

SECTION 307(b) EXHIBIT FOR REEDSVILLE, WISCONSIN

Citicasters Licenses, Inc. (“Citicasters”), licensee of Station WOGB(FM), Kaukauna, Wisconsin (Facility ID No. 89) (“WOGB”), hereby submits this Section 307(b) showing in support of its proposal to change the Station’s community of license from Kaukauna, Wisconsin to Reedsville, Wisconsin, as a first local service.

Station WOGB is moving from Kaukauna which is partially located within the Appleton-Oshkosh, Wisconsin Urbanized Area (“UA”) to a community that is not located within any Urbanized Area. Station WOGB’s current and proposed 70 dBu signal covers more than 50% of the Green Bay, Wisconsin UA. See Technical Statement at Exhibit E35. The *Rural Radio* proceeding¹ established a rebuttable presumption where a station proposes to cover more than 50 percent of a UA. In such situations, the Commission may treat the proposal as if it intended to serve the entire UA rather than as a proposal for local service to the named community of license.² Citicasters recognizes that both the existing and allotment sites of WOGB cover more than fifty percent of the Green Bay UA. However, Citicasters will not rely on Priority 3 for a first local service for Reedsville despite the fact that this community is not located within any UA and there are no published cases in which the Commission has found a community which is located outside a UA to be dependent on the UA. Citicasters will nevertheless provide information demonstrating that Reedsville is a community deserving of its own local service and rely on Priority 4 for the public interest showing.

¹ See *Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures, Second Report and Order, First Order on Reconsideration, and Second Further Notice of Proposed Rule Making*, 26 FCC Rcd 2556 (2011) (“*Rural Radio*”).

² *Rural Radio*, 26 FCC Rcd at 2572, ¶ 30.

Reedsville is an incorporated community listed in the 2010 US Census. Thus, Reedsville is presumed to have the status of a community for allotment purposes. *See e.g. Arnold and Columbia, California*, 7 FCC Rcd 6302, ¶ 12 (1992). Reedsville is listed in the 2010 US Census with a population of 1,206 persons. Reedsville has its own local government with a President and Village Board of Trustees, Clerk-Treasurer, Tax Assessor, Police and Fire Departments and Public Works and Utilities. It has its own school district, businesses, banks, churches, library and a post office. There are recreation facilities, campgrounds and a museum. See Exhibit 1.

PRIORITY 4 ANALYSIS

In the case of *Gearhart, Madras, Manzanita and Seaside, Oregon* (“*Gearhart*”), 26 FCC Rcd 10259 (MB 2011), both the existing and proposed communities of license were located within an Urbanized Area (or, as it applies in this case, the UA is covered by the 70 dBu signal.). In *Gearhart*, the Bureau stated, “there is no need for a Tuck showing where both the station’s current and proposed communities of license are located within an Urbanized Area because such intra-urbanized area moves do not present the same concerns as rural to urban moves.”³ In addition, the Bureau stated the stricter standards should not be applied where a “first local service preference is not being used as a basis to enter the market.”⁴ Instead, the Bureau can make the determination of a preferential arrangement of allotments based on Priority 4 factors.⁵ In the *Gearhart* case,

³ At para. 9.

⁴ Citing *East Los Angeles, Long Beach and Frazier Park, California*, 10 FCC Rcd 3864, 2869 (MMB 1995).

⁵ *Rural Radio* at para. 10.

the fact that the station would be able to provide service to a greater area and population within the Urbanized Area was sufficient to satisfy the Priority 4 requirement.

Here, there is a net gain in population of **13,985** persons from the proposed allotment coordinates compared to the existing licensed 60 dBu coverage area. See Engineering Statement, Exhibit B. Both Kaukauna and Reedsville have numerous protected services available. See Engineering Statement, Exhibit D. In addition, the proposed change in community of license is not being used as a basis to enter the market. Rather the new community of license is located outside the UA whereas the existing community of license is located within the UA. Thus there is no reason to consider this modification application as an intent to serve an Urbanized Area. Rather this is a proposal to provide a first local service to Reedsville. Under Priority 4, the Commission should recognize the net gain in service, the move of the station to a community from within an urbanized area to a community outside any urbanized areas and the fact that the station is not using the city of license change to enter the market. See e.g. Station WFXK, *Tarboro and Bunn, North Carolina*, BPH-20110301ABN, granted May 3, 2012.

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