

## Tuck Exhibit for WMCD at Sullivan's Island, SC

Channel 297C2 can be allotted to Sullivan's Island, South Carolina at coordinates 32-42-33 North Latitude, 80-08-25 West Longitude consistent with Section 73.207 of the Commission's Rules. From the allotment coordinates, a 70 dBu signal is provided over all of Sullivan's Island. The relocation of WMCD to Sullivan's Island will result in a net gain of 408,731 persons within the 60 dBu contour of the station. The entire loss area will remain well-served by at least five aural services.

Georgia Eagle Broadcasting, Inc. desires to change the community of license for Station WMCD from Claxton to Sullivan's Island under the guidelines set forth in MB Docket No. 05-210.

First, the proposed use of Channel 297C2 at Sullivan's Island is mutually exclusive with the current use of Channel 297C3 at Claxton. Second, Claxton will not be deprived of its only local service because Station WCLA(AM) 1470 kHz will remain licensed to Claxton. Third, the provision of a first local service at Sullivan's Island (2000 U.S. Census population 1,911) under Priority 3 will result in a preferential arrangement of allotments over the retention of a third local service at Claxton (2000 U. S. Census population 2,276) under Priority 4. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

Sullivan's Island is located inside the Charleston, SC U.S. Census Urbanized Area. Therefore, the Commission will require evidence that Sullivan's Island is an independent community, and not dependent upon Charleston for the majority of its services. *See Headland, Alabama and Chattahoochee, Florida*, 10 FCC Rcd 10352 (1995).

In this case, there is ample evidence from which to conclude that Sullivan's Island deserves a first local service preference. In making the determination whether to award an a first local service preference to an community within a U.S. Census Urbanized Area, the Commission will consider the extent the station will provide service to the entire Urbanized Area, the relative populations and proximity of the suburban and central city, and, most importantly, the independence of the suburban community. *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988). Sullivan's Island is located approximately 15 kilometers from Charleston. The 2000 Census population of Sullivan's Island (1,911) is 2.0 percent of the population of Charleston (96,560). These figures are similar to those of other suburban communities granted a first local preference. *See, e.g., Anniston, Alabama, et al.*, 16 FCC Rcd 3411, *recon. denied*, 2001 FCC Lexis 6055 (2001) and cases cited therein. In any event, the Commission has repeatedly stated that the factors of relative size and proximity are less important than evidence of independence. *See Headland, Alabama, supra*. The following analysis of the eight *Tuck* factors demonstrates the independence of Sullivan's Island from Charleston.

(1) *Extent to which the residents of Sullivan's Island, South Carolina, work in Charleston.* The population of Sullivan's Island was 1,911 in 2000 (U.S. Census Bureau, Census 2000). It is quite evident that Sullivan's Island offers a substantial employment base for local residents. Sullivan's Island residents are not dependent upon Charleston for employment. Sullivan's Island has some 85 business in enterprises as varied as retail, tourism and medical services. Others are employed in the schools and by municipal government. Some 650 persons are employed on Sullivan's Island.

(2) *Local newspapers and other local media cover Sullivan's Island's needs and interests.* The Town of Sullivan's Island maintains an extensive web site where local residents can obtain local news and information including events happening in the Sullivan's Island area.

(3) *Community leaders and residents perceive Sullivan's Island as separate from Charleston.* The Town of Sullivan's Island has its own unique identity and history separate from that of Charleston. Sullivan's Island is located in Charleston County, South Carolina. The town of Sullivan's Island history goes back over 200 years. The island was known as O'Sullivan's Island from an early date, because of the Irishman, Captain Florence O'Sullivan, who was stationed as a lighthouse keeper in the late seventeenth century. Sullivan's Island was at first the main entrance for approximately 40% of the slave trade with the colonies using the Middle Passage. Charleston Harbor separates Sullivan's Island from Charleston, part of the Intracoastal Waterway.

The Battle of Fort Moultrie, the original identity of Sullivan's Island, was one of the most decisive battles of The American Revolution. The battle was commemorated by the addition of a white palmetto tree beside the blue and white crescent moon on the state flag of South Carolina. The victory is still celebrated every June 28th, known as Carolina day. The history of the island has been dominated by the extensive coastal defense works at Fort Moultrie, which served as the base of command for the defenses of the City of Charleston until it was closed in the late 1940s.

Edgar Allan Poe was stationed at Fort Moultrie from 1827 to 1828. The island was the setting of his short story *The Gold Bug*. The town library, situated in a refurbished

military battery, is named after the poet. For most of its history, the town on the island was known as Moultrieville, on the south-west half of the island. Another community on the north-east portion, Atlanticville, was established and later merged to form the Town of Sullivan's Island.

The present Sullivan's Island lighthouse, the most powerful in the world, was built in 1962. The 140-foot-tall triangular building boasts an elevator instead of the typical spiral staircase. In May 2006, the Town of Sullivan's Island became the first municipality in South Carolina to ban smoking in all public places. The Town of Sullivan's Island was incorporated in 1975.

Although located adjacent to the greater Charleston metropolitan area, Sullivan's Island residents do not consider themselves part of Charleston. Residents also look to the Sullivan's Island local businesses for their day-to-day resources.

(4) *Sullivan's Island has its own local government and elected officials.* Sullivan's Island has its own elected Mayor and six member Town Council. The Town Council meets monthly at Town Hall to review and enact local legislation. Village departments include Administration, Building & Zoning, Fire & Rescue, Police, Water & Sewer and Municipal Court.

(5) *Sullivan's Island has its own zip code and local phone book.* The zip code designated exclusively for the Sullivan's Island is 29482. The U.S. Post Office is located at 2051 Middle St. in Sullivan's Island.

(6) *Sullivan's Island has its own commercial establishments and health facilities.* A substantial number of businesses are located in Sullivan's Island. Sullivan's Island retail businesses range from shopping to tourism, Dining establishments in Sullivan's Island include Atlanticville Restaurant & Café, Dunleavy's Pub, Saltwater Grill, Sea Island Grill, Sullivan's Restaurant, The Shanty, Sugar Shack and Gibson Café. Health care services are provided by Durst Family Medicine, with five physicians providing general family practice healthcare services to local residents. Sullivan's Island is also home to a number of religious organizations and places of worship, such as Holy Cross Episcopal Church, Stella Maris Catholic Church, Sullivan's Island Baptist Church, and Sunrise Presbyterian Church.

(7) *Sullivan's Island is a separate and distinct advertising market from Charleston.* Sullivan's Island businesses advertise locally in the Town of Sullivan's Island Web Site.

(8) *Sullivan's Island has its own schools, parks, library and police and fire department that are separate from Charleston.* Fire Department services are provided by Sullivan's Island Fire and Rescue. Sullivan's Island has its own police department with a police chief and police officers. Sullivan's Island Elementary School provides education to approximately 374 students in grades Kindergarten through 5<sup>th</sup> grade. The City of Sullivan's Island has a parks and recreation services that are available to the residents of Sullivan's Island. The Sullivan's Island Branch/Edgar Allen Poe branch of The Charleston Municipal Library is located in Sullivan's Island.

Grant of this application is in the public interest because Sullivan's Island will receive a first local transmission service and more than five hundred thousand people will be able to enjoy an additional reception service.