

FCC Form 314
Radio Station WRRS-LP, Channel 282, 104.3 MHz,
Pittsfield, Massachusetts, FCC Facility ID No. 133782
Second Attachment to Exhibit 5

STATEMENT RE LOCAL PUBLIC NOTICE

Section 73.3580 of the FCC's Rules and Regulations requires the giving of local public notice of the filing of an FCC Form 314 assignment application. FCC Form 314, Section II - Assignor, Item 7, requires the proposed Assignor to certify that the proposed Assignor has complied or will comply with the public- notice requirements of that rule.

Section 73.3580(d) requires a proposed Assignor give local public notice of the filing of an assignment application by broadcasting over the station proposed to be assigned the text of the notice of the application's filing.

Section 73.3580(c) would ordinarily require a proposed Assignor to give local public notice of the filing of an assignment application by arranging for the text of the notice to also appear in a newspaper. However, § 73.3580(e) eliminates the need for newspaper publication of the Notice if the station proposed to be assigned is the only station that is in a particular service and that is licensed to serve that same station's community of license.

In this case, station WRRS-LP is the only Low Power FM station licensed to serve its community of license, Pittsfield, Massachusetts. Therefore, the proposed Assignor construes § 73.3580(e) of the Rules to eliminate the need for newspaper publication of a notice concerning the filing of this application. The proposed Assignor therefore intends to provide local public notice of the filing of this application only via broadcasts over station WRRS-LP.

With the above understanding of the rule's import, the certification that the proposed Assignor is providing an affirmative certification in response to FCC Form 314, Section II - Assignor, Item 7. If the staff disagrees with the proposed Assignor's construction of the rule, and directs the proposed Assignor to provide local public notice of the filing of this application via newspaper publication, the proposed Assignor intends to comply with such staff directive.