

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET SW
WASHINGTON DC 20554

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

JAN 08 2013

PROCESSING ENGINEER: Darrell E. Bauguess
TELEPHONE: (202) 418-2182
FACSIMILE: (202) 418-2838
MAIL STOP: 1800B3
INTERNET ADDRESS: Darrell.bauguess@fcc.gov

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Positive Impact Media, Inc.
33365 335th Street
Waukee, IA 50263

In re: KPUL(FM), Winterset, IA
Facility ID # 19792
Positive Impact Media, Inc.
BLH-19920602KA

Dear Licensee:

In accordance with procedures adopted by the Commission,¹ this letter constitutes notification to Positive Impact Media, Inc. ("Positive") of the filing of a minor change construction permit (BPH-20121113AMW) by Truth Broadcasting Corporation ("Truth"), licensee of Station KTIA-FM, Boone, IA. Truth's application requested the substitution of Channel 269A for Channel 258A at Winterset, IA and modification of FM Station KPUL license 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 Truth application has sufficient public interest benefits to justify the issuance of a show cause order. Furthermore, Truth states that it would reimburse Positive for the reasonable costs incurred in connection with the proposed channel change consistent with the *Circleville* policy.⁵

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 facilities of FM Station KPUL(FM) at Winterset, IA can be modified to specify operation on Channel 269A in lieu of Channel 258A at the station's current authorized transmitter site (BLH-19920602KA). The coordinates for FM Station KPUL at Winterset, IA are 41-24-02 NL and 93-54-58 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).

⁵ 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, Positive, SHALL SHOW CAUSE why its permit SHOULD NOT BE MODIFIED to specify Channel 269A in lieu of Channel 258A. Positive 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: Cary S. Tepper, Esquire
Truth Broadcasting Corporation
James P. Riley, Esquire