

FEDERAL COMMUNICATIONS COMMISSION
445 Twelfth Street, S.W.
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MEDIA BUREAU
AUDIO DIVISION

APPLICATION STATUS: (202) 418-2730
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CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Bradley Snow
404 Windsor Court
Pittsburg, Kansas 66762

In re: NEW(FM), Mooreland, OK
Facility ID No.: 183350
Bradley Snow
BNPH-20091019ACK

Dear Permittee:

In accordance with procedures adopted by the Commission,¹ this letter constitutes notification to Bradley Snow of the filing of a minor change construction permit application (BPH-20120509ADK) by Altus FM, Inc. ("Altus"), licensee of station KEYB(FM), Altus, OK. Altus's application requested the substitution of Channel 291C2 for Channel 300C2 at Mooreland, OK and modification of the Mooreland, OK permit accordingly.²

Section 316(a) of the Communications Act of 1934, as amended,³ 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.⁴ We find that the Altus application has sufficient public interest benefits to

¹ 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).

² The permit of the new FM Station at Mooreland, OK can be modified to specify operation on Channel 291C2 in lieu of Channel 300C2 at the station's current authorized transmitter site (BNPH-20091019ACK). The authorized coordinates for the new FM Station at Mooreland, OK, are 36-36-10 NL and 99-25-34 WL.

³ 47 U.S.C. § 316(a) (the "Act").

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

justify the issuance of a show cause order. Furthermore, Altus states that it would reimburse Bradley Snow for the reasonable costs incurred in connection with the proposed channel change consistent with the *Circleville* policy.⁵

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, Bradley Snow SHALL SHOW CAUSE why its Construction Permit SHOULD NOT BE MODIFIED to specify Channel 291C2 in lieu of Channel 300C2. Bradley Snow may, not later than 30 days from the date of this letter, file a written statement showing with particularity why its respective permit should not be modified as proposed in this *Order to Show Cause*. The Commission may call upon the affected permittee herein to furnish additional information. If the affected permittee 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 permittee 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,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Richard J. Hayes, Jr.

⁵ See *Circleville, Ohio*, 8 FCC 2d 159 (1967).