

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12<sup>th</sup> STREET SW**  
**WASHINGTON DC 20554**

MEDIA BUREAU  
AUDIO DIVISION  
APPLICATION STATUS: (202) 418-2730  
HOME PAGE: [www.fcc.gov/mb/audio](http://www.fcc.gov/mb/audio)

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CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Brooke Communications, Inc.  
1445 W. Harvard Avenue  
Roseburg, OR 97470

In re: KSKR-FM, Sutherlin, OR  
Facility ID # 69657  
Brooke Communications, Inc.  
BLH-19981119KE

Dear Licensee:

In accordance with procedures adopted by the Commission,<sup>1</sup> this letter constitutes notification to Brooke Communications, Inc ("BC") of the filing of a minor change construction permit (BPH-20120210AAH) by James D. McDaniel ("McDaniel"), licensee of Station KLMD(FM), Talent, OR. McDaniel's application requested the substitution of Channel 265C3 for Channel 266C3 at Sutherlin, OR and modification of the FM Station KSKR-FM license accordingly.<sup>2</sup>

Section 316(a) of the Communications Act of 1934, as amended,<sup>3</sup> permits us to modify the license or construction permit if such action is in the public interest. The Act requires that we notify the affected station of the proposed action, the public interest reasons for the action, and afford at least 30 days to respond. This procedure is now set forth in Section 1.87 of the Commission's Rules.<sup>4</sup> We find that the McDaniel application has sufficient public interest benefits to justify the issuance of a show cause order. Furthermore, McDaniel states that it would reimburse BC for the reasonable costs incurred in connection with the proposed channel change consistent with the *Circleville* policy.<sup>5</sup>

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<sup>1</sup> See *Revision of Procedures Governing Amendments to FM Table of Allotment and Changes of Community of License in the Radio Broadcast Services, Report and Order*, MB Docket No. 05-210, FCC 06-163 (rel. Nov. 29, 2006).

<sup>2</sup> The facilities of FM Station KSKR-FM at Sutherlin, OR can be modified to specify operation on Channel 265C3 in lieu of Channel 266C3 at the station's current authorized transmitter site (BLH-19981119KE). The coordinates for FM Station KSKR-FM at Sutherlin, OR are 43-22-19 NL and 123-21-15 WL.

<sup>3</sup> 47 U.S.C. § 316(a) (the "Act").

<sup>4</sup> See *Modification of FM and Television Licenses Pursuant to Section 316 of the Communications Act*, 2 FCC Rcd 3327 (1987).

<sup>5</sup> See *Circleville, Ohio*, 8 FCC 2d 159 (1967).

Accordingly, IT IS ORDERED, that pursuant to Section 316(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 316(a), and pursuant to Section 1.87 of the Commission's Rules, BC SHALL SHOW CAUSE why its permit SHOULD NOT BE MODIFIED to specify Channel 265C3 in lieu of Channel 263C3. BC may, not later than 30 days from the date of this letter, file a written statement showing with particularity why their respective permit should not be modified as proposed in this *Order to Show Cause*. The Commission may call upon the affected licensee herein to furnish additional information. If the affected licensee raises any substantial and material questions of fact, a hearing may be required to resolve such questions of fact pursuant to Section 1.87 of the Rules. Upon review of the statements and/or additional information furnished, the Commission may grant the modification, deny the modification, or set the matter of modification for hearing. If no written statement is filed by the date referred to above, the respective licensee will be deemed to have consented to the respective modification as proposed in this *Order to Show Cause* and its assignment will be modified to specify the new channel.

Further action on the subject application will be withheld for thirty days from the date of this letter to provide an opportunity to reply. Please note that responses must be submitted to the Secretary of the Commission in triplicate and must be served on all parties.

Sincerely,



Edna V. Prado  
Supervisory Engineer  
Audio Division  
Media Bureau

cc: Melodie A. Virtue, Esquire  
Brendan Holland, Esquire