

FEDERAL COMMUNICATIONS COMMISSION

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Great Lakes Radio, Inc.
2025 U.S. 41 West
Marquette, MI 49855

In re: WRUP(FM), Palmer, MI
Facility ID# 41825
Great Lakes Radio, Inc.
BPH-20070619AAN

Dear Applicant:

This is in reference to: (1) the above-captioned minor change application to modify the antenna height, location, class, and community of license from Munising, MI to Palmer, MI; (2) the July 23, 2007 Petition to Deny filed by Northern Star Broadcasting, LLC ("NSB") and Taconite Broadcasting, Inc. ("Taconite"); and (3) all other related pleadings.

Background

This application was filed pursuant to Section 73.3573(g) of the Commission's rules which permits the modification of a station's authorization to specify a new community of license without affording other interested parties an opportunity to file a competing expression of interest. Any reassignment proposal must result in a preferential arrangement of allotments.¹ We make this determination using the FM allotment priorities set forth in *Revision of FM Assignment Policies and Procedures*.² This application would provide a first local service to Palmer under Priority (3) while Munising will continue to receive local service from AM Station WQXQ.

Petition to Deny

On July 23, 2007, NSB and Taconite, filed a petition to deny stating that Palmer is not a licensable community. In support of this contention, the Petitioner notes that the population of Palmer is only 449 persons and Palmer is unincorporated. Furthermore, the Petitioner refers to the fact that all government services to the residents of Palmer are provided by either the Richmond Township or Marquette County.

¹ See *Modification of FM and TV Authorizations to Specify a New Community of License ("Community of License")*, Report and Order, 4 FCC Rcd 4870 (1989), *recon. granted in part*, Memorandum Opinion and Order, 5 FCC Rcd 7094 (1990).

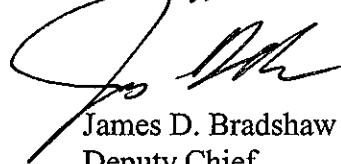
² *Revision of FM Assignment Policies and Procedures*, Second Report and Order, 90 FCC 2d 88 (1988). The FM allotment priorities are: (1) First fulltime aural service, (2) Second fulltime aural service, (3) First local service and (4) Other public interest matters. Co-equal weight is given to Priorities (2) and (3).

Discussion

We grant the proposed reassignment to Palmer. In doing so, we find that Palmer has sufficient indicia to qualify as a community for a broadcast station. The Commission has consistently held that the test for determining community status is not a stringent one.³ Even though Palmer is not incorporated, it is defined as a Census Designated Place by the U.S. Census Bureau. The record in this proceeding does not rebut the presumption that, as a Census Designated Place, Palmer qualifies as a licensable community.⁴ Palmer does have a geographical identifiable population which supports a conclusion that it is a community. In addition to a local library, volunteer fire department and police department office being located in Palmer, the applicant has also identified local businesses, churches and community organizations also located in Palmer. Finally, the applicant has submitted letters from local residents attesting to the fact that Palmer is perceived as a community.

In light of the above, the July 23, 2007 Petition to Deny filed by NSB and Taconite IS HEREBY DENIED and application BPH-20070619AAN IS HEREBY GRANTED.

Sincerely,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Cary S. Tepper
David Tillotson

³ See *Beacon Broadcasting*, Memorandum Opinion and Order, 2 FCC Rcd 3469 (MMB 1987), *affirmed*, Memorandum Opinion and Order, 2 FCC Rcd 7562 (1987); see also *Kenansville, Florida*, Memorandum Opinion and Order, 5 FCC Rcd 2663 (MMB 1990), *rev. denied*, Memorandum Opinion and Order, 10 FCC Rcd 9831 (1995); *Semora, North Carolina*, Memorandum Opinion and Order, 5 FCC Rcd 934 (190).

⁴ See *Fruit Cove and St. Augustine, Florida*, Notice of Proposed Rule Making, 20 FCC Rcd 12987 (MB 2005)