

Special Operating Condition 2

Special Operating Condition #2 on the WKOV-FM construction permit (BPH-20120326ALC) provides that program tests for the WKOV-FM facilities specified in the construction permit on Channel 244B1 shall not commence until program tests for WCMJ (FM), Cambridge, Ohio, commence on Channel 274. Special Operating Condition #2 further provides that no license will be granted to WKOV-FM on Channel 244B1 with the facilities specified in BPH-20120326ALC until a license is granted for WCMJ (FM) on Channel 274.

Jackson County Broadcasting, Inc. ("JCBI"), licensee of WKOV-FM, hereby respectfully requests that Special Operating Condition #2 be removed or deemed satisfied, or in the alternative, be waived.

WKOV-FM has been operating with licensed technical facilities (BLH-19900330KA / BMLH-19940201KA) on Channel 244B1 at Wellston, Ohio, since the early 1990s, which are identical to the technical facilities authorized in BPH-20120326ALC, albeit with Oak Hill, Ohio, specified as the community of license, rather than Wellston, Ohio. WCMJ has been operating on Channel 244A at Cambridge, Ohio, with the facilities specified in BLH-19940825KD, also since the early 1990s, in a grandfathered short-spacing with WKOV-FM, pursuant to Section 73.213(c) of the FCC's Rules. WKOV-FM and WCMJ meet the distance separation specified in Section 73.213(c).

WKOV-FM was granted a construction permit to change community of license to Frazeyburg, Ohio, with modified technical facilities (BPH-20070405ABF) on June 12, 2009. That construction permit, however, expired on June 12, 2012, without having been constructed.

Likewise, WCMJ (FM) was granted a construction permit for operations on Channel 274A at Cambridge, Ohio (BPH-20070405ABI), on June 12, 2009. That construction permit also expired on June 12, 2012, without having been constructed.

Accordingly, WCMJ (FM) currently has no authorization to change to Channel 274A. JCBI's proposed license application maintains the technical status quo that has existed between WKOV-FM and WCMJ (FM) for nearly two decades without adverse effect.

Therefore, JCBI respectfully requests that Special Operating Condition #2 be removed, deemed satisfied, or waived.