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June 26, 2012

VIA HAND DELIVERY

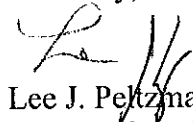
Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554
ATTN: Media Bureau, Audio Division

Re: Station KZMX-FM
Hot Springs, South Dakota
Mt. Rushmore Broadcasting, Inc.
Facility ID No. 46712
Supplement to Response to Order to Show Cause

Dear Ms. Dortch:

This office, on behalf of Mt. Rushmore Broadcasting, Inc. ("Mt. Rushmore"), licensee of Station KZMX-FM, Hot Springs, South Dakota, on June 25, 2012, filed a response to the FCC Order to Show Cause, released May 24, 2012. That response contained an unsigned Technical Statement from Victor A. Michael, Jr. Attached hereto is the signed Technical Statement from Mr. Michael. On behalf of Mt. Rushmore, we request that it be associated with the Technical Statement filed with the June 25 Response. Please contact undersigned counsel in the event the Commission has any questions with respect to this filing.

Sincerely,



Lee J. Peltzman
Counsel for Mt. Rushmore Broadcasting, Inc.

Shainis & Heltzman, Chartered

Marlene H. Dortch, Esquire

June 26, 2012

Page 2 of 2

cc (via regular mail): Evan D. Carb, Esq.
Law Offices of Evan D. Carb, PLLC
1140 19th Street NW, Suite 600
Washington, DC 20036

cc (via e-mail): Susan Crawford (Susan.Crawford@fcc.gov)

TECHNICAL STATEMENT

This Technical Statement is in support of the opposition being filed by Mt. Rushmore Broadcasting, Inc. ("Rushmore") licensee of KZMX-FM Hot Springs, South Dakota, facility ID 46712. Rushmore's opposition is in response to a letter received, dated May 24th, 2012, to Mt. Rushmore Broadcasting, Inc. ("Rushmore"), licensee of KZMX-FM, Hot Springs, South Dakota, facility ID 46712, Mail STOP: 180083.

The letter ordered that Rushmore SHOW CAUSE why its license for KZMX-FM SHOULD NOT BE MODIFIED to specify operation on Channel 242A in lieu of Channel 244A. This SHOW CAUSE ORDER is in response to an application, FCC form 301, filed by Alex Media, Inc. ("Alex") for a new Channel 244C FM station at Lead, South Dakota. Alex is the provisional winner of a new FM station at Lead, South Dakota, in FCC FM broadcast auction # 93, MM-FM941-C, Channel 232C.

In its Long Form FCC form 301 application, Alex is seeking to specify operation on channel 244C in lieu of channel 232C it was awarded in the auction. This proposed operation would require KZMX-FM to change channels, since KZMX-FM currently operates on Channel 244A and would be short spaced to any new operation at Lead on Channel 244C.

Rushmore opposes the proposed channel change of KZMX-FM for the following reasons:

KZMX-FM desires to upgrade its current facility from a class A to a class C1 from its current tower site. The only class C1 channel available, and meet all of the spacing requirements under 73.207 of the Commission's rules, is its present Channel 244. A minor change application to "one step" upgrade KZMX-FM from its present site from Channel 244A to Channel 244C1 is being concurrently filed with this letter. This would be in conflict with the proposed operation at Lead, SD on Channel 244C. Thus, if KZMX-FM is ordered to Channel 242A, it would likely never be able to upgrade its class of service at Hot Springs.

Figure 1 shows the predicted 60 dB μ coverage that is now being proposed by KZMX-FM in its minor change application. It also shows the present licensed 60 dB μ coverage of KZMX-FM. There will be an increase in primary service population coverage of from 6,255 persons to 9,671 persons, or a gain of 3,416 persons. There will be a square kilometer coverage increase from 1,701 sq. km., to 5,584 sq. km.

Figure 2 is a "Service Map" which shows all of the present primary services in the area of KZMX-FM. It shows the Nighttime Interference Free coverage areas of AM stations in the same area. It also shows the proposed upgraded 60 dB μ for KZMX-FM. It should be noted the new primary service area that will be covered by this new operation by KZMX-FM.

The proposed substitution of Channel 242A at Hot Springs, SD for KZMX-FM, appears to be short spaced to the original allotment of channel 242C at Lusk, Wyoming. In FCC FM broadcast auction # 62, Channel 242C was auctioned (FM-488) for a new FM station at Lusk, Wyoming (see Figure 3 attached). A subsequent FM Construction Permit was issued, BNPH-

20060308ALY (KQWY), for a Class C operation at Lusk. It was later then modified to specify operation on Channel 242A, BMPH-20110404ACW. This FM was not constructed on timely basis, and appears to have since been deleted. However, it also appears that the Commission may have inadvertently deleted this original allotment at Lusk, Wyoming. Rushmore believes that following normal Commission policy, this allotment should still exist, and revert back to the original allotment of Channel 242C at Lusk, Wyoming and should be "re-auctioned" in a future FM broadcast spectrum auction.

Figure 4 attached is a channel spacing study conducted from the original allotment point of channel 242C at Lusk, Wyoming as listed in Auction 62. As can be seen, if this allotment still exists, as it should, it would be short spaced to the proposed substitution of channel 242A at Hot Springs for KZMX-FM.

The substitution of Channel 244C in place of Channel 232C at Lead, South Dakota is not necessary since operation on Channel 232C would provide full class C service with either channel. While Channel 232C would not be available for use at the preferred transmitter site chosen by Alex, Rushmore contends that Alex's desire to utilize its proposed site on "Terry Peak" is most likely in an effort to provide city grade service (70 dBμ) over 100 percent of the Rapid City, SD Urbanized Area. Channel 232C at Lead requires a transmitter site restricted to an area located further West of Lead. These sites would not place even primary (60 dBμ) service over the Rapid City Urbanized Area. However, Rushmore would like to note, that should this site restriction be complied with on channel 232C, it is likely that it could provide "First Fulltime Primary" service to some areas.

The proposed Terry Peak location by Alex, is home to many other FM stations, including seven full class C operations. They include, KLMP Rapid City, SD, ch. 202C, KQFR Rapid City, SD, ch. 211C2, KJKT Spearfish, SD, ch. 215C3, KSQY Deadwood, SD, ch. 236C, KZZI Spearfish, SD, ch. 242C, KTPT Rapid City, SD, ch. 250C, KDDX Spearfish, SD, ch. 266C, KFMH Belle Fourche, SD ch. 270C, KSLT Spearfish, SD, ch. 296C, and KXZT Newell, SD, ch. 300C0. Thus, it is quite apparent, that if the new FM at Lead is also located at this site, no new service advantages will be provided by use of this multiple use site.

Several potential sites are available for use for a new class C operation at Lead, SD on channel 232C. The most suitable is likely "Warren Peak". This site is currently utilized by KYDT Pine Haven, WY, ch. 276C1, and KHAD Upton, WY, ch. 283C1. The new operation at Lead, SD could operate on Channel 232C at this site and provide satisfactory service to Lead. In fact, the original allotment of channel 232C at Lead, SD, used this site in a Construction Permit for KCYT Lead, SD, facility ID 85587, BPH-19970221MC. This FM was not timely constructed, and as such, the CP for KCYT on Channel 232C was cancelled. Should a Class C facility be constructed at the Warren Peak site, first fulltime primary service would be provided to many areas. Rushmore asserts that should the Commission retain channel 232C at Lead, Alex would be required to utilize one of these more western transmitter sites, which very well may provide new primary service. It would also allow KZMX-FM to upgrade its service at Hot Springs, which will also provide some areas with their "First Fulltime Primary" service. Thus, the Public Interest would be better served by allowing KZMX-FM to remain and upgrade on its present channel 244, and for Alex to propose a new transmitter site for its operation at Lead on

its present channel allotment of 232C. The only Public Interest gain proposed by Alex's use of channel 244C on Terry Peak at Lead is a larger 60 dB μ population coverage, and by its own admission, line of sight coverage of Rapid City, SD. The Rapid City Urbanized area is already well covered by many other primary services.

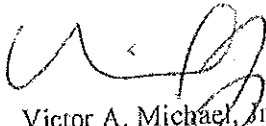
Figure 5 is a channel spacing study conducted at the KYDT Pine Haven transmitter site on Warren Peak for channel 232C. It shows that channel 232C is available for use at this site for adequate service Lead, SD.

Figure 6 is a predicted 60 and 70 dB μ for the proposed operation by Alex for the new FM at Lead, SD on channel 244C and the hypothetical 60 and 70 dB μ predicted coverage contours for a new FM station for Lead on Channel 232C at the Warren Peak communication site. Similar antenna heights as used by KYDT and KHAD were used for this study, in case there are tower height restrictions at this site.

Figure 7 shows a "Service Map" for the proposed operation at Lead on channel 244C and the hypothetical operation as mentioned above for channel 232C at Lead from Warren Peak. Note the new primary service areas if the Warren Peak site were used for service to Lead on channel 232C.

Once again, this Technical Statement supports the opposition to the SHOW CAUSE ORDER issued to Rushmore Broadcasting, Inc. for the operation of KZMX-FM Hot Springs, SD.

Sincerely,

A handwritten signature in black ink, appearing to read 'Victor A. Michael, Jr.', with a stylized flourish at the end.

Victor A. Michael, Jr.
Technical Consultant
Rushmore Broadcasting, Inc.
87 Jasper Lake Road
Loveland, CO 80537
970-669-9200
vicmichael@aol.com

KZMX-FM
 BMLH19901010KC
 Latitude: 43-26-34 N
 Longitude: 103-27-27 W
 ERP: 1.40 kW
 Channel: 244
 Frequency: 96.7 MHz
 AMSL Height: 1283.0 m
 Elevation: 1271.0 m
 Horiz. Pattern: Omni
 Vert. Pattern: No
 Prop Model: None

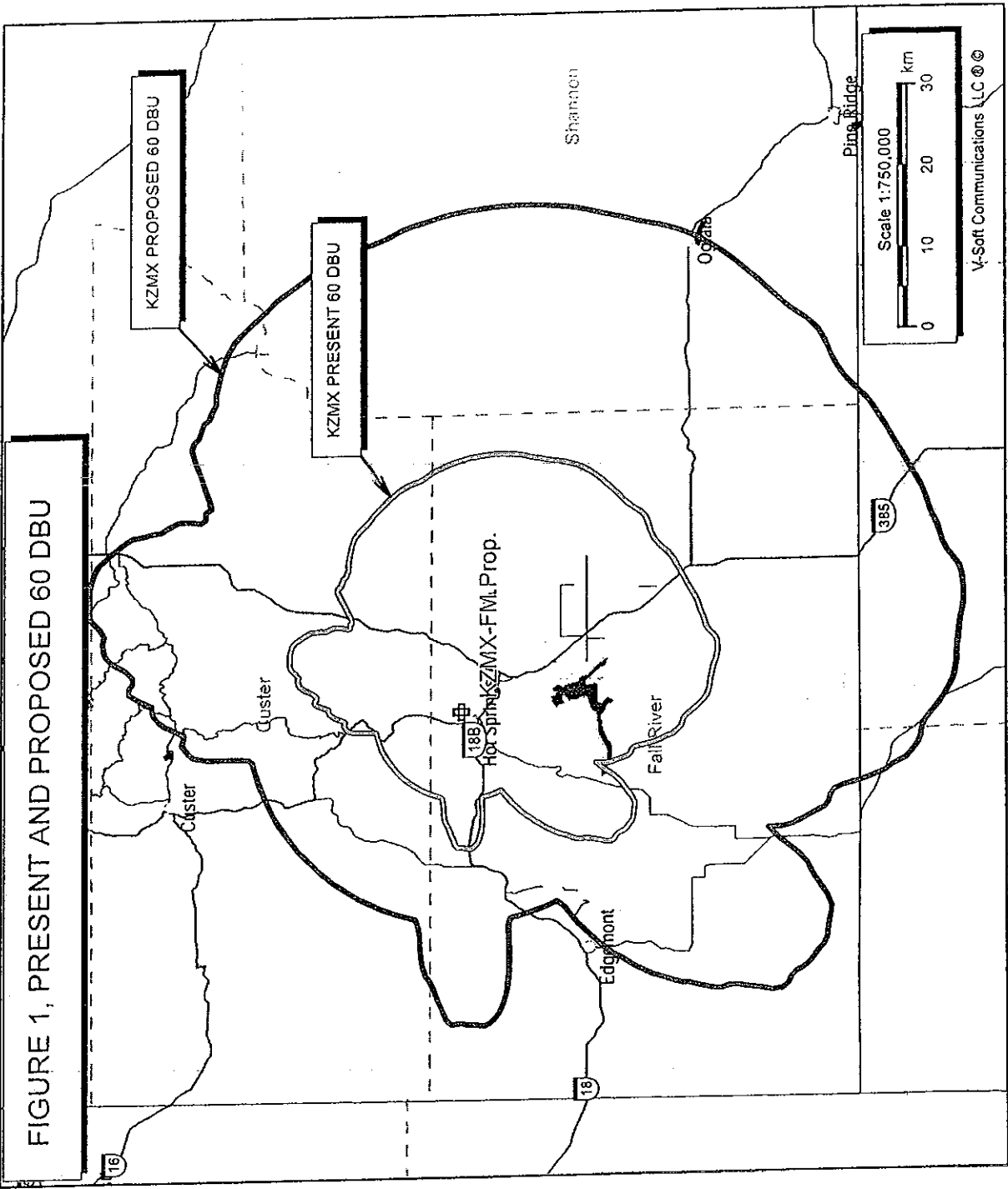


FIGURE 3, FM AUCTION 62 CHANNEL LIST

Construction Permit	Construction Permit Number From DA 05-1076	Market Name		Channel	Class	Coordinates		Bidding Units	Upfront Payment	Minimum Opening Bid
		State	City			Latitude	Longitude			
FM480	FM150	WY	Clearmont	287	A	44 38 18 N	106 22 48 W	1,500	\$1,500	\$1,500
FM481	FM151	WY	Cody	244	C3	44 31 36 N	109 3 18 W	15,000	\$15,000	\$15,000
FM482	FM152	WY	Dubois	231	A	43 32 36 N	109 37 48 W	1,500	\$1,500	\$1,500
FM483	FM153	WY	Hanna	271	C	42 0 54 N	107 12 32 W	15,000	\$15,000	\$15,000
FM484	FM154	WY	Hanna	277	A	41 52 6 N	106 34 0 W	1,500	\$1,500	\$1,500
FM485	FM155	WY	Hudson	275	C	42 49 28 N	108 26 21 W	30,000	\$30,000	\$30,000
FM486	FM156	WY	Hudson	286	A	42 54 24 N	108 35 0 W	30,000	\$30,000	\$30,000
FM487	FM157	WY	Kaycee	222	C1	43 27 55 N	106 58 40 W	2,500	\$2,500	\$2,500
FM488	FM158	WY	Lusk	242	C	42 45 42 N	104 27 6 W	30,000	\$30,000	\$30,000
FM352	FM159	WY	Manville	255	C1	42 46 45 N	104 37 2 W	7,500	\$7,500	\$7,500
FM489	FM161	WY	Pine Haven	260	A	44 21 28 N	104 48 36 W	1,500	\$1,500	\$1,500
FM490	FM162	WY	Shoshoni	244	A	43 14 6 N	108 6 36 W	1,500	\$1,500	\$1,500
FM491	FM163	WY	Shoshoni	290	C	43 14 6 N	108 6 36 W	40,000	\$40,000	\$40,000
FM492	FM164	WY	Ten Sleep	286	C3	44 2 6 N	107 27 0 W	1,500	\$1,500	\$1,500
FM493	FM165	WY	Upton	283	A	44 5 54 N	104 37 36 W	1,500	\$1,500	\$1,500
FM494	FM166	WY	Upton	290	C1	44 5 54 N	104 37 36 W	20,000	\$20,000	\$20,000
FM495	FM167	WY	Wamsutter	282	C	41 44 0 N	108 14 27 W	30,000	\$30,000	\$30,000
FM496	FM168	WY	Wamsutter	234	A	41 40 18 N	107 58 18 W	1,500	\$1,500	\$1,500
FM497	FM169	WY	Wheatland	289	A	42 3 16 N	104 57 8 W	7,500	\$7,500	\$7,500
FM498	FM170	WY	Wheatland	293	C1	42 25 32 N	104 57 21 W	15,000	\$15,000	\$15,000
FM499	FM171	WY	Wright	224	A	43 50 2 N	105 28 29 W	1,500	\$1,500	\$1,500
FM500	FM172	WY	Wright	268	C	43 45 2 N	105 29 53 W	40,000	\$40,000	\$40,000
FM501	FM173	WY	Wright	287	A	43 44 49 N	105 28 12 W	1,500	\$1,500	\$1,500

Auction Total 171 Construction Permits 6,714,500 \$6,714,500 \$6,714,500

* Channel offered but unsold in Auction No. 37

Note: The construction permit numbers have been revised from those that were included in the DA 05-1076, the Auction No. 62 Comment Public Notice. The numbers listed in the first column, labeled "Construction Permit," are the numbers that will be used for Auction No. 62. The construction permit numbers that were included in the Auction No. 62 Comment Public Notice are listed in the second column, labeled "Construction Permit Number From DA 05-1076."

FIGURE 4, SPACING STUDY FROM LUSK, WY ALLOTMENT POINT
CHANNEL 242C, FM AUCTION 62

REFERENCE
42 45 42.0 N.
104 27 06.0 W.

CLASS = C
Current Spacings to 3rd Adj.
Channel 242 - 96.3 MHz

DISPLAY DATES
DATA 06-22-12
SEARCH 06-24-12

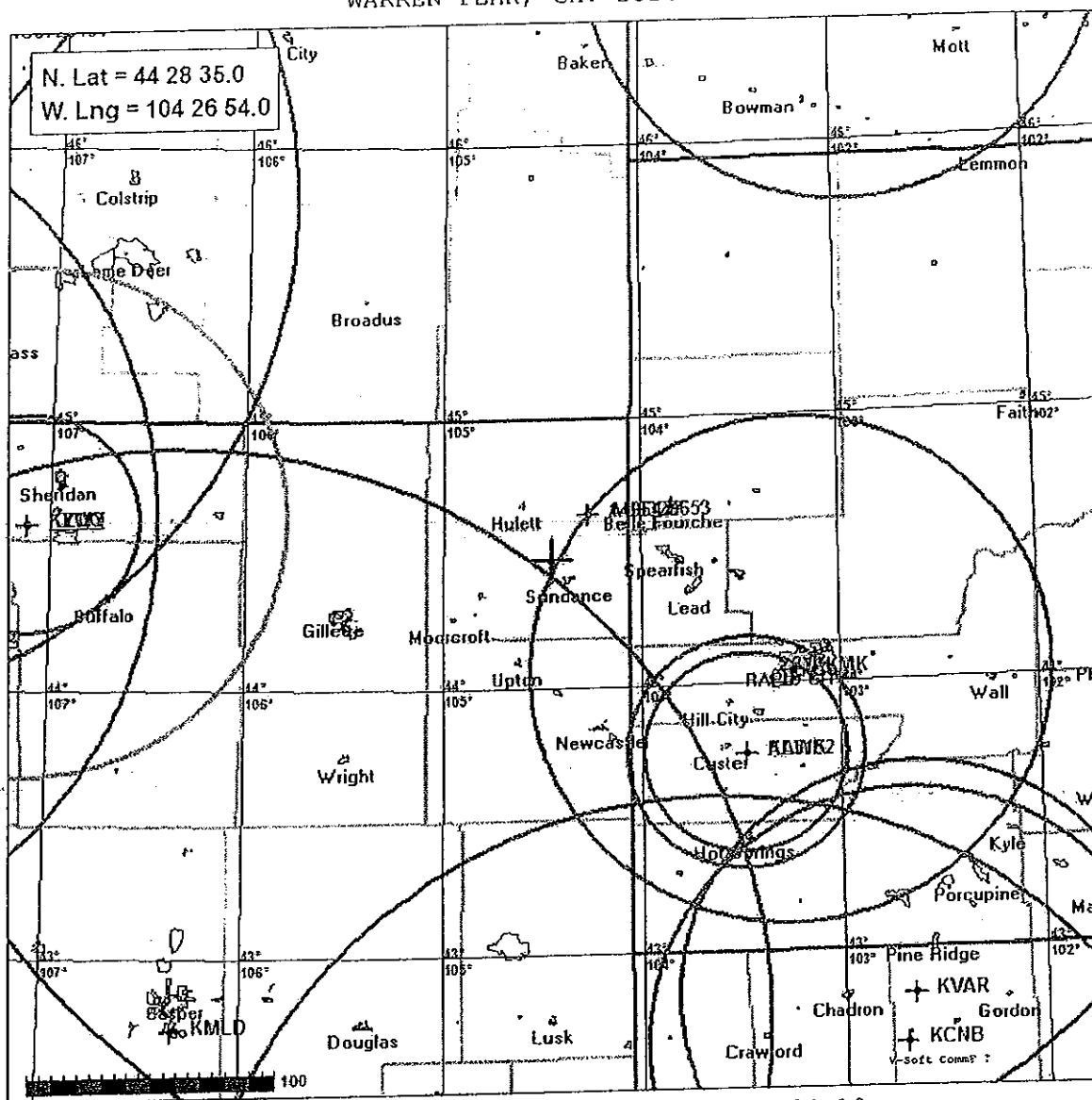
Call	Channel	Location		Azi	Dist	FCC	Margin
	USE 242A	Lusk	WY	252.2	5.96	226.0	
AL1517 %	RSV-A 242A	Hot Springs	SD	46.5	110.79	226.0	-114.7
KPAD	RSV-A 240A	Wheatland	WY	206.1	103.09	95.0	8.6
KZMX-FM	LIC 244A	Hot Springs	SD	46.5	110.79	95.0	16.3
ALLO	USE 244A	Hot Springs	SD	46.5	110.79	95.0	16.3
ALLO	USE 245C1	Terrytown	NE	149.4	123.77	105.0	19.3
KPAD	APP-N 240A	Wheatland	WY	205.8	116.46	95.0	22.0
KSME	LIC 241C1	Greeley	CO	190.1	234.71	209.0	26.2
ALLO	USE 241C1	Greeley	CO	187.5	237.31	209.0	28.8
KCMI	LIC 245C1	Terrytown	NE	151.5	133.68	105.0	29.2
R12047	DEL 245C1	Terrytown	NE	151.5	133.68	105.0	29.2
KRNK	LIC-N 244C2	Casper	WY	269.9	151.88	105.0	47.4
ALLO	USE 244C2	Casper	WY	274.2	157.24	105.0	52.7
KJBL	CP 243C1	Julesburg	CO	136.7	268.01	209.0	59.5
KLGT	LIC 243C1	Buffalo	WY	316.8	280.61	209.0	72.1
ALLO	USE 243C1	Buffalo	WY	316.8	280.63	209.0	72.1
ALLO	USE 240C	Belle Fourche	SD	15.7	180.83	105.0	76.3
1503158	APP 244C	Lead	SD	15.7	180.84	105.0	76.3
KZZI	LIC 240C	Belle Fourche	SD	15.7	180.84	105.0	76.3
1503188	RSV-A 244C	Lead	SD	15.7	180.84	105.0	76.3
KIMX	LIC-N 244C2	Laramie	WY	206.9	183.20	105.0	78.7
KINI	LIC 241C1	Crookston	NE	80.7	292.70	209.0	84.2
ALLO	USE 241C1	Crookston	NE	80.7	292.70	209.0	84.2
KHYY	LIC-N 295C3	Minatare	NE	148.2	117.16	31.0	86.7
ALLO	USE 241C1	Worland	WY	298.9	310.93	209.0	102.4
KKLX	LIC 241C1	Worland	WY	298.9	310.98	209.0	102.5
KJBL	LIC 243A	Julesburg	CO	136.7	268.01	165.0	103.5
ALLO	USE 295C	Casper	WY	269.7	151.86	48.0	104.4
KASS	LIC 295C	Casper	WY	269.9	152.04	48.0	104.5
KXPK	LIC 243C	Evergreen	CO	194.5	353.44	241.0	112.9
ALLO	USE 243C	Evergreen	CO	190.9	360.86	241.0	120.4
KIMX	CP -N 245A	Nunn	CO	189.5	222.97	95.0	128.5
ALLO	USE 245A	Nunn	CO	189.5	222.97	95.0	128.5
AL3735	USE 296C	Spearfish	SD	15.7	181.07	48.0	133.6
KSLT	LIC 296C	Spearfish	SD	15.7	181.07	48.0	133.6
KBCR-FM	LIC 245C2	Steamboat Springs	CO	218.7	324.30	105.0	219.8
ALLO	USE 245C2	Steamboat Springs	CO	218.7	324.30	105.0	219.8

All margins are shown with rounding included
RSV-R = reserved - needs protection, RSV-A = allocation
% = Station Fails minimum 73.215 spacings

CH 232 C 94.3 MHz

Current Spacings to 3rd Adj.

FIGURE 5, CHANNEL STUDY FROM KYDT SITE
WARREN PEAK, CH. 232C



Data Date:06-22-12				Job Date:06-24-12				
Call	CH#	Type	Location		Azi	D-KM	FCC	Margin
1496427	232C	APP	Lead	SD	37.3	24.19	290.0	-265.3
AU932965	232C	VAC	Lead	SD	37.3	24.19	290.0	-265.3
KKMK	230C1	LIC	Rapid City	SD	116.1	107.22	105.0	2.7
KMLD	233C	LIC	Casper	WY	218.7	246.23	241.0	5.7
AL5152	285C	RSV-A	Ellsworth Afb	SD	136.2	112.27	48.0	64.8
KAWK	286C1	LIC	Custer	SD	136.2	112.27	41.0	71.8
KNEB-FM	231C1	LIC	Scottsbluff	NE	168.3	314.59	209.0	106.1
KZWY	235C	LIC	Sheridan	WY	275.3	212.59	105.0	108.1
KYTI	229C	LIC	Sheridan	WY	275.3	212.59	105.0	108.1
KRKX	231C1	LIC	Billings	MT	295.8	345.87	209.0	137.4
KVAR	229C3	LIC	Pine Ridge	SD	141.1	233.38	96.0	137.9
KCNB	234C1	LIC	Chadron	NE	144.6	247.24	105.0	142.7
R14314	233C2	RSV-R	Cody	WY	273.3	347.63	188.0	160.1
KLQQ	285C0	LIC	Clearmont	WY	275.3	212.59	45.0	168.1
NEW	230C1	CP	Belfield	ND	24.9	277.04	105.0	172.5

All margins are shown with rounding included

RSV-R, reserved, needs protection, RSV-A, allocation, does not if a CP or LIC has been granted.
Station calls min over 75.113 spacings

8LH20111013AGZ

Latitude: 44-28-35 N

Longitude: 104-28

Channel: 232

AMSL Height: 2061.0 m

Elevation: 2012.0 m

Vert. Pattern: No

Prop Model: None

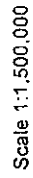


FIGURE 7, SERVICE MAP FOR NEW LEAD, SD ON CHANNEL 232C FROM KYDT(FM) TOWER SITE