

COMMUNITY OF LICENSE CHANGE – SECTION 307(b) SHOWING

By this Application, Galaxy Syracuse Licensee, LLC (hereinafter, “Galaxy”) seeks to make a minor change to the licensed facilities of Station WTKV(FM), Oswego, New York (Facility ID No. 24131) (“WTKV” or the “Station”) to change the Station’s community of license from Oswego to Minetto, New York.

Simultaneously with this application, Galaxy is filing an application to change the community of license of WKRH(FM) (Facility ID No. 56996) from Minetto, New York to Fair Haven, New York. WKRH is the only radio station licensed to Minetto. Therefore, grant of the instant application to change WTKV’s community of license from Oswego to Minetto will maintain Minetto’s sole local transmission service following the proposed relocation of the WKRH from Minetto to Fair Haven, as reflected in the concurrently filed contingent application.<sup>1</sup> This exhibit demonstrates the combined public interest benefits that will accrue as a result of the implementation of the changes proposed in the two applications.

The FCC has previously determined that Minetto is a *bona fide* community for allotment purposes.<sup>2</sup> Minetto is a census designated place (“CDP”) with a 2010 population of 1,069. Minetto continues to maintain relevant residential, social and business characteristics.

Oswego, the Station’s current community of license, will continue to be served by 4 local transmission services, and will receive protected service from 2 AM stations and 9 FM stations. Implementation of the community of license change will require no change in transmission facilities of WTKV; thus, there will be no loss of service created by the proposal.

In addition to preserving local transmission service in Minetto, grant of this application, when combined with grant of the related WKRH application, will result in a preferential arrangement of allotments. The relocation of WKRH to Fair Haven will provide that vibrant community with its first local transmission service. As explained in greater detail in the WKRH application, Fair Haven is a census designated place, and has its own facilities, services and civic identity, and therefore is a community for purposes of satisfying Section 307(b). The WKRH relocation therefore qualifies as one for a first

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<sup>1</sup> The application to change WKRH’s community of license and this application are contingently related, and it is respectfully requested that the two applications be processed together.

<sup>2</sup> *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Minetto, New York)*, 9 FCC Rcd 508 (MMB 1994).

local transmission preference under Priority 3.<sup>3</sup> The provision of a first local transmission service at Fair Haven, combined with the continuation of first local transmission service at Minetto and the retention of four local transmission services at Oswego, collectively represents a preferential arrangement of allotments and fully satisfies the FCC's mandate under Section 307(b).

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<sup>3</sup> The FM Allotment Priorities are (1) first full-time aural service; (2) second full-time aural service; (3) first local service; and (4) other public interest matters. Co-equal weight is given to priorities (2) and (3). *See Revision of FM Assignment Policies and Procedures, Second Report and Order*, 90 FCC 2d 88 (1982).