

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, SW
WASHINGTON, DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

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CERTIFIED MAIL, RETURN RECEIPT REQUESTED

September 30, 2015

AJB Holdings, LLC
6 East Main Street
P.O. Box 111
Price, UT 84501

In re: KWSA(FM), Price, UT
Facility ID No.: 15528
AJB Holdings, LLC
BLH-20150902ADW

KPVO(FM), Fountain Green, UT
Facility ID No.: 190393
Valleydale Broadcasting, LLC
BPH-20150821ABK

Dear Licensee:

In accordance with procedures adopted by the Commission,¹ this letter constitutes notification to AJB Holdings, LLC ("AJB") of the filing of the above captioned minor change construction permit application (BPH-20150821ABK) by Valleydale Broadcasting, LLC ("Valleydale"), licensee of FM Station KPVO(FM), Fountain Green, Utah.² Valleydale's application, as amended, requested the substitution of Channel 280A for Channel 261A at Price, Utah and the modification of KWSA's above captioned license accordingly.³

¹ See *Revision of Procedures Governing Amendments to FM Table of Allotment and Changes of Community of License in the Radio Broadcast Services*, Report and Order, MB Docket No. 05-210, FCC 06-163 (rel. Nov. 29, 2006).

² The application was last amended on August 31, 2015.

³ The license of FM Station KWSA(FM) at Price, Utah can be modified to specify operation on Channel 280A in lieu of Channel 261A at the station's current licensed transmitter site (BLH-20150902ADW). The licensed coordinates for FM Station KWSA(FM) at Price, Utah are 39-32-42 NL and 110-48-57 WL.

Section 316(a) of the Communications Act of 1934, as amended,⁴ permits us to modify a license or construction permit if such action is in the public interest. The Act requires that we notify the affected station of the proposed action, the public interest reasons for the action, and afford at least 30 days to respond. This procedure is now set forth in Section 1.87 of the Commission's Rules.⁵ We find that the Valleydale application has sufficient public interest benefits to justify the issuance of a show cause order. Furthermore, Valleydale states that it would reimburse AJB for the reasonable costs incurred in connection with the proposed channel change consistent with the *Circleville* policy.⁶

Accordingly, IT IS ORDERED, that pursuant to Section 316(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 316(a), and pursuant to Section 1.87 of the Commission's Rules, AJB Holdings, LLC, SHALL SHOW CAUSE why its license SHOULD NOT BE MODIFIED to specify Channel 280A in lieu of Channel 261A. AJB may, not later than 30 days from the date of this letter, file a written statement showing with particularity why its license should not be modified as proposed in this *Order to Show Cause*. The Commission may call upon the affected licensee herein to furnish additional information. If the affected licensee raises any substantial and material questions of fact, a hearing may be required to resolve such questions of fact pursuant to Section 1.87 of the Rules. Upon review of the statements and/or additional information furnished, the Commission may grant the modification, deny the modification, or set the matter of modification for hearing. If no written statement is filed by the date referred to above, the respective licensee will be deemed to have consented to the respective modification as proposed in this *Order to Show Cause* and its license will be reissued indicating the modification of its assignment by specifying the new channel.

Further action on the subject application will be withheld for thirty (30) days from the date of this letter to provide an opportunity to reply. Please note, responses must be served on all parties.

Sincerely,

Arthur E. Doak

Arthur E. Doak
Senior Engineer
Audio Division
Media Bureau

cc: Womble Carlyle Sandridge & Rice, LLP
Valleydale Broadcasting, LLC

⁴ 47 U.S.C. § 316(a) (the "Act").

⁵ See *Modification of FM and Television Licenses Pursuant to Section 316 of the Communications Act*, 2 FCC Rcd 3327 (1987).

⁶ See *Circleville, Ohio*, 8 FCC 2d 159 (1967).