

SECTION 307(b) ANALYSIS

By this Form 301 application, Rincon Broadcasting LS LLC (“Rincon”), the licensee of KSBL(FM), seeks to change the community of license of KSBL(FM) from Carpinteria, California, to Isla Vista, California. In addition, the application seeks to modify KSBL(FM)’s operating frequency from 269A to 269B and change the station’s transmitter site. By a simultaneously filed application, commonly owned station KIST-FM, also licensed to Rincon, is seeking a contingent modification to change its community of license from Santa Barbara, California, to Carpinteria, California. No other changes are sought for KIST-FM other than the change in community of license. In this way, KIST-FM will continue to provide local service to Carpinteria to replace the relocated KSBL(FM). As detailed below and in the attached engineering exhibit, these changes in community of license and the relocation of the KSBL(FM) transmitter site will result in a preferential arrangement of allotments, and comply with the Commission’s policies governing community of license changes.

Section 307(b) of the Communications Act of 1934, as amended, states that the Commission must distribute broadcast licenses to states and communities so “as to provide a fair, efficient, and equitable distribution of radio service.” 47 U.S.C. § 307. Pursuant to the rules promulgated as a result of Section 307(b), the Commission’s allotment priorities are as follows: (1) first full-time aural reception service; (2) second full-time aural reception service; (3) first local aural transmission service; and (4) other public interest factors. Co-equal weight is given to priorities (2) and (3). *Revision of FM Assignment Policies and Procedures*, 90 FCC Rcd 2d 88 (1982).

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In this case, KSBL(FM) is presently the sole radio station licensed to the community of Carpinteria, whereas KIST-FM is one of at least thirteen stations licensed to Santa Barbara. Changing the community of license of KSBL(FM) to Isla Vista, will enable KSBL(FM) to bring a first local transmission service to Isla Vista, while Carpinteria will continue to retain local service, thereby resulting in a preferential arrangement of allocations under priority three of the Commission's policy. Furthermore, the modification proposed herein for KSBL(FM) will allow the station to improve its service area and better serve its market, providing an additional benefit under the fourth category – other public interest factors. In addition, no white or grey areas are predicted to result in the loss or gain areas associated with these changes. Accordingly, the proposed reallocation of KSBL(FM) to Isla Vista and of KIST-FM to Carpinteria is in the public interest as it results in a preferential arrangement of allotments and will allow KSBL(FM) to improve its coverage area and to use the spectrum more efficiently.

The attached engineering exhibit provides further details regarding the proposed modifications, as does the FCC Form 301 that is being simultaneously filed for KIST-FM. Consistent with the instructions to the FCC form 301, the following information is provided:

- 1) If new technical facilities are proposed, the area and population within the proposed 70 dbu and 60 dbu contours of the station:

70 dBu Population: 4	70 dBu Area: 325 sq. km
60 dBu Population: 199,953	60 dBu Area: 1,650 sq. km
54 dBu Population: 210,864	54 dBu Area: 2,346 sq. km

- 2) The number of stations licensed to the proposed new community of license:
Currently, there are no stations allotted to Isla Vista, California; the change sought by this application will bring a first local transmission service to that community. Presently, there is one station licensed to the community to Carpinteria, California -- KSBL(FM) -- and following the changes sought by these applications there will

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continue to be one station licensed to Carpinteria, namely the reallocated KIST-FM. In addition, Santa Barbara, which is presently KIST-FM's community of license, has at least thirteen stations licensed to it (including KIST-FM), and will continue to retain at least a dozen local stations.

- 3) The number of stations providing protected service to the proposed community of license: As shown in the attached engineering exhibit, Isla Vista presently receives full time protected service from 22 stations.
- 4) The population, according to the latest Census Data, of the proposed community of license: The community Isla Vista, California has 18,344 persons according to the 2000 U.S. Census data.
- 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: Isla Vista, California, is an established, and licensable community. The community is listed as a Census Designated Place and as of the 2000 Census had a population of over 18,000 people. Although unincorporated, Isla Vista has its own businesses, houses of worship, and U.S. post offices. The community is located adjacent to the University of California Santa Barbara and is home to a large student population. It has its own Parks and Recreation Department (see <http://www.ivparks.org/district%20parks/district.html>), world class beaches, and numerous established local businesses, as well as an elementary school, Isla Vista Elementary School.
- 6) Any other information deemed relevant: As detailed above and in the attached engineering exhibit, the public interest benefits achieved by the change of communities of license is the provision of a first local service to Isla Vista and the ability to relocate and improve KSBL(FM)'s service to the public.