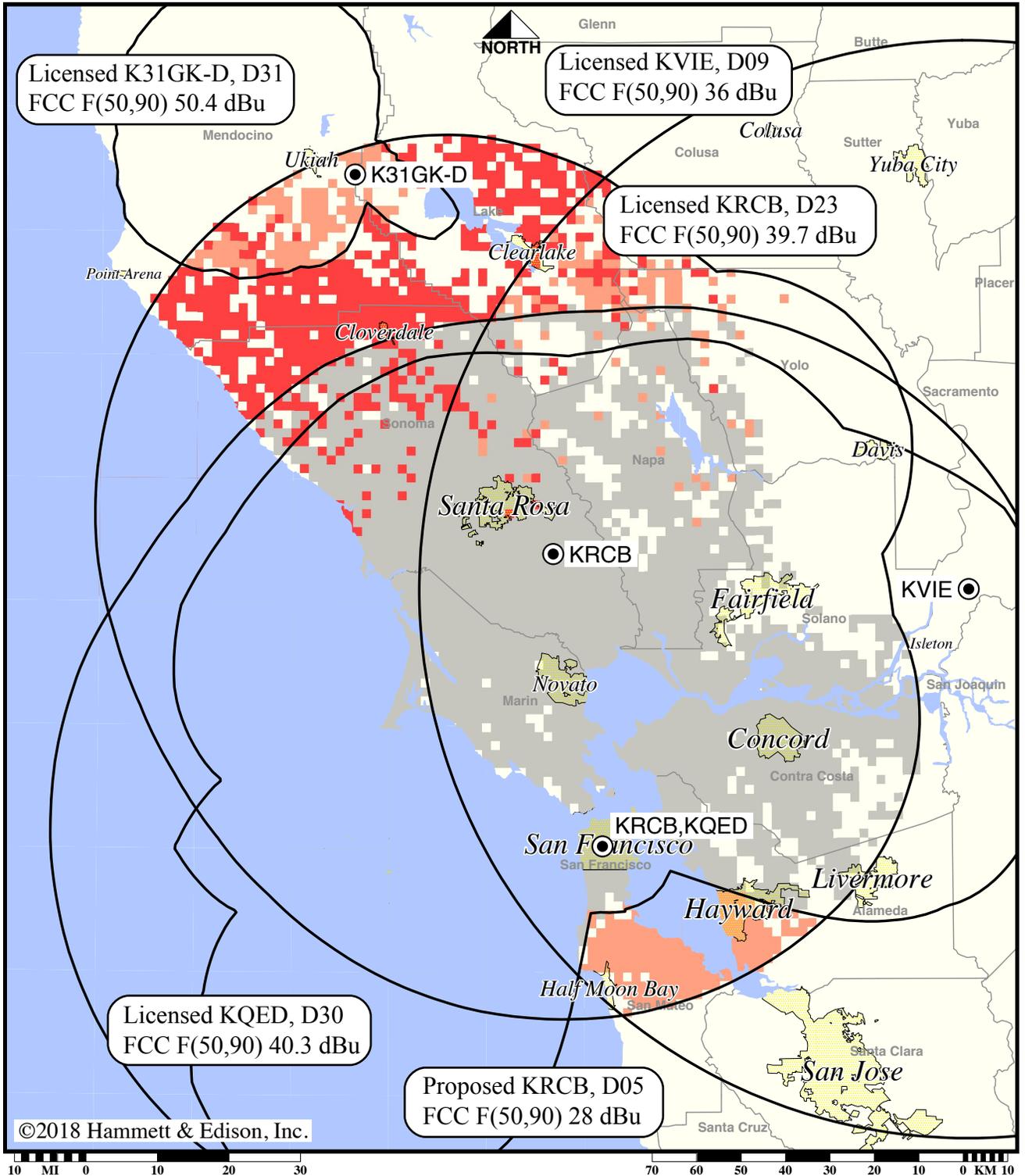
For the foregoing reasons, RCBC urges that the public interest would be served by the grant of its application to modify the KRCB facilities to specify operation at Mt. Sutro, as proposed.

**TV Station KRCB • Pre-Auction Channel 23 • Post-Auction Channel 5 • Cotati, CA
 Predicted Coverage Loss from Move to Sutro Tower – All Station**



| No change | Loss covered by others | Net loss | persons based on 2010 U.S. Census |
|-----------|------------------------|----------|-----------------------------------|
| 3,805,100 | 669,900 | 0 | |

**TV Station KRCB • Pre-Auction Channel 23 • Post-Auction Channel 5 • Cotati, CA
 Predicted Coverage Loss from Move to Sutro Tower – NCE Station Only**



| | | |
|-----------|---------------------------|----------|
| No change | Loss covered by other NCE | Net loss |
| 3,805,100 | 633,600 | 36,300 |

persons based on 2010 U.S. Census