BEFORE THE

Federal Communications Commission

Washington, D.C. 20554

In the Matter of	)	
	)	
Southwest FM Broadcasting Co., Inc.	)	FCC File No. BPH-20100813BHN
Spring Valley, Arizona	)	
	)	
Application for Minor Modification	)	
Station KAHM(FM)	)	
FCC ID No. 61510	)	

FILED/ACCEPTED

FEB 20 2013

Federal Communications Commission
Office of the Secretary

To: Office of the Secretary, FCC
Chief, Audio Division, Media Bureau

OPPOSITION TO PETITION FOR RECONSIDERATION

Southwest FM Broadcasting Co., Inc. ("Southwest FM"), licensee of Station KAHM(FM), Prescott, Arizona, and holder of the above-referenced construction permit to modify the station's facilities, including a change in the station's antenna location and a change in its community of license to Spring Valley, Arizona, hereby submits this Opposition to the Petition for Reconsideration ("Petition") filed by Kemp Communications, Inc. ("Kemp"). In support of its position that the Petition should be denied, Southwest FM states the following.

By letter dated January 11, 2013 ("Letter"), the Audio Division, Media Bureau, granted Southwest FM's application for a minor change in the facilities of Station KAHM. Kemp's Petition asks the Audio Division to reconsider its decision for various reasons relating to whether the service gains and losses which are anticipated from the proposal would serve the public interest.

Only one of the points raised by Kemp is worthy of response. Specifically, Kemp notes that in assessing the anticipated population gains and losses from Southwest FM's proposal[1], the staff limited its analysis to (i) gross population gain/loss figures (*i.e.*, a net gain of 1,364,507) and (ii) population figures in "underserved" areas, (*i.e.*, 40 people would be left with three (3) services and 279 people would be left with four (4) services), and concluded that the former consideration outweighed the latter. Kemp complains that the staff's analysis is defective because it (apparently) did not include a detailed assessment and weighing of gains and losses for populations with all service levels. See Petition, Pages 3-4.

I. The Anticipated Change in Service to "Underserved" Populations is De Minimis and Therefore No Further Analysis Is Needed.

What Kemp fails to note is that the Letter not only expressly noted the very small total number of people in the underserved areas (*i.e.*, 319)[2], but compared it with the total number of people in Station KAHM's current protected contour (*i.e.*, 1,456,187), and noted that, by comparison, the "underserved" population which would lose service was exceedingly small—only 0.02 percent[3]. In other words, the staff found the total underserved population was *de minimus*. This analysis is consistent with the results reached in Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Seabrook, Huntsville, Bryan, Victoria, Kenedy, and George West, Texas), 10 FCC Rcd 9360, 9361 (1995), where the Commission ruled that the benefits of proposal which would produce a gain in second aural service to 455 people was *de minimus* in comparison with a proposal which would provide new additional service to

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1 The Letter is based on a staff analysis using the standards set forth by the Commission in its recent Policies to Promote Rural Radio Service and To Streamline Allotment and Assignment Procedures, Second Order on Reconsideration, 27 FCC Rcd 12829, 12836-12840 (2012).

2 The analysis presented in Section I is based on the results of the FCC staff's study as set forth in the Letter.

3 The Letter incorrectly states that the number of underserved people (319) is "approximately 0.0002 percent" of the number of people in the station's current protected contour (1,456,187). The correct figure is (approximately) 0.02 percent (or 0.0002).

144,000 people. The same conclusion follows here, where the population of underserved people is smaller (319 versus 455) and the net number of people who would receive additional service as the result of the Southwest FM proposal is far larger (1,364,507 versus 144,000). Another perspective on the *de minimis* nature of the underserved population in this case is the fact that the net number of people who will receive service from Southwest FM's proposal exceeds the number of people in the underserved areas by a ratio of more than 4,250 to 1. Finally, and to further confirm the *de minimis* nature of the underserved population, it is noted that the number of people in the KAHM currently protected contour (1,456,187) (i) is more than 4,500 times larger than the number of people in the underserved areas, and (ii) is only $1/750^{th}$ as large as the 15% limit set forth in Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures, 26 FCC Rcd 2556, 2577 (2011) ("Rural Radio").

As the anticipated underserved population is clearly *de minimis*, the staff, following precedent, concluded that a more detailed (*i.e.*, service level by service level) analysis of population gains and losses (as requested by Kemp) was not required. See, Letter to Marissa G. Repp, Esq. and Gary S. Smith, Esq. (WMNI-FM, Worthington, Ohio/WMNI(AM), Columbus, Ohio), 27 FCC Rcd 13090 (Audio Services Division, Media Bureau (2012), where a dispositive Priority 4 credit was awarded to an applicant for a change in station community of license solely on the ground that total population gains far outweighed total population losses, and without an analysis of population gains and losses in areas with five or more services. *Id.*, page 13094, including footnote 34. Although in that case the staff analysis showed there would be no increase in underserved population, Southwest FM believes that the same approach is warranted here where, as demonstrated above, the increase in underserved population is clearly *de minimis*.

II. A Detailed Analysis of Populations Gains and Losses in All Service Levels Further Demonstrates that the Proposal Would Serve the Public Interest.

Prior to the issuance of the Letter, Southwest FM was in the process of preparing and filing an amendment to its application to provide (among other information) a detailed analysis of the gains and losses which would result from its proposal. The issuance of the Letter made the filing moot. Enclosed is the Supplement to Engineering Statement prepared by Southwest FM's consulting engineer (Donald Lynch)[4], which is based on the Commission's revised standards as set forth in Rural Radio, Second Order on Reconsideration. Although Mr. Lynch's results vary slightly from the results of the staff's analysis as reflected in the Letter, results are extremely close.[5] As explained in detail below, analysis of Lynch's data confirms the conclusion reached in the Letter; namely, that the service benefits from Southwest FM's proposal far outweigh the service losses. Although, as explained in Section I, above, Southwest FM does not believe that this kind of detailed assessment is required in this case because the loss of service to underserved areas is clearly de minimis, and therefore believes the grant of its application (under Priority 4) should be upheld on the grounds set forth in the Letter, to further support the result reached in the Letter, it offers the following analysis for consideration.

a. An Unweighted Assessment of Anticipated Population Gains and Losses Demonstrates that Southwest FM's Proposal Would Serve the Public Interest.

The Supplement to Engineering Statement contains a "granular accounting" of each distinct population pocket in the proposed contour. It analyzes the distinct sectors which would lose

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[4] The Supplement to Engineering Statement contains other matters which are not relevant to the issues in the Petition this Opposition and should be ignored for present purposes. Also, certain exhibits which are not pertinent to the Petition or this Opposition have been deleted.

[5] Most significantly, Lynch's figures as regards the population in the underserved areas is, for all practical purposes, the same as those reported in the Letter. According to Lynch, 10 people (rather than 40) would receive only three services and 271 people (rather than 279) would receive only four services.

service as the result of Southwest FM's proposal and the distinct sectors which would gain service as the result of Southwest FM's proposal. Table Three (a copy of which immediately follows the text of this pleading) summarizes this information. It shows (in the "Gain Area" column) the number of people who would, upon implementation of the modification of Station KAHM, gain service, broken down according to the total number of services these people would then receive (0 to 45 services); similarly, it shows (in the "Loss Area" column) the number of people who would lose service, broken down according to the total number of services these people would then receive (0 to 27 services).

Southwest FM submits that the "significance" of the gain or loss of an aural service (here, the signal of KAHM) to a single individual can be fairly quantified as the reciprocal of the number of services currently received. Thus, for example, the "significance" of the gain of one aural service to an individual who currently receives 10 aural services (and who would receive 11 aural services after the gain of a service) can be fairly represented by the fraction 1/10, or 10% (as such an individual would have gained 10% of his/her total aural services). By multiplying this fraction times the total number of people who would benefit from this same gain in service (i.e., all persons currently receiving 10 services but who would, after the modification, receive 11 services), the total "service" gain for all such individuals can be quantified. The same computation can be made for the population in all the service levels in the gain area, with the significance of a gain diminishing (by an increasingly smaller amount) as the number of current services increases.[6]

This kind of analysis, it will be noted, is comparable to the analysis which the Commission approved In the Matter of Amendment of Section 73.202(b), Table of Allotments (Greenup,

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[6] For example, the gain of a fourth service represents a 25% gain, the gain of a fifth service represents a 20% gain, the gain of a twenty-fifth service represents a 4.0% gain, the gain of a twenty-sixth service represents a 3.85% gain, etc.

Kentucky and Athens, Ohio), 6 FCC Rcd 1493 at 1495 (1991), in the context of weighing the relative merits of the gains proposed by two mutually-exclusive upgrade proposals.[7] Here, however, rather than using the procedure to compare the gains from two different proposals, the procedure is used, not only with regard to the gain areas from Southwest FM's proposal, but with regard to the anticipated loss areas. This process (referred to herein as the "basic algorithm") for all levels of existing service, permits a computation of total service gains and total service losses and a quantitative comparison of service gains and service losses.

In the current context, Table Three shows that the sectors where the addition of KAHM would increase the number of aural services from six (6) to seven (7) contain a total of 396 people. For these people, the reception of KAHM would represent a service gain of 1/6 (or approximately 16.7%). By multiplying 396 times 1/6, the service gain to these individuals can be quantified as 66.0 units of service gain. Similarly, there are 1,727 people in the gain sectors with seven (7) current services, and for these people, the gain of one service is represented by 1/7 (or approximately 14.2%). The service gains for these individuals can be quantified as the product of 1,727 and 1/7, which is 246.71. If this process is continued for the remaining sectors in the gain area, and the results are added, the conclusion is that Southwest FM's proposal would produce 35,674.15 total units of service gain. *See* Table Four[8] (which immediately follows Table Three).

The same procedure (approved by the Commission in Greenup in the context of comparing service gains) can also be applied to areas of service losses. Table Three shows that there are 10 people in sectors for whom KAHM is currently a fourth aural service and who, with the loss of

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7 Southwest FM's approach is essentially the same as the Commission's approach in Greenup to " 'discount' the raw population total within a pocket as the number of services received increases." *Id.*

8 Table Four has been prepared by Southwest FM's legal counsel, based on the information supplied in Table Three (prepared by Southwest FM's consulting engineer).

this service, would receive only three (3) services. These individuals will, therefore, experience a service loss of ¼ or 25%. By multiplying 10 times 25%, this loss can be quantified as 2.50 units of service loss. Similarly, the 271 people in sectors currently receiving five (5) aural services, and who would with the loss of service from KAHM receive only four (4) services, would experience a service loss of 1/5 or 20%. By multiplying 271 times 20%, this loss can be quantified as 54.20 units of service loss. If this process is continued for all levels of service loss, and the results are added, the conclusion is that Southwest FM's proposal would produce 7,301.57 total units of service loss. *See* Table Four.

It is now possible to compare the anticipated population gains and losses from Southwest FM's proposal based on the basic algorithm set forth above, in a manner which takes into account both the number of people who would gain service and lose service from the proposal and the number of aural services currently received in all segments in the gain and loss areas. Specifically, Southwest FM's proposal would produce 35,674.15 total units of service gain and 7,301.57 total units of service loss. This is a 4.89 to 1 gain/loss ratio, which demonstrates that the proposal would clearly serve the overall public interest.[9]

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[9] Although neither Rural Radio nor its progeny suggest any methodology which will be used by the Commission in comparing population gains and losses, it is noted that in Footnote 104 to Paragraph 39, the Commission directed applicants to state "what service the modified facility would represent to the majority of the population gaining new service...and the corresponding service that the majority of the population losing service would lose..." The Commission did not, however, explain how the information required by Footnote 104 might be used, and Southwest FM is unaware of any instance subsequent to Rural Radio in which the Commission has referred to, much less utilized, this information in comparing the gains and losses from a proposal.

However, the information requested by Commission in Footnote 104 can be used to make a reasonable and fair comparison of anticipated population gains and losses in a manner which is similar to (although with considerably less sophistication) the basic algorithm set forth by Southwest FM, but which is not dependent on the availability of a granular analysis of the gain and loss areas (which the Commission expressly did not require applicants to provide). In essence, the Commission has directed applicants to specify the current service level of the individual (in the gain and loss areas, respectively) who is most "representative" of the entire population in the gain and loss areas (respectively) in the sense that, to the maximum extent possible, the same number of people in the gain and loss areas (respectively) will, upon completion of the modification, receive a larger and a smaller number of services.

b. A Weighted Assessment of Anticipated Population Gains and Losses Further Demonstrates that Southwest FM's Proposal Would Serve the Public Interest.

As explained above, the basic algorithm presented above is objective in the sense that it weighs the gains and losses of service in all gain/loss segments in strict accordance with the percentage of service gain or loss represented by the gain or loss of a single service (in this case, KAHM). However, in further recognition of the Commission's decision to "accord greater weight to service to underserved populations than to the differences in raw population totals" (Rural Radio, 26 FCC Rcd 2576), Southwest FM has prepared an analysis of the anticipated service gains and losses that gives additional weight, by a factor of 20, to the population in the loss areas which will be "underserved" (*i.e.*, 0 to 4 services).[10] The results are set forth in Table Five[11] (which follows Table Four). Based on this modified version of the basic algorithm – which overweighs by a factor of 20 the population in "underserved" areas –Southwest FM's proposal would produce 35,674.15 total units of service gain and 7,358.27 total units of service

. . . Continued

In the instant case, Table Three shows that the majority of the population gaining new service would receive a 43rd (or greater number) of services. Hence, an individual in the gain area who currently receives 42 services is the most "representative" of the individuals in the gain area (in the sense explained previously). The gain of one service to such an individual would represent a 1/42nd increase in service. The product of this figure times the total number of people in the entire gain area (*i.e.*, 1,461,981) quantifies the total gain from Southwest FM's proposal as 34,809 units of service gain.

The same procedure can also be applied to individuals in the KAHM loss area. An individual in the loss areas who currently receives 21 services is most nearly "representative" of all persons in the loss area. The loss of KAHM service to this individual will represent a 1/21st loss of service. The product of this figure times the total number of individuals in the loss area (*i.e.*, 118,461) quantifies the total loss from Southwest FM's proposal as 5,641 units of service loss.

The total service gains and losses can now be compared. Using the methodology suggested by the information requested by the Commission in Footnote 104, the total units of service gain from Southwest FM's proposal (34,809) exceeds the total units of service loss (5,641) by a ratio of 6.2 to 1. This ration is roughly comparable to the 4.89 to 1 ratio of gains to losses which was derived using Southwest FM's "basic algorithm" (see above) which is based on the results of a detailed granular analysis of the entire gain and loss areas. Under both approaches, the result is the same – *i.e.*, the anticipated service gains from Southwest FM's proposal far outweigh the anticipated service losses.

10 Southwest FM's proposal would not provide service to any "underserved" areas (as traditionally defined).

11 Table Five has been prepared by legal counsel for Southwest FM based on the information in Table Three.

loss. This is a 4.85 to 1 gain/loss ratio, thereby demonstrating that even using a standard which is far more demanding than the Commission has ever articulated for weighing anticipated population gains and losses for purposes of Priority 4 Section 307(b) analysis, Southwest FM's proposal would clearly serve the public interest.

Summary and Conclusion

Southwest FM's proposal should be granted under Priority 4.[12] The proposal complies fully with the two metrics set forth in Rural Radio in terms of measuring service losses – *i.e.*, (i) no populated white or gray area created, and (ii) far fewer (only 0.02 percent) as many people in the underserved areas as in the station's total protected contour.[13] In Rural Radio the Commission stated that henceforth it would deemphasize the relative weight to be accorded to Priority 4 claims based on coverage to well-served populations. However, additional service to large numbers of people, including those who currently receive adequate service, is indisputably in the public interest, and nothing in Rural Radio remotely suggests that the Commission intended to eliminate giving Priority 4 credit to proposals which would bring additional coverage to such large numbers of people. This case requires a sensible weighing of service gains to a very large number of relatively well-served persons versus service losses to a much smaller numbers of somewhat lesser served persons, only an infinitesimal number of whom will be "underserved."

Southwest FM believes that because the losses to "underserved" populations is *de minimis,* the undisputed fact that the total population gains far exceed the total population losses is the determinative factor under Priority 4, and that no further assessment of population gains and

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

13 The issue of transmission services is not germane as the Prescott-Prescott-Valley Urbanized Area will continue to have six local aural services after the modification of Station KAHM as proposed. Also, the modified KAHM will not provide, and will not be able to provide with minor modification, coverage (to any significant extent) to any additional urbanized area.

losses (as Kemp requests) is required. Nevertheless, Southwest FM has made and submitted such an analysis of gains and less in all service levels, and the results clearly support for the conclusion reached in the Letter; namely, that grant of the application would serve the public interest. Specifically, Southwest FM has demonstrated that the anticipated gains outweigh the anticipated losses by a factor of 4.89 to 1 (*see* Table Four). Even when the basic algorithm is modified (in what Southwest FM believes is an unprecedented manner in the context of Commission proceedings) by giving additional weight (*i.e.,* a factor of 20) to populations in "underserved" areas, the result is essentially the same. The anticipated service gains outweigh the anticipated losses by a factor of 4.85 to 1 (*see* Table Five).

For the reasons set forth in the Letter, as supplemented by the reasons set forth above, Southwest FM submits that the Petition for Reconsideration should be denied, and the grant of Southwest FM's application should be affirmed.

Respectfully submitted

SOUTHWEST FM BROADCASTING, CO. INC.

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Date: February 20, 2013

TABLE THREE:
Granular Analysis of Population and # of Services in Gain Loss Areas

Pop Summary:	Loss Area	Gain Area
Population covered by 0 Servers	0	0
Population covered by 1 Servers	0	0
Population covered by 2 Servers	0	0
Population covered by 3 Servers	10	0
Population covered by 4 Servers	271	0
Population covered by 5 Servers	3,061	0
Population covered by 6 Servers	1,534	0
Population covered by 7 Servers	3,152	396
Population covered by 8 Servers	5,247	1,727
Population covered by 9 Servers	489	8
Population covered by 10 Servers	1,418	3
Population covered by 11 Servers	7,094	5
Population covered by 12 Servers	332	129
Population covered by 13 Servers	95	1,027
Population covered by 14 Servers	4,775	66
Population covered by 15 Servers	462	1,798
Population covered by 16 Servers	555	310
Population covered by 17 Servers	12,206	247
Population covered by 18 Servers	952	372
Population covered by 19 Servers	7,084	870
Population covered by 20 Servers	56,106	656
Population covered by 21 Servers	10,473	5,736
Population covered by 22 Servers	65	174
Population covered by 23 Servers	817	2
Population covered by 24 Servers	2,209	6
Population covered by 25 Servers	18	157
Populaton covered by 26 Servers	6	34
Population covered by 27 Servers	30	118
Population covered by 28 Servers	0	0
Population covered by 29 Servers	0	24
Population covered by 30 Servers	0	0
Population covered by 31 Servers	0	0
Population covered by 32 Servers	0	10
Population covered by 33 Servers	0	65
Population covered by 34 Servers	0	1
Population covered by 35 Servers	0	32
Population covered by 36 Servers	0	70
Population covered by 37 Servers	0	302
Population covered by 38 Servers	0	169
Population covered by 39 Servers	0	2,912
Population covered by 40 Servers	0	11,548
Population covered by 41 Servers	0	43,455
Population covered by 42 Servers	0	264,506
Population covered by 43 Servers	0	1,066,480
Population covered by 44 Servers	0	51,115
Population covered by 45 Servers	0	7,451
Total	118,461	1,461,981

TABLE FOUR

SERVICE GAINS AND LOSSES
Basic Algorithm

	Units of Service Loss	Units of Service Gain
Service Areas covered by 0 Servers	0.00	
Service Areas covered by 1 Servers	0.00	
Service Areas covered by 2 Servers	0.00	
Service Areas covered by 3 Servers	2.50	
Service Areas covered by 4 Servers	54.20	
Service Areas covered by 5 Servers	510.17	
Service Areas covered by 6 Servers	219.14	0.00
Service Areas covered by 7 Servers	394.00	66.00
Service Areas covered by 8 Servers	583.00	246.71
Service Areas covered by 9 Servers	48.90	1.00
Service Areas covered by 10 Servers	128.91	0.33
Service Areas covered by 11 Servers	591.17	0.50
Service Areas covered by 12 Servers	25.54	11.73
Service Areas covered by 13 Servers	6.79	85.58
Service Areas covered by 14 Servers	318.33	5.08
Service Areas covered by 15 Servers	28.88	128.43
Service Areas covered by 16 Servers	32.65	20.67
Service Areas covered by 17 Servers	678.11	15.44
Service Areas covered by 18 Servers	50.11	21.88
Service Areas covered by 19 Servers	354.20	48.33
Service Areas covered by 20 Servers	2,671.71	34.53
Service Areas covered by 21 Servers	476.05	286.80
Service Areas covered by 22 Servers	2.83	8.29
Service Areas covered by 23 Servers	34.04	0.09
Service Areas covered by 24 Servers	88.36	0.26
Service Areas covered by 25 Servers	0.69	6.54
Service Areas covered by 26 Servers	0.22	1.36
Service Areas covered by 27 Servers	1.07	4.54
Service Areas covered by 28 Servers		0.00
Service Areas covered by 29 Servers		0.86
Service Areas covered by 30 Servers		0.00
Service Areas covered by 31 Servers		0.00
Service Areas covered by 32 Servers		0.32
Service Areas covered by 33 Servers		2.03
Service Areas covered by 34 Servers		0.03
Service Areas covered by 35 Servers		0.94
Service Areas covered by 36 Servers		2.00
Service Areas covered by 37 Servers		8.39
Service Areas covered by 38 Servers		4.57
Service Areas covered by 39 Servers		76.63
Service Areas covered by 40 Servers		296.10
Service Areas covered by 41 Servers		1,086.38
Service Areas covered by 42 Servers		6,451.37
Service Areas covered by 43 Servers		25,392.38
Service Areas covered by 44 Servers		1,188.72
Service Areas covered by 45 Servers		169.34
TOTAL	**7,301.57**	**35,674.15**

TABLE FIVE

SERVICE GAINS AND LOSSES
Basic Algorithm with
Factor of 20 for Service Areas Covered by 0-4 Servers(*)

	Units of Service Loss	Units of Service Gain
Service Areas covered by 0 Servers	0.00	
Service Areas covered by 1 Servers	0.00	
Service Areas covered by 2 Servers	0.00	
Service Areas covered by 3 Servers	5.00(*)	
Service Areas covered by 4 Servers	108.40(*)	
Service Areas covered by 5 Servers	510.17	
Service Areas covered by 6 Servers	219.14	0.00
Service Areas covered by 7 Servers	394.00	66.00
Service Areas covered by 8 Servers	583.00	246.71
Service Areas covered by 9 Servers	48.90	1.00
Service Areas covered by 10 Servers	128.91	0.33
Service Areas covered by 11 Servers	591.17	0.50
Service Areas covered by 12 Servers	25.54	11.73
Service Areas covered by 13 Servers	6.79	85.58
Service Areas covered by 14 Servers	318.33	5.08
Service Areas covered by 15 Servers	28.88	128.43
Service Areas covered by 16 Servers	32.65	20.67
Service Areas covered by 17 Servers	678.11	15.44
Service Areas covered by 18 Servers	50.11	21.88
Service Areas covered by 19 Servers	354.20	48.33
Service Areas covered by 20 Servers	2,671.71	34.53
Service Areas covered by 21 Servers	476.05	286.80
Service Areas covered by 22 Servers	2.83	8.29
Service Areas covered by 23 Servers	34.04	0.09
Service Areas covered by 24 Servers	88.36	0.26
Service Areas covered by 25 Servers	0.69	6.54
Service Areas covered by 26 Servers	0.22	1.36
Service Areas covered by 27 Servers	1.07	4.54
Service Areas covered by 28 Servers		0.00
Service Areas covered by 29 Servers		0.86
Service Areas covered by 30 Servers		0.00
Service Areas covered by 31 Servers		0.00
Service Areas covered by 32 Servers		0.32
Service Areas covered by 33 Servers		2.03
Service Areas covered by 34 Servers		0.03
Service Areas covered by 35 Servers		0.94
Service Areas covered by 36 Servers		2.00
Service Areas covered by 37 Servers		8.39
Service Areas covered by 38 Servers		4.57
Service Areas covered by 39 Servers		76.63
Service Areas covered by 40 Servers		296.10
Service Areas covered by 41 Servers		1,086.38
Service Areas covered by 42 Servers		6,451.37
Service Areas covered by 43 Servers		25,392.38
Service Areas covered by 44 Servers		1,188.72
Service Areas covered by 45 Servers		169.34
TOTAL	**7,358.27**	**35,674.15**

Supplement to Engineering Statement

This Supplement to the Engineering Statement was prepared by Horizon Broadcast Solutions, LLC on behalf of Southwest FM Broadcasting Co., Inc. ("Southwest FM"), licensee of Station KAHM(FM), Channel 271C (102.1 MHz), Prescott, Arizona (Facility ID #61510) in support of its pending application for a minor change in the station's facilities (BPH-20100813BHN) which includes a request to change the station's community of license from Prescott to Spring Valley, Arizona.

Subsequent to the filing of the application, the Commission issued Rural Radio, 26 FCC 2556 (2011), petitions for reconsideration pending. On October 12, 2012, the Commission released FCC 12-127 "Second Order on Reconsideration". This Engineering Statement and exhibits are based on the clarification provided in paragraphs 13 through 17 of FCC 12-127 for determining the number of reception services in gain and loss areas. Southwest FM seeks to demonstrate that a proposed change of community of license would serve the public interest, as required by Section 307(b) of the Communications Act of 1934, under Priority 4 of Revision of FM Assignment Policies and Procedures, Second Report and Order, 90 FCC 2d 88 (1982). Also, additional indicia has been provided to support Southwest's claim that Spring Valley is a community for Commission licensing purposes.

The Southwest FM application as initially filed did not include a gain/loss analysis. This was based, in accordance with Commission precedent, on the use of hypothetical circles from the KAHM licensed site and the proposed allotment site. Analysis of all other FM stations was also based on the use of hypothetical circles at the respective stations' licensed sites. For AM stations, the analysis was based on the "night-time interference free" contours. Using this methodology, Southwest FM noted that because the KAHM licensed site and allotment sites were virtually

identical, there would not be any gain or loss area in its proposed modification of KAHM. Therefore it was believed there was no reason to provide a gain/loss analysis.

Southwest FM is now including in Exhibit A, the use of actual FCC F(50,50) 60 dBu protected contours for KAHM from the licensed site and the proposed contours from the application site. Similarly, actual F(50,50) 60 dBu protected contours are used for all other FM stations. AM stations are analyzed on the basis of the daytime 2.0 mV/M contour. All AM & FM stations holding construction permits, contours for the construction permit are included in lieu of contours for the licensed facility. Applications and vacant allotments are not included.

Map 1 of Exhibit A shows the entire KAHM loss area. Map 2 of Exhibit A is a close-up of the loss areas in the western part of the loss area. Map 3 of Exhibit A is a close-up of the other loss area near Payson, AZ, where there is some "underserved" areas with populations. Table One is a list of the services remaining in the KAHM Loss Area following the modification of KAHM to Spring Valley, AZ. Map 4 of Exhibit A shows the entire KAHM gain area. Table Two is a list of the existing services in the KAHM Gain Area following the modification of KAHM to Spring Valley, AZ.

Exhibit B is a chart showing Section 307(b) criteria based on population gain and loss for Priorities 1 through 4. All data is compiled by comparing the KAHM licensed facility with the proposed KAHM application site using 2010 Census data.

Based on the Commission's revised policy concerning remaining services to gain and loss areas, the proposed KAHM modification will result no population that will receive fewer than three remaining services. Table One shows the remaining aural services in the KAHM loss areas, and Table Two shows the aural services in the KAHM gain areas. Table Three ("Granular Analysis of Population and Number of Services in Gain/Loss Areas") is a summary of the total population in the gain and loss pockets broken down to show the total number of aural services

available subsequent to the modification of KAHM. The contours and population data (compiled using V-Soft Probe 4.42 Professional software) compares the KAHM license facility with the proposed KAHM application site facility using 2010 Census data, and is based on the Commission's revised policies concerning services to gain and loss areas as announced in the Second Order on Reconsideration. As reflected in Exhibit B, the subsequent to the proposed KAHM modification there will be no population receiving zero (0), one (1), or two (2) aural services. Table Three shows that only ten (10) people in the loss area will receive three (3) services, and only 271 people in the loss area will receive four (4) services. Thus the total "underserved population" in the loss area is 281 persons. This represents 0.083% of the 325,926 persons within the current KAHM 60 dBu protected contour and represents 0.016% of the 1,665,174 persons within the proposed KAHM protected contour. All contours and population data was calculated using V-Soft Probe 4.42 Professional software.

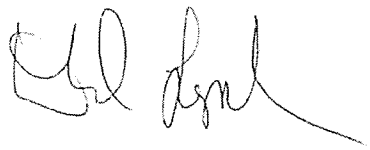
Exhibit C is a map showing the current FCC F(50,50) 70 dBu contour of KAHM. The KAHM principal community contour reaches 100% of the Prescott Valley-Prescott, AZ Urbanized Area and 75.2% of the Flagstaff, AZ Urbanized Area. Therefore the KAHM license facility is considered to be providing service to two Urbanized Areas.

Exhibit D is a map showing the proposed FCC F(50,50) 70 dBu contour of KAHM. The proposed KAHM as modified to specify Spring Valley as the community of license will continue to provide 100% coverage of the Prescott Valley-Prescott AZ Urbanized Area. The contour will no longer cover any of the Flagstaff Urbanized Area. The Flagstaff Urbanized Area will continue to receive service from 18 to 22 full power AM and FM stations. There will be no change to the number of services received at either Prescott or Spring Valley. Prescott will continue to receive service from between 19 and 26 full power AM and FM stations, and Spring Valley will continue to receive service from 12 to 14 full power AM and FM stations. The

proposed KAHM FCC F(50,50) 70 dBu contour will reach only 3.4% of the Phoenix-Mesa, AZ Urbanized Area and none of the Goodyear-Avondale, AZ Urbanized Area.

Exhibit E is a map showing the Section 73.207 spacing distances to the stations that prohibit KAHM from relocating to any tower site that would provide an FCC F(50,50) 70 dBu contour to 50% or more or any other Urbanized Area. The only other Urbanized Areas within 150 kilometers of the proposed KAHM application site are Phoenix-Mesa, AZ and Avondale-Goodyear, AZ. Those two Urbanized Areas are shown on the Exhibit D map. It is not possible for KAHM to provide 50% or greater coverage to either of these Urbanized Areas.

Exhibit F is additional indicia supporting Southwest's belief that Spring Valley, Arizona qualifies as a "community" for Commission licensing purposes. Data from the 2010 Census has been released since the KAHM application was filed. Spring Valley continues to be listed by the U.S. Census Bureau as a "CDP", Census Designated Place. The population of Spring Valley has increased by 12.6 percent, from 1,019 to 1,148 persons. The supplement includes numerous references including news stories, real estate listings and advertisements for local businesses that all refer to Spring Valley in a manner consistent with a "community".



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Date: November 28, 2012


Exhibit A - Map 1
KAHM(FM) Channel 271C Spring Valley, AZ
Map showing entire loss area
KAHM LOSS AREA
Tuba City
Hotev
rings
Leupp
KZKE
Williams
KYET
KTZA-C
NEW-C
KZGL-C
KAFF/NA
KSED-FM
KAZM
KDDL
Chino Valley
Cottonwood
KFLX
KYBC
KVRD-FM
Montezuma
Prescott Valley
Camp Verde
Bagdad
KTMG-C
KMOG
KJPN
KMZQ-FM
KAJM
Black Canyon City
KBMB
Wickenburg
Cave Creek
KZAI
Sun City West
Fountain Hills
Glendale
Scottsdale
Phoenix
Avondale
KTAR
Mesa
Apache Junction
V-Soft Com
FM FCC F(50,50) 60 dBu contours show in Red
AM 2.0 mV/M daytime contours shown in Blue
Scale 1:1,500,000
km
0 10 20 30

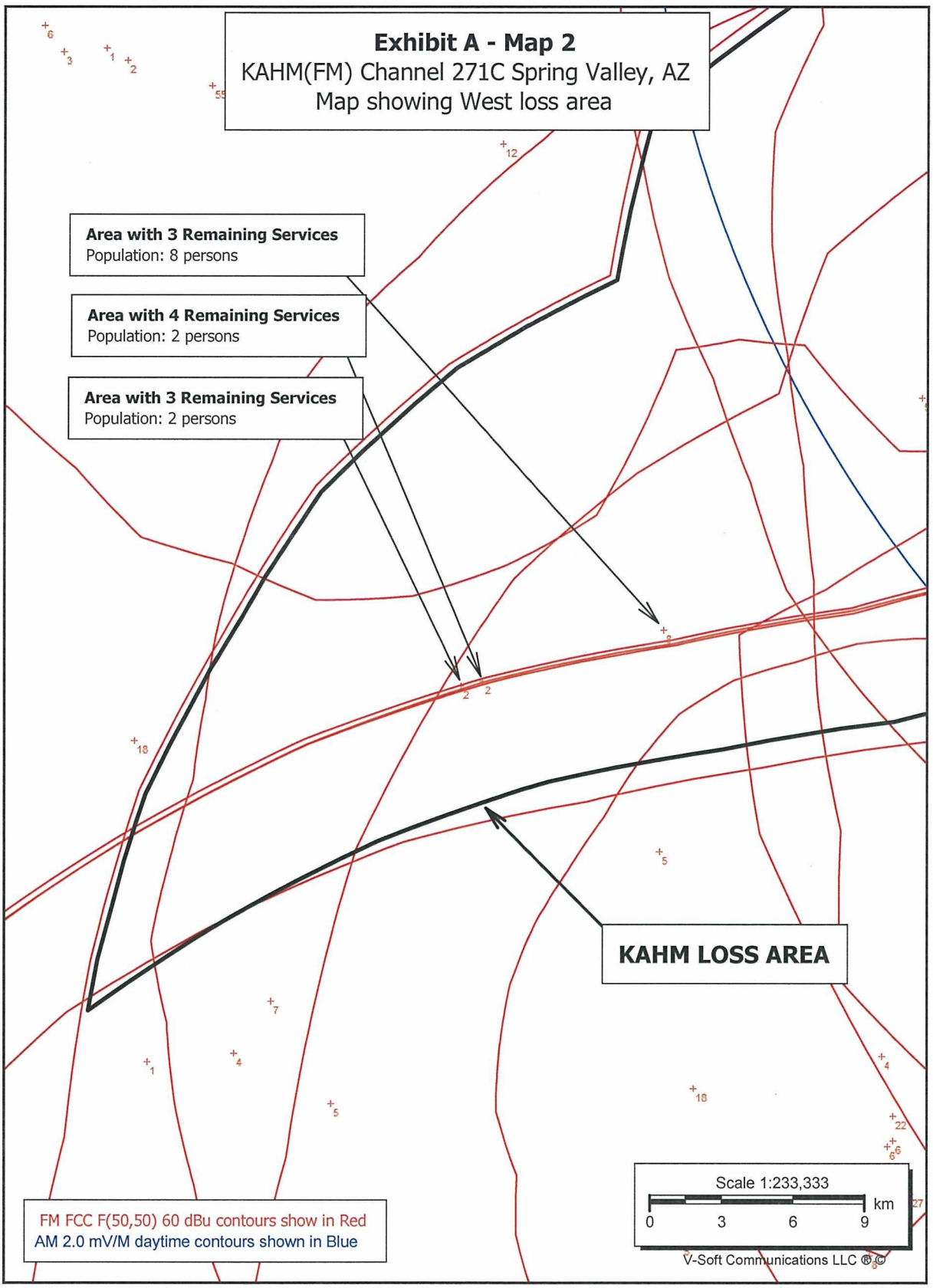


Exhibit A - Map 2
KAHM(FM) Channel 271C Spring Valley, AZ
Map showing West loss area
Area with 3 Remaining Services
Population: 8 persons
Area with 4 Remaining Services
Population: 2 persons
Area with 3 Remaining Services
Population: 2 persons
KAHM LOSS AREA
FM FCC F(50,50) 60 dBu contours show in Red
AM 2.0 mV/M daytime contours shown in Blue
Scale 1:233,333
km
0
3
6
9
V-Soft Communications LLC ®©

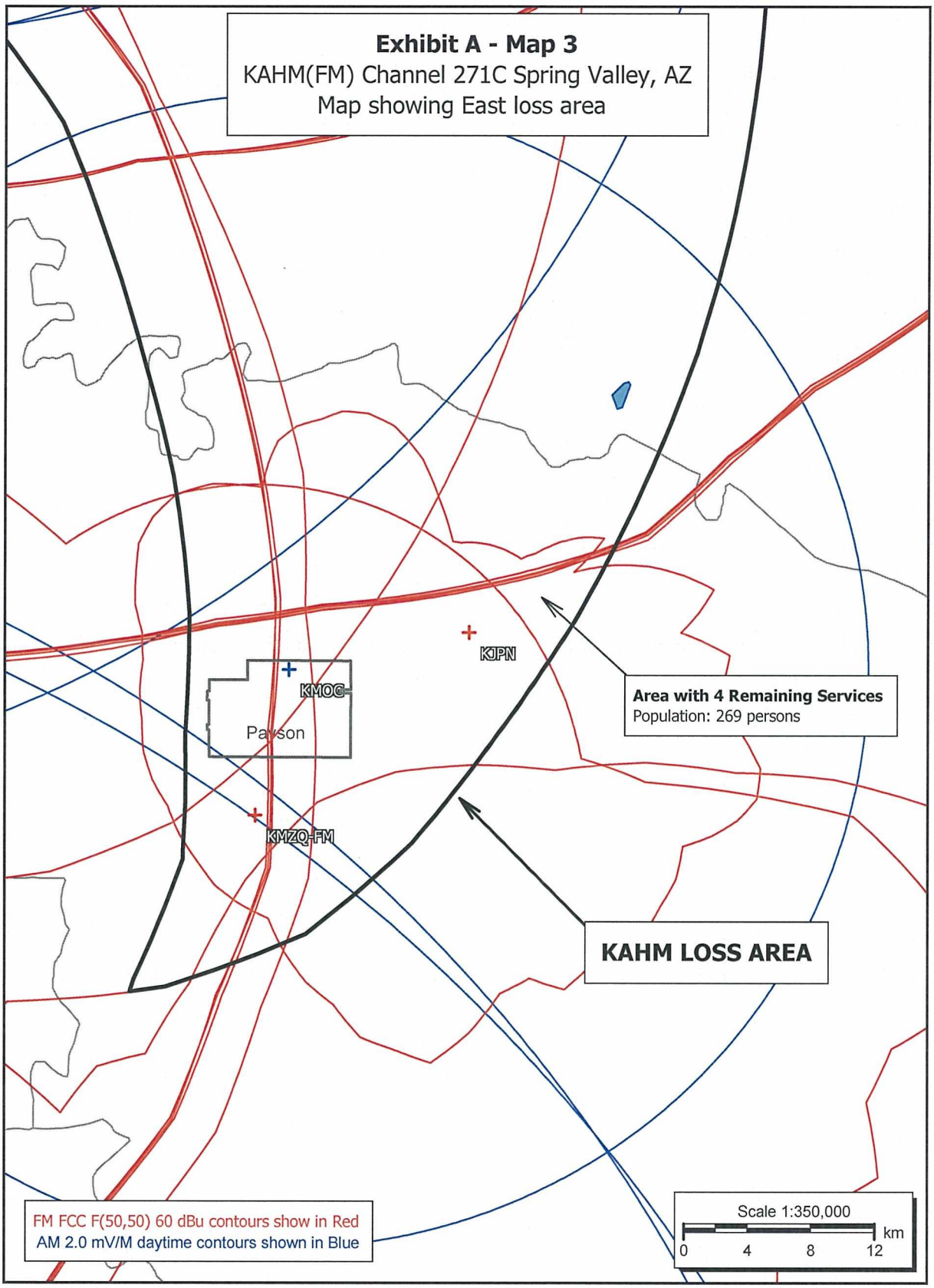


Exhibit A - Map 3
KAHM(FM) Channel 271C Spring Valley, AZ
Map showing East loss area
KJPN
KMOC
Payson
KMZQ-FM
Area with 4 Remaining Services
Population: 269 persons
KAHM LOSS AREA
FM FCC F(50,50) 60 dBu contours show in Red
AM 2.0 mV/M daytime contours shown in Blue
Scale 1:350,000
km
0
4
8
12

TABLE ONE

TABLE OF STATIONS SHOWN
REMAINING SERVICES IN KAHM LOSS AREA

Call Sign	Lic	Chan.	Svc	Cls	City	ST	DA	Power
KNAU	LIC	204	M	C	Flagstaff	AZ	No	100.0
KJPN	LIC	207	M	A	Payson	AZ	No	0.1
KJZA.C	CP	208	M	C2	Drake	AZ	Yes	1.0
KJTA	LIC	210	M	C2	Flagstaff	AZ	No	1.0
KZAI	LIC	210	M	C	Superior	AZ	Yes	45.0
KGCB	LIC	215	M	C	Prescott	AZ	No	58.0
KPUB	LIC	219	M	C3	Flagstaff	AZ	No	0.5
KFLX	LIC	223	M	A	Chino Valley	AZ	No	1.5
KAFF-FM	LIC	225	M	C	Flagstaff	AZ	No	100.0
KMGN.C	CP	230	M	C0	Flagstaff	AZ	No	98.0
KDDL	LIC	232	M	C3	Chino Valley	AZ	No	4.1
KVIB	LIC	236	M	C	Sun City West	AZ	No	41.0
KKLD	LIC	240	M	C0	Cottonwood	AZ	No	21.0
KWMX	LIC	244	M	C2	Williams	AZ	No	10.5
KMVA	LIC	248	M	C	Dewey-humboldt	AZ	No	42.0
KKFR	LIC	252	M	C	Mayer	AZ	No	41.0
KZXK.C	CP	255	M	C3	Doney Park	AZ	No	0.54
KTMG.C	CP	256	M	C3	Prescott	AZ	No	25.0
KMZQ-FM	LIC	257	M	C3	Payson	AZ	No	17.0
NEW.C	CP	259	M	C2	Ash Fork	AZ	No	10.5
KVNA-FM	LIC	261	M	C2	Flagstaff	AZ	No	5.3
KNRJ	LIC	266	M	C	Cordes Lakes	AZ	No	40.0
KQST	LIC	275	M	C	Sedona	AZ	No	100.0
KZKE	LIC	277	M	C3	Seligman	AZ	No	7.7
KZGL	LIC	279	M	C3	Flagstaff	AZ	No	0.56
KAJM	LIC	282	M	C	Camp Verde	AZ	No	40.0
KBTK	LIC	286	M	C2	Kachina Village	AZ	No	5.0
KVRD-FM	LIC	289	M	C3	Cottonwood	AZ	No	0.3
KFSZ	LIC	291	M	C2	Munds Park	AZ	No	4.3
KSED	LIC	298	M	C0	Sedona	AZ	No	100.0

KFYI	550	PHOENIX	AZ
KVNA	600	FLAGSTAFF	AZ
KTAR	620	PHOENIX	AZ
KBMB	710	BLACK CANYON CITY	AZ
KAZM	780	SEDONA	AZ
KAFF	930	FLAGSTAFF	AZ
KYET	1180	WILLIAMS	AZ
KINO	1230	WINSLOW	AZ
KMOG	1420	PAYSON	AZ
KYBC	1600	COTTONWOOD	AZ

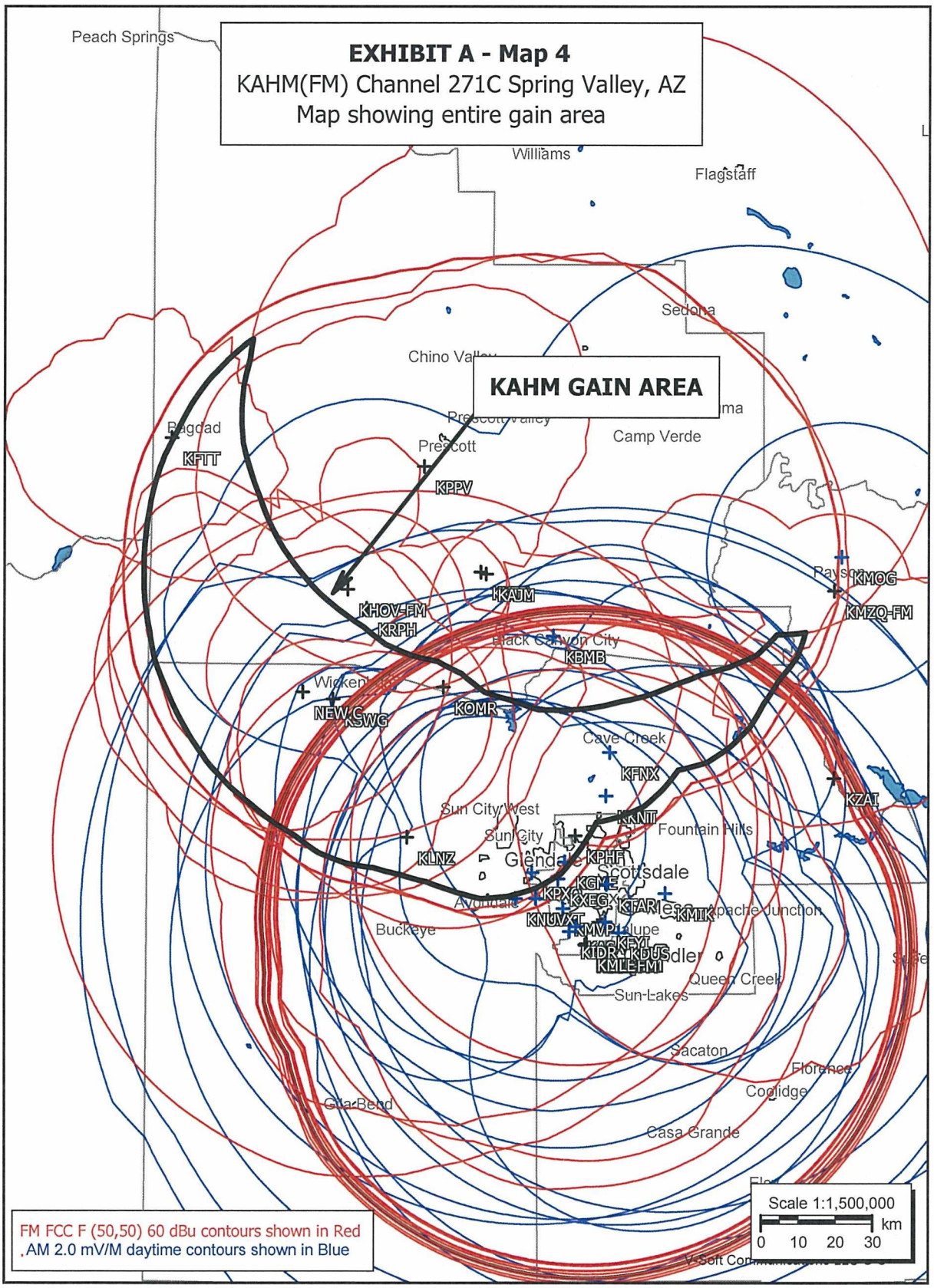


EXHIBIT A - Map 4
KAHM(FM) Channel 271C Spring Valley, AZ
Map showing entire gain area
KAHM GAIN AREA
Peach Springs
Williams
Flagstaff
Sedona
Chino Valley
Prescott Valley
Prescott
Camp Verde
Bagdad
KFTT
KPPV
KAJM
KHOV-FM
KRPH
Black Canyon City
KBMB
Wickenburg
NEW CSWG
KOMR
KMOG
KMZQ-FM
Cave Creek
KFNX
KZAI
Sun City West
Sun City
KANT
Fountain Hills
KLNZ
KPHF
Glendale
Scottsdale
KGME
KXEG
KFAR
KMIK
Apache Junction
Avondale
Buckeye
KIDR
KDUS
KMLE-FM1
Queen Creek
Sun Lakes
Sacaton
Florence
Coolidge
Gila Bend
Casa Grande
FM FCC F (50,50) 60 dBu contours shown in Red
.AM 2.0 mV/M daytime contours shown in Blue
Scale 1:1,500,000
km
0 10 20 30

TABLE TWO

TABLE OF STATIONS SHOWN
REMAINING SERVICES IN KAHM GAIN AREA

Call Sign	Lic	Chan.	Svc	Cls	City	ST	DA	Power
KPHF/KPHF	LIC	202	M	C1	Phoenix	AZ	No	22.5
KLVK	LIC	206	M	C0	Fountain Hills	AZ	Yes	30.0
KBAQ	LIC	208	M	C1	Phoenix	AZ	Yes	30.0
KZAI	LIC	210	M	C	Superior	AZ	Yes	45.0
KFLR-FM	LIC	212	M	C	Phoenix	AZ	Yes	100.0
KGCB	LIC	215	M	C	Prescott	AZ	No	58.0
KJZZ	LIC	218	M	C	Phoenix	AZ	No	100.0
KTAR-FM	LIC	222	M	C	Glendale	AZ	No	100.0
KDKB	LIC	227	M	C	Mesa	AZ	No	100.0
KOOL-FM	LIC	233	M	C	Phoenix	AZ	No	100.0
KVIB	LIC	236	M	C	Sun City West	AZ	No	41.0
KYOT-FM	LIC	238	M	C	Phoenix	AZ	No	100.0
KSWG	LIC	242	M	C3	Wickenburg	AZ	Yes	6.4
KMXP	LIC	245	M	C	Phoenix	AZ	No	100.0
KMVA	LIC	248	M	C	Dewey-humboldt	AZ	No	42.0
KUPD	LIC	250	M	C	Tempe	AZ	No	100.0
KKFR	LIC	252	M	C	Mayer	AZ	No	41.0
KPKX	LIC	254	M	C	Phoenix	AZ	No	100.0
KMZQ-FM	LIC	257	M	C3	Payson	AZ	No	17.0
KRPH	LIC	258	M	C2	Morristown	AZ	No	50.0
KESZ	LIC	260	M	C	Phoenix	AZ	No	100.0
KSLX-FM	LIC	264	M	C	Scottsdale	AZ	No	100.0
KNRJ	LIC	266	M	C	Cordes Lakes	AZ	No	40.0
KZON	LIC	268	M	C	Phoenix	AZ	No	100.0
KAHM.A	APP	271	M	C	Spring Valley	AZ	No	25.5
KNIX-FM	LIC	273	M	C	Phoenix	AZ	No	100.0
KLNZ	LIC	278	M	C	Glendale	AZ	No	62.0
KAJM	LIC	282	M	C	Camp Verde	AZ	No	40.0
KZZP	LIC	284	M	C	Mesa	AZ	No	100.0
KHOV-FM	LIC	287	M	C2	Wickenburg	AZ	No	6.0
KOMR	LIC	292	M	C2	Sun City	AZ	No	23.0
KPPV	LIC	294	M	C2	Prescott Valley	AZ	No	3.7
NEW.C	CP	297	M	C2	Aguila	AZ	Yes	50.0
KFTT	LIC	299	M	C3	Bagdad	AZ	No	1.0
KMLE	LIC	300	M	C	Chandler	AZ	No	100.0

KFYI	550	PHOENIX	AZ
KTAR	620	PHOENIX	AZ
KBMB	710	BLACK CANYON CITY	AZ
KIDR	740	PHOENIX	AZ
KMVP	860	PHOENIX	AZ
KGME	910	PHOENIX	AZ
KKNT	960	PHOENIX	AZ
KXXT	1010	TOLLESON	AZ
KDUS	1060	TEMPE	AZ
KFNX	1100	CAVE CREEK	AZ
KNUV	1190	TOLLESON	AZ
KXEG	1280	PHOENIX	AZ
KPXQ	1360	GLENDALE	AZ
KMOG	1420	PAYSON	AZ
KFNN	1510	MESA	AZ
KASA	1540	PHOENIX	AZ
KMIK	1580	TEMPE	AZ

EXHIBIT B
KAHM FCC 307(b) calculations

	Loss	Gain
First Priority	0	0
Second Priority	0	0
Priority 3	0	0
Fourth Priority[1]	118,461	1,461,981
Fourth Priority[2]	281	0

FCC 307(b) Communications Act - Allotment Priorities
First Priority: Service to white areas - First full-time aural service
Second Priority: Service to gray areas - Second full-time aural service
Third Priority: First Local Transmission Service
[1] Fourth Priority: Other public service matters - persons receiving an additional reception service
[2] Fourth Priority: Other public serivce matters - Underserved Areas - area where residents receive between two and four reception services.

Exhibit C
KAHM Channel 271C Prescott, AZ
Service to Urbanized Areas
FCC F(50,50) 70 dBu contour shown
(2010 U.S. Census Urbanized Area boundaries shown

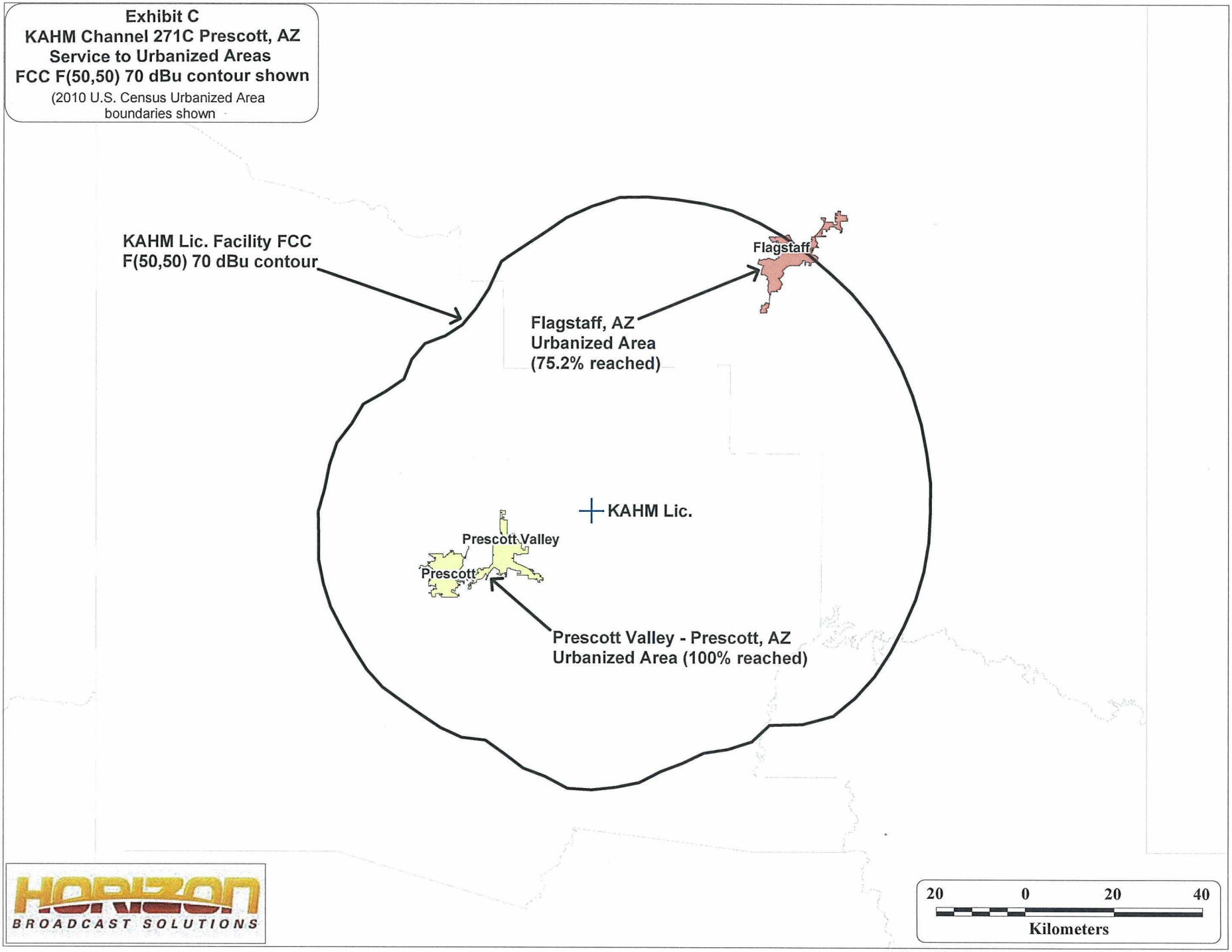
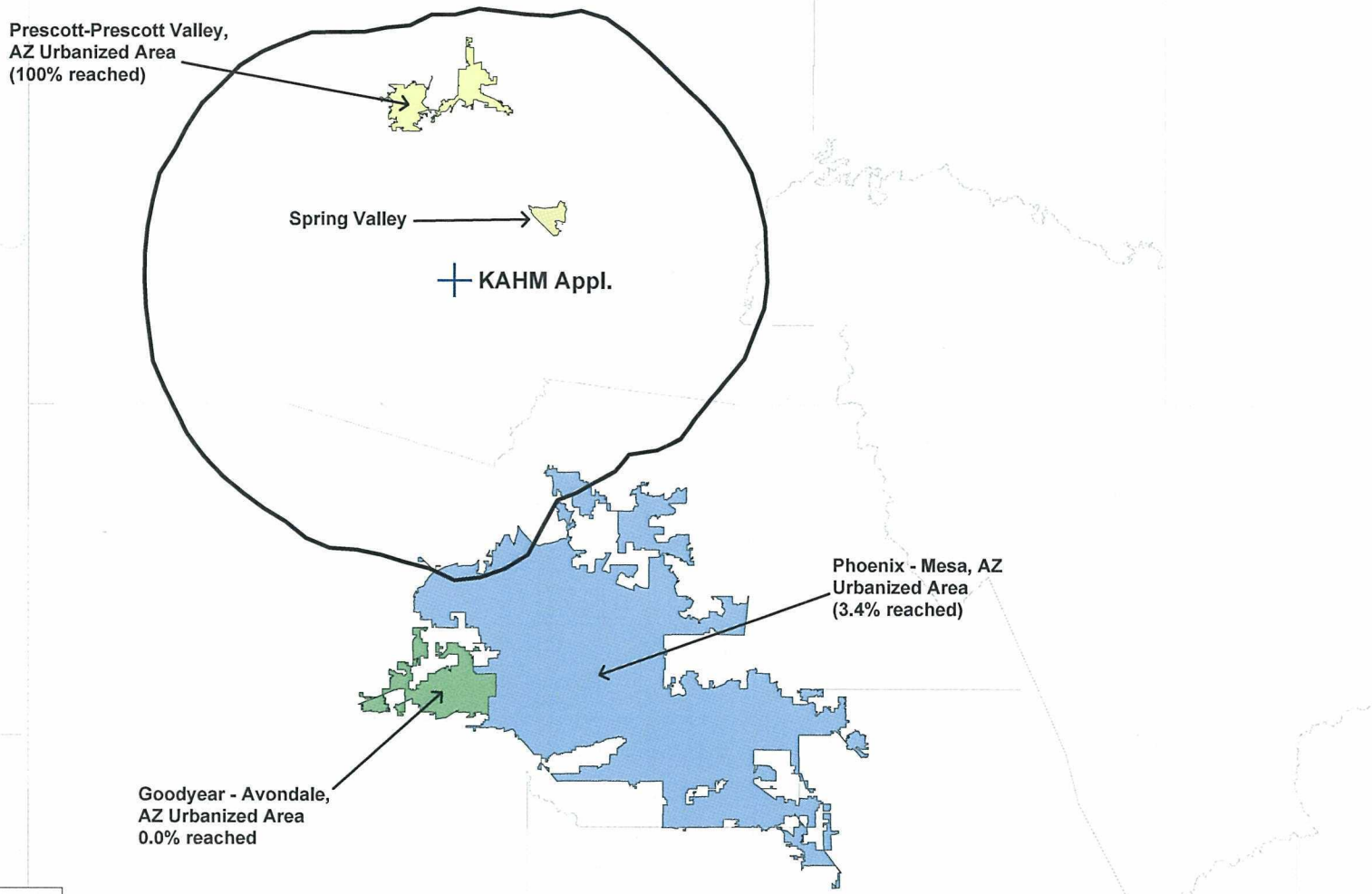


Exhibit D
KAHM Channel 271C Spring Valley, AZ
Proposed Service to Urbanized Areas
FCC F(50,50) 70 dBu contour shown

(2010 U.S. Census Urbanized Area boundaries shown)



HORIZON BROADCAST SOLUTIONS

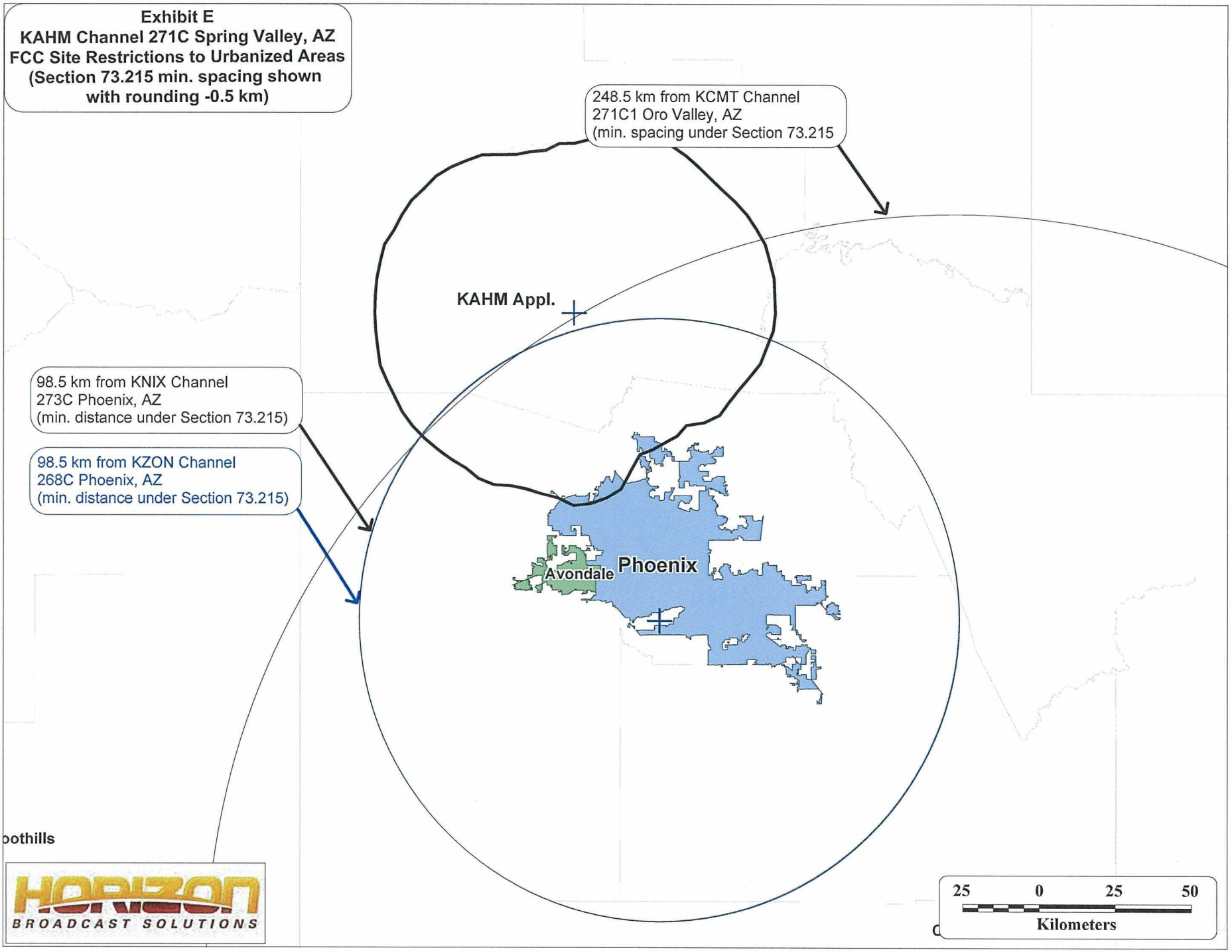


Exhibit E
KAHM Channel 271C Spring Valley, AZ
FCC Site Restrictions to Urbanized Areas
(Section 73.215 min. spacing shown
with rounding -0.5 km)
248.5 km from KCMT Channel
271C1 Oro Valley, AZ
(min. spacing under Section 73.215
KAHM Appl.
98.5 km from KNIX Channel
273C Phoenix, AZ
(min. distance under Section 73.215)
98.5 km from KZON Channel
268C Phoenix, AZ
(min. distance under Section 73.215)
Avondale
Phoenix
oothills
HORIZON
BROADCAST SOLUTIONS
25 0 25 50
Kilometers

TABLE THREE:
Granular Analysis of Population and # of Services in Gain Loss Areas

Pop Summary:	Loss Area	Gain Area
Population covered by 0 Servers	0	0
Population covered by 1 Servers	0	0
Population covered by 2 Servers	0	0
Population covered by 3 Servers	10	0
Population covered by 4 Servers	271	0
Population covered by 5 Servers	3,061	0
Population covered by 6 Servers	1,534	0
Population covered by 7 Servers	3,152	396
Population covered by 8 Servers	5,247	1,727
Population covered by 9 Servers	489	8
Population covered by 10 Servers	1,418	3
Population covered by 11 Servers	7,094	5
Population covered by 12 Servers	332	129
Population covered by 13 Servers	95	1,027
Population covered by 14 Servers	4,775	66
Population covered by 15 Servers	462	1,798
Population covered by 16 Servers	555	310
Population covered by 17 Servers	12,206	247
Population covered by 18 Servers	952	372
Population covered by 19 Servers	7,084	870
Population covered by 20 Servers	56,106	656
Population covered by 21 Servers	10,473	5,736
Population covered by 22 Servers	65	174
Population covered by 23 Servers	817	2
Population covered by 24 Servers	2,209	6
Population covered by 25 Servers	18	157
Populaton covered by 26 Servers	6	34
Population covered by 27 Servers	30	118
Population covered by 28 Servers	0	0
Population covered by 29 Servers	0	24
Population covered by 30 Servers	0	0
Population covered by 31 Servers	0	0
Population covered by 32 Servers	0	10
Population covered by 33 Servers	0	65
Population covered by 34 Servers	0	1
Population covered by 35 Servers	0	32
Population covered by 36 Servers	0	70
Population covered by 37 Servers	0	302
Population covered by 38 Servers	0	169
Population covered by 39 Servers	0	2,912
Population covered by 40 Servers	0	11,548
Population covered by 41 Servers	0	43,455
Population covered by 42 Servers	0	264,506
Population covered by 43 Servers	0	1,066,480
Population covered by 44 Servers	0	51,115
Population covered by 45 Servers	0	7,451
Total	118,461	1,461,981

CERTIFICATE OF SERVICE

I, Brenda Chapman, hereby certify that on this 20th day of February, 2013, a copy of the foregoing "Opposition to Petition for Reconsideration" was delivered via first class, U.S. mail, postage prepaid or via e-mail where indicated to the following:

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Brenda Chapman
Brenda Chapman

**VIA E-MAIL