

Exhibit 32
307(b) Analysis
Duck, North Carolina
FCC Form 301

Duck, North Carolina is a community for allocation purposes. It was incorporated on May 1, 2002, and is, therefore, considered a community for allotment purposes. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982). Duck has its own police department, volunteer fire department, and surf rescue as well as over twenty restaurants, stores, and businesses¹ and at least one church.² It also has its own town government consisting of an elected town council and mayor and numerous civic groups such as the Community & Business Alliance, Town Planning Board, 4th of July Parade Planning Committee, Duck Civic Organization, Community Improvement Committee, and Municipal Property Master Plan Advisory Committee. A town newsletter, Duck Tales, and website are published to apprise Duck citizens of town news and events.

The 307(b) showing favors grant of the requested change in city of license to Duck.³ According to the Commission's assignment priorities, the reallocation of the license of

¹ Birthday Suits, The Cottage Shop, Discount T-Shirt Outlet, Dockside Seafood Market, Duck Seafood Market, Duck Village Outfitters, Elizabeth's Cafe and Winery, Exotic Cargo, Farmer Dave's Markets, Fishbones Raw Bar and Restaurant, Just for the Beach, Kitty Hawk Kites, Life's a Beach, Ocean Annies, Pigman's Bar-B-Que, Pizzazz Pizza Company, Stone Oven Pizza, Surfside Casuals & Suits Galore, Tar Heel Trading Co., Tommy's Gourmet Market & Wine Emporium, The Wine Gallery at Elizabeth's Cafe, and Yesterday's Jewels

² Duck United Methodist Church

³ This application is filed pursuant to Rule 73.203(b) adopted in MB Docket No. 05-210, R&O Released on 11/29/06. The application proposes a minor modification of facilities and specifies a change in authorized community of license and complies with the requirements of Section 73.3573(g) as follows:

- 1) Legal and technical exhibits are provided demonstrating the preferential arrangement of allotments or assignments under section 307(b) of the Rules.
- 2) The current license and proposed modified facilities are mutually exclusive as defined under section 73.207.
- 3) Applicant certifies that it will comply with the local public notice provisions of Section 73.3580 and applicable subsections with respect to notification of the proposed community of license change to both the presently authorized and proposed communities of license.
- 4) The proposed site complies fully with Sections 73.207 and 73.315 of the Rules.

WGTFM from Windsor, North Carolina, to Duck, North Carolina, satisfies both priority three as it would provide Duck with its first local service, and priority four as it would serve other public interest matters.

According to the Commission, provision of first local service is the third highest allotment priority. See *M&O 5 FCC 7094* (1990); *Hart, Pentwater and Coopersville, Michigan*, 19 FCC Rcd 1886 (2004); *Columbus and Monona, Wisconsin*, 21 FCC Rcd 10012 (2006), *Eatonton and Lexington, Georgia*, 21 FCC Rcd 10032 (2006); *Southwest City, Missouri, and Gravette, Arkansas*, 21 FCC Rcd 6279 (2006). As Duck is an independent community, it is deserving of its own local service. See *Memphis and Arlington, Tennessee*, 21 FCC Rcd 1144 (2006); *LaGrange, Greenville and Waverly Hall, Georgia*, 20 FCC Rcd 20007 (2006); *Athens and Doraville, Georgia*, 19 FCC Rcd 18746 (2004); *Franklin, Addis and Eunice, Louisiana*, 21 FCC Rcd 2933 (2006). Duck does not otherwise have a commercial AM, FM, or TV station authorized to it.

Reallotment of WGTFM to Duck would not deprive Windsor of its sole local transmission service. It will continue to be served by one full time commercial AM station, WBTE. Provision of first local service in Duck results in a preferential arrangement over the retention of a second local service at Windsor. See, *Supra, Columbus and Monona, Wisconsin; Eatonton and Lexington, Georgia; Southwest City, Missouri and Gravette, Arkansas; See Dundee and Odessa, New York*, 21 FCC Rcd 5070 (2006).

Reallotment of WGTFM to Duck also serves the Commission's allotment priority four, other public interest matters. The new technical facilities as proposed would increase the population and coverage areas from 21,487 persons within the 60 dBu contour at an area of

1,709 kilometers to 480,843 persons within the 60 dBu contour of Duck at an area of 8,549 kilometers.

In conclusion, the overall public interest would be served by granting Duck its first aural transmission service. Windsor would continue to receive service from one other local AM station. The population and service area gains are significantly increased if the station is reallocated to Duck. The Windsor market is well served with 10 FM protected aural services and will continue to be well served with 9 or more protected aural services after the preferential reallocation of the station to Duck. The public interest in advancing priorities three and four favors the grant of a change of community of license from Windsor to Duck.