

FEDERAL COMMUNICATIONS COMMISSION

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CERTIFIED MAIL, RETURN RECEIPT REQUESTED

July 31, 2012

Visionary Related Communications, LLC
P.O. Box 730
Rohnert Park, CA 94927

In re: KNUQ (FM), Paaulio, HI
Facility ID No.: 15969
Visionary Related Entertainment, LLC
License BLH-20100119AAO

Dear Licensee:

Visionary Related Entertainment, LLC (“Visionary”) is hereby notified of the modification of license for KNUQ, Paaulio, HI (BLH-20100119AAO) to specify Channel 280C in place of Channel 279C.

On May 25, 2007, Educational Media Foundation (“EMF”), filed construction permit application BPED-20070525AHV¹ for KHAI, Wahiawa, HI requesting the substitution of Channel 278C for Channel 278C2 at Wahiawa, HI and the modification of the KHAI’s license accordingly. To accommodate this, EMF requested that the license for (then) Visionary’s station KSHK be modified to specify Channel 276C1, and that the license for Visionary’s station KNUQ be modified to Channel 280C. We directed an “Order to Show Cause” letter to Visionary on July 11, 2007, directing Visionary to show cause why these channel substitutions should not be made.

Visionary responded on August 10, 2007 (with a further Response on September 11, 2007), requesting that the proposed channel substitutions not be made. Visionary indicated that KSHK is multiplexed with three other stations, and that changing the signal combiner to accommodate the frequency change could be difficult. Visionary did not know whether other stations using the combiner would consent to the change. Visionary also expressed doubt as to whether the Commission would grant a construction permit to KNUQ for a new channel, since the original construction permit (BPH-20080620AGL, now covered by granted license BLH-20100119AAO) was granted based on a Longley-Rice showing that the station would provide sufficient signal strength to cover KNUQ’s community of license.

EMF responded on August 23, 2007, that it was “ready and willing to fulfill its legal obligations to reimburse Visionary” for the costs of making the channel changes. Additionally, EMF stated that since KNUQ’s transmitter site and power would remain the same, its city coverage will be unchanged on the new channel. Thus EMF concludes that there is no real impediment to KNUQ’s channel change. EMF notes that Visionary had not provided any evidence in support of a reason for not changing these channels.

Having reviewed these filing, we conclude that EMF has been duly apprised of the potential difficulties raised by Visionary, and has committed itself to resolving them. We therefore find that the public interest would best be served by the proposed channel substitutions. Section 316(a) of the Communications Act of

¹ This construction permit for KHAI is granted concurrently with this letter.

1934, as amended,² permits us to modify the license or construction permit if such action is in the public interest. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective July 31, 2012, the following FM assignments ARE MODIFIED:

<u>Community</u>	<u>Channel No.</u>
Kekaha, Hawaii ³	Add 276C1, Delete 277C1
Paaulio, Hawaii ⁴	Add 280C, Delete 279C

Pursuant to Section 316(a) of the Communications Act of 1934, as amended, license BLH-20000825AGV for KSHK IS MODIFIED to specify operation on Channel 276C1 in lieu of Channel 277C1.

Pursuant to Section 316(a) of the Communications Act of 1934, as amended, license BLH-20100119AAO for KNUQ IS MODIFIED to specify operation on Channel 280C in lieu of Channel 279C.

Within 30 days of the effective date of this letter, Visionary shall submit to the Commission minor change applications for construction permit (Form 301) for KNUQ.⁵ Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's Rules. Nothing contained herein shall be construed to authorize a change in transmitter location or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's Rules.

Sincerely,



Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Wiley Rein LLP
Educational Media Foundation
Davis Wright Tremaine, LLP

² 47 U.S.C. § 316(a) (the "Act").

³ KSHK's current license at Kekaha, HI can be modified to specify operation on Channel 276C1 in lieu of Channel 277C1 at the station's current authorized transmitter site (BLH-20000825AGV). The authorized coordinates for the license at Kekaha, are 21-56-11 NL and 159-26-43 WL.

⁴ KNUQ's current license at Paaulio, Hawaii can be modified to specify operation on Channel 280C in lieu of Channel 279C at the station's current authorized transmitter site (BLH-20100119AAO). The authorized coordinates for the license at Paaulio, are 20-38-13 NL and 156-23-21 WL.

⁵ The construction permit application for KNUQ shall NOT be filed as a modification to the earlier construction permit BPH-20080620AGL, but shall be separate from that construction permit and license BLH-20100119AAO.