

EXHIBIT E-3  
CITY OF LICENSE CHANGE STATEMENT  
KDAC BAR NUNN, WYOMING  
WHITE PARK BROADCASTING, INC.  
FCC FORM 301  
JANUARY 2007

The applicant, White Park Broadcasting, Inc., requests a minor modification of the construction permit for Station KDAD(FM) Douglas, Wyoming, to change its city of license from Douglas, Wyoming, to Bar Nunn, Wyoming. It also seeks to change its transmitter location. It is not proposing a change of channels, presently FM Channel 223, but is proposing to change its class of operation from class C1 to class C2.

The minor change of the community of license is pursuant to the new provisions of MB Docket 05-210 which becomes effective on January 19<sup>th</sup>, 2007. This docket allows for city of license changes, under certain provisions, to be filed as a minor change application on FCC Form 301 for AM and FM broadcast stations.

White Park Broadcasting, Inc. believes this application meets the provisions under this new docket for a city of license change for KDAD, mainly because its current community of license, Douglas, Wyoming, will continue to be served by a fulltime commercial AM station KKTY(AM) licensed to Douglas, Wyoming, a fulltime commercial FM station KKTY(FM), as well as a noncommercial FM stations KDUW(FM). The proposed new community, Bar Nunn, Wyoming, does not have a commercial AM, FM, or TV station providing a transmission service to it; thus, it will be the community's first local service.

The Commission's FM priorities, as set forth in *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 91-92 (1982) ("*FM Assignment Policies*"), are

as follows: (1) first aural service; (2) second aural service; (3) first local service; and (4) other public interest matters. The Commission gives co-equal weight to priorities (2) and (3). *See id.*

The proposed community of license change will bring a first local transmission service (Priority Three) to Bar Nunn, Wyoming, while Douglas, Wyoming will continue to be served by multiple local transmissions services. Accordingly, KDAD's proposed move to Bar Nunn represents a preferential arrangement of allotments pursuant to the Commission's allotment policies.

Under the Instructions for the FCC Form 301, under Item 18, the following information is to be included:

- 1) If new technical facilities are proposed, the area and population with the proposed 70 dBu and 60 dBu contours of the station: In this case, the population within the current contours of KDAD Douglas is: 60 dBu – 75,369 persons and an area of 8,144 sq.km, 70 dBu – 11,896 persons and an area of 3.466 sq.km. The new proposed contours for KDAD at Bar Nunn will be: 60 dBu – 70,136 persons and an area of 10,739 sq.km, 70 dBu – 68,970 persons and an area of 4,654 sq.km.
- 2) The number of stations licensed to the proposed new community of license: There is no commercial AM, FM or TV station licensed to Bar Nunn. Wyoming. This will be the community's first local fulltime service.
- 3) The number of stations providing protected service to the proposed community of license: In this case, there are 8 Commercial FM stations that

cover the new community with 60 dBu service or greater. There are 4 AM stations that cover the new community with 0.5 mv/m coverage or greater.

- 4) The population, according to the latest Census Data, of the proposed community of license: In this case, the community of Bar Nunn, Wyoming, is 936 persons, according to the 2000 U.S. Census data (**Exhibit E-3-I**).
- 5) Where relevant to establish the precondition of a licensable community, a description of the civic, cultural, religious, social and commercial attributes of the proposed community of license: In this case, the proposed community of license, Bar Nunn, Wyoming, was incorporated in 1982 (**Exhibit E-3-II**). Commission precedent establishes that incorporation of an area (or designation as a Census Designated Place) raises the presumption that the area constitutes a community for allotment purposes. *See FM Assignment Policies*, 90 FCC 2d at 101. Bar Nunn has its own zip code of 82609 (**Exhibit E-3-III**). Bar Nunn is governed by an elected mayor and four elected town council members (**Exhibit E-3-II, Exhibit E-3-IV**). Law enforcement is provided through a resident deputy of the Natrona County Sheriff's department and fire protection is through the Bar Nunn Voluntary Fire Department (**Exhibit E-3-II**). Bar Nunn has businesses, a church, and three parks (**Exhibit E-3-II, Exhibit E-3-V**).
- 6) Any other information deemed relevant: Bar Nunn has daycare facilities (**Exhibit E-3-II**) and the Bar Nunn Elementary School (**Exhibit E-3-II, Exhibit E-3-VI**).

The Commission has previously found substantially less community indicia sufficient to establish community status for allotment purposes. *See, e.g., Cambridge, Newark, St. Michaels, and Stockton, Maryland and Chincoteague, Virginia*, 20 FCC Rcd 19099 (MB 2005); *Marathon and Mertzon, Texas*, 18 FCC Rcd 23986 (MB 2003); *Encino, Texas*, 18 FCC Rcd 23984 (MB 2003); *Semora, North Carolina*, 5 FCC Rcd 934 (1990).

Further, these same community features establish Bar Nunn's independence from the Casper, Wyoming Urbanized Area pursuant to the standards of community independence set forth in *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988). In Wyoming's rural landscape, Bar Nunn's civic, religious, social, commercial, cultural attributes together with its population of 936 persons indicate a sizeable independent community outside the more urban Casper, which is home to 49,644 persons (**Exhibit E-3-VII**). The two communities are 8.45 miles – approximately 15 minutes by car – apart (**Exhibit E-3-VIII**).

As demonstrated above, the change in KDAD's community of license from Douglas, Wyoming to Bar Nunn, Wyoming will result in a preferential arrangement of allotments. Further, Bar Nunn is a bona fide, independent community for community allotment purposes. The community of license change proposed in the instant application is thus consistent with the Communications Act and the Commission's allotment policies, and should therefore be granted.