

Section 307(b) Showing

ADD: 203C3 Hardin, MT
DELETE: 203A Colstrip, MT

The instant application is being filed by Hi-Line Radio Fellowship, Inc. (“Hi-Line”), Licensee of KNPC(FM) Colstrip, MT (FCC ID #177237).

Hi-Line proposes that channel 203A at Colstrip, MT, be deleted and mutually exclusive Channel 203C3 be added at Hardin, MT, at a modified antenna site for KNPC(FM)’s use.

This exhibit, together with the Comprehensive Technical Exhibits to the Applications, demonstrates that the proposed community of license change constitutes a preferential arrangement of allotments or assignments under Section 307(b) of the Communications Act of 1934, as amended (47 U.S.C. Section 307(b)) and the instant application complies with the *Second Report and Order, First Order on Reconsideration, and Second Further Notice of Proposed Rulemaking* in MB Docket 09-52, RM-11528, adopted and released March 3, 2011 (“*Rural Radio*”).

As set forth in the Comprehensive Technical Exhibit to this Application, the facilities specified are mutually exclusive, as defined in Section 73.509 of the Commission’s Rules, with the current the antenna site for the facilities at the proposed community of license fully complies with Sections 73.509 and 73.515 of the Commission’s Rules. The applicant will comply with the local public notice provisions of Sections 73.3580(c)(3), 73.3580(d)(3), and 73.3580(f) of the

Commission's Rules, and understands that the exception contained in Section 73.3580(e) of the Commission's Rules does not apply to an application proposing to change the community of license of an FM station. Consequently, the proposed community of license change qualifies for submission as minor modification applications pursuant to Section 73.3573(g) of the Commission's Rules.

In determining whether a proposed community of license change constitutes a preferential arrangement of allotments under Section 307(b) of the Act, the Commission considers whether the proposal would serve one or more of the Commission's four priorities.¹ Here, grant of the Application will satisfy Priorities 2 and 4 without negatively triggering any of the Allotment Priorities.

Hardin, Montana, constitutes a community suitable for allotment purposes. It is a city of 3,505 persons as listed in the 2010 US Census and is the county seat for Big Horn County, Montana. Hardin currently has one local transmission service provided by KHDN(AM). Upon the deletion of Channel 203A from Colstrip when KNPC(FM) changes community, Colstrip will continue being served by the two local transmission services of KMCJ(FM) and KYPC(FM). Colstrip has a population of 2,214 persons. As a result of the community change, Priority 4 will be favorably triggered in that a third local transmission service will be removed from the smaller

¹ See *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982) ("*FM Assignment Policies*"). The four priorities are: (i) first full-time aural reception service to a community; (ii) a second full-time aural reception service to a community; (iii) first local transmission service to a community; and (iv) other public interest factors. The second and third criteria have equal priority. *Id.* at 91. 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, at ¶ 10 (2006) (Section 307(b) priorities and policies used by Commission since 1982 continue to apply under new application procedures).

community of Colstrip in favor of adding a second local transmission service at the larger community of Hardin.

Exhibit 1, attached hereto, is a Gain/Loss study outlining the population and geographical coverage changes that will occur when Channel 203A is deleted from Colstrip and mutually exclusive Channel 203C3 is added to Hardin for KNPC(FM)'s use. Again, Priority 4 is favorably triggered since a net population gain of 5,746 persons will receive a new reception service.

Exhibit 2 is a Hardin, Montana, Existing Services Study depicting the full-time aural reception services that are available in the Gain Area. Since there are no Class A designated AM stations in region, there is only one full time aural AM station serving the Gain Area - KHDN(AM). As such, KHDN, using its nighttime interference-free contour, and the FM stations in the region provide full-time aural reception service. Exhibit 2 demonstrates 433 persons that currently only receive the full-time aural reception service of KCHH Worden, MT, will, as a result of the instant proposal, receive a second full-time aural reception service. This elimination of grey area favorably triggers Priority 2. The Existing Services Study also reveals that a 3rd aural reception service will be provided to another 4,910 persons.

Exhibit 3 is a Colstrip, Montana, Remaining Services Study demonstrating that when KNPC(FM) 203A is deleted from Colstrip, no White Area or Gray Area will be created by the removal of KNPC from the Colstrip area. The entire Loss Area will continue to receive the FM full-time aural services of KYKC-FM Forsyth, MT, KYPC(FM) Colstrip, MT, and KMCJ(FM)

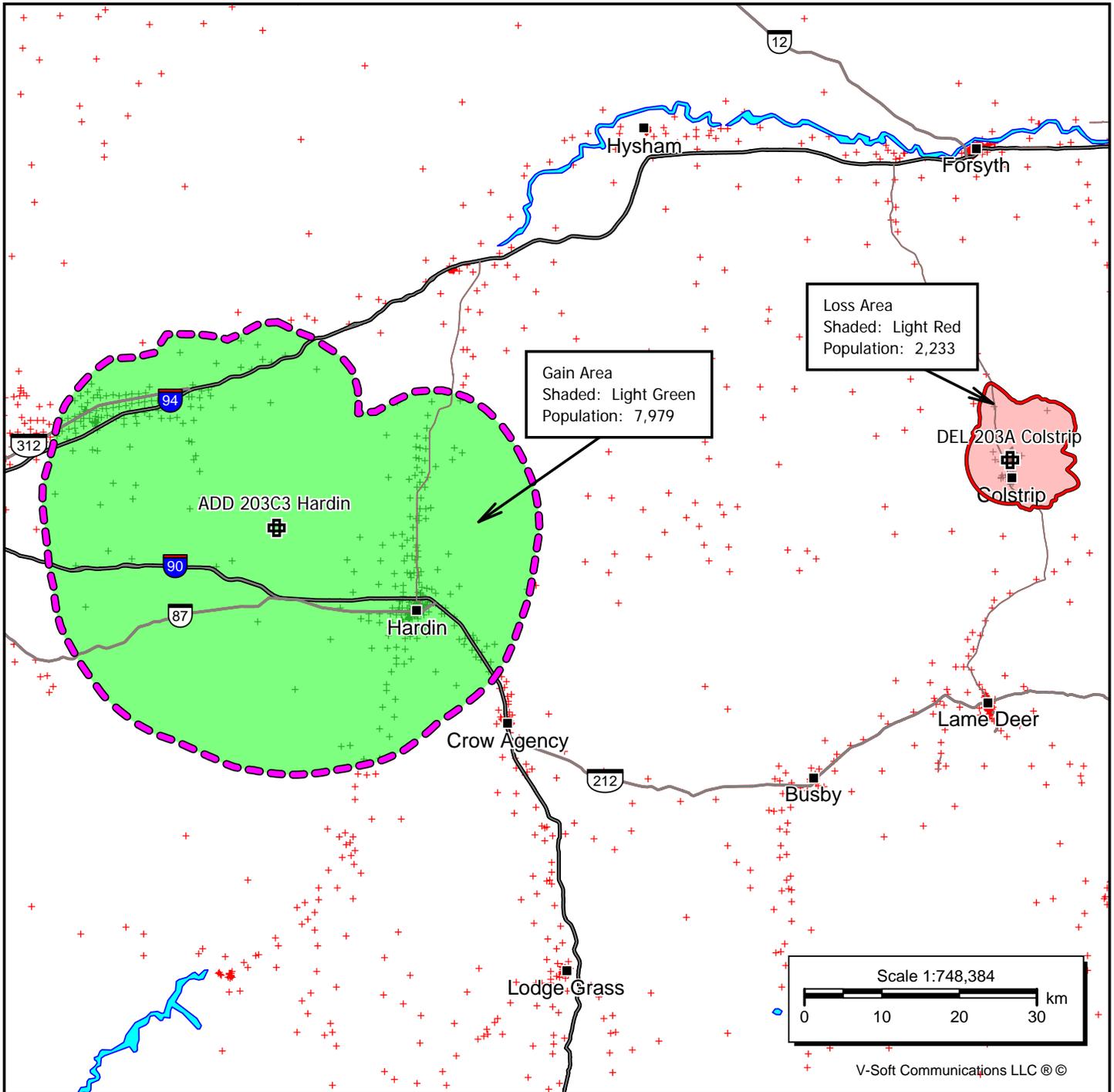
Colstrip, MT. The removal of a fourth aural reception service from 2,233 persons is does not unfavorably trigger Priority 4 since, as discussed above, the addition of a third aural service to 4,910 persons more than offsets the loss.

In conclusion, the instant proposal furthers the Commission's allotment priorities in Section 307(b) by favorably triggering the Commission's allotment priorities as follows:

- The proposal eliminates populated Gray Area containing 433 persons (Priority 2).
- The proposal adds a second local transmission service to a larger community only at the expense of eliminating a third service at a smaller community (Priority 4).
- The proposal adds a third aural reception service to 4,910 persons only at the expense of eliminating a fourth service from 2,233 persons (Priority 4).
- The proposal will allow the station to serve a net 5,746 more people at the station's new community (Priority 4).

Exhibit 1

KNPC(FM) Gain/Loss Study



ADD 203C3 Hardin

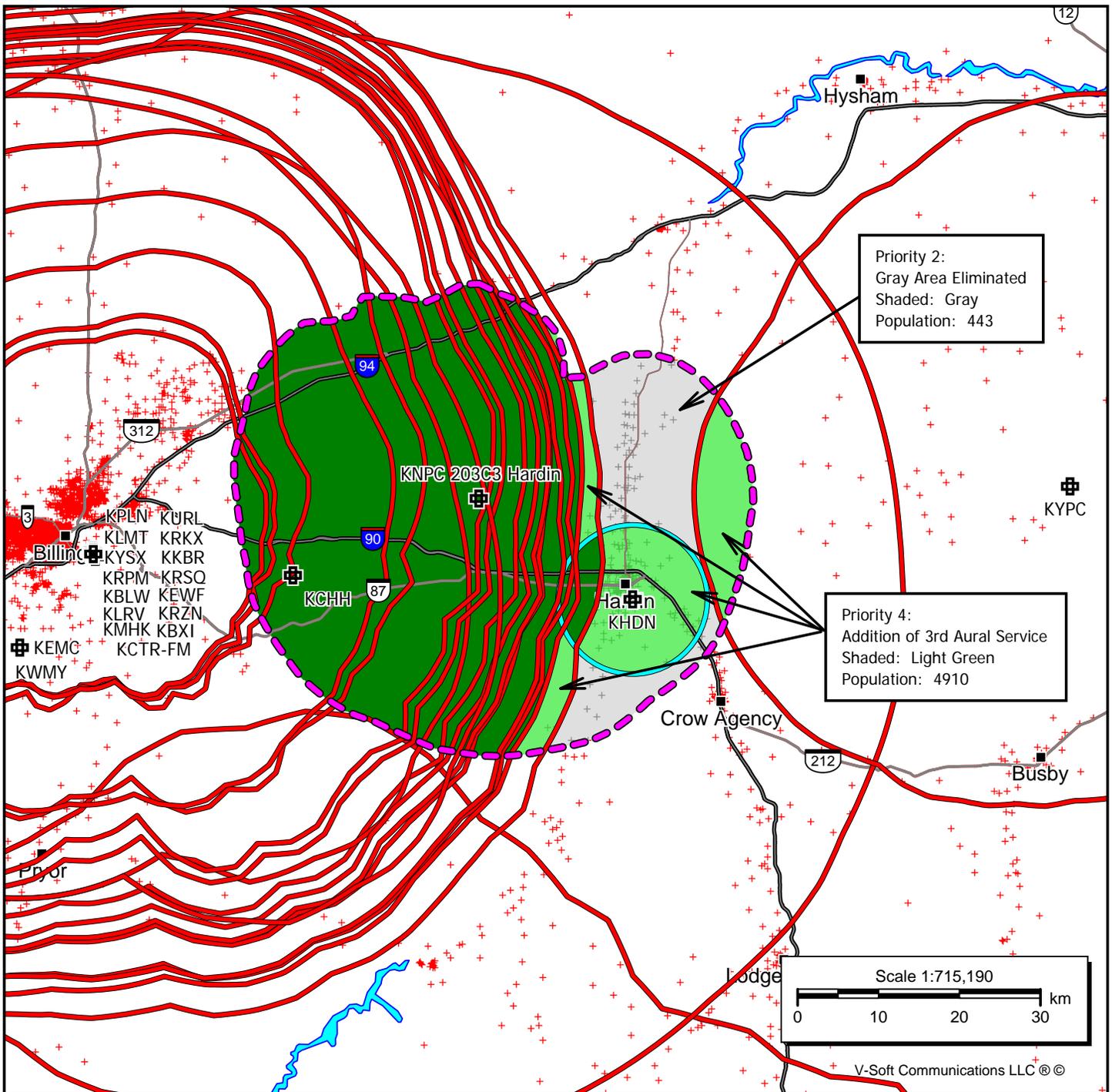
Channel: 203C3
 Frequency: 88.5 MHz
 Latitude: 45-49-38.80 N
 Longitude: 107-50-38.20 W
 COR AGL Height: 10.0 m
 COR AMSL Height: 1232.0 m
 Base Elevation: 1222.0 m
 COR HAAT: 218.6 m
 ERP: 1.70 kW
 Horiz. Pattern: Omni
 Vert. Pattern: No
 Prop Model: None

DEL 203A Colstrip

Channel: 203A
 Frequency: 88.5 MHz
 Latitude: 45-54-17 N
 Longitude: 106-37-32 W
 COR AGL Height: 15.0 m
 COR AMSL Height: 1029.0 m
 Base Elevation: 1014.0 m
 COR HAAT: 36.0 m
 ERP: 0.10 kW
 Horiz. Pattern: Omni
 Vert. Pattern: No
 Prop Model: None

Exhibit 2

Hardin, MT, Existing Services Study



KNPC 203C3 Hardin

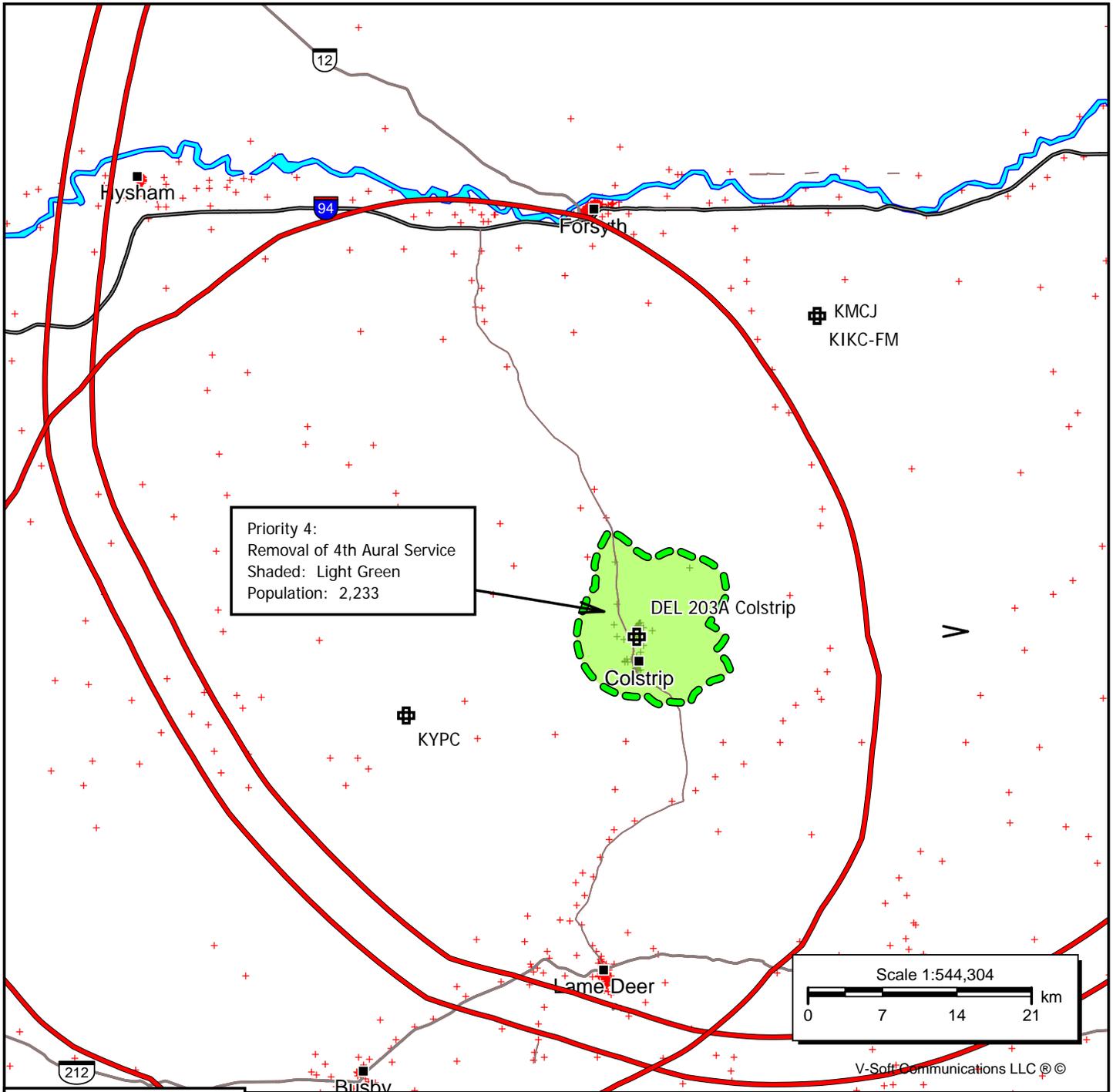
Channel: 203C3
 Frequency: 88.5 MHz
 Latitude: 45-49-38.80 N
 Longitude: 107-50-38.20 W
 COR AGL Height: 10.0 m
 COR AMSL Height: 1232.0 m
 Base Elevation: 1222.0 m
 COR HAAT: 218.6 m
 ERP: 1.70 kW
 Horiz. Pattern: Omni
 Vert. Pattern: No
 Prop Model: None

Note:

- All FM Contours depicted are F(50,50) 60 dBu contours.
- No AM stations designated Class A are located in the Montana or Wyoming. As such, the only applicable AM station is the Nighttime Interference Free Contour for KHDN(AM) 1230 kHz Hardin, MT.

Exhibit 3

Colstrip, MT, Remaining Services Study



DEL 203A Colstrip
 Proposed for Deletion
 Channel: 203A
 Frequency: 88.5 MHz
 Latitude: 45-54-17 N
 Longitude: 106-37-32 W
 COR AGL Height: 15.0 m
 COR AMSL Height: 1029.0 m
 Base Elevation: 1014.0 m
 COR HAAT: 36.0 m
 ERP: 0.10 kW
 Horiz. Pattern: Omni
 Vert. Pattern: No
 Prop Model: None