

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Reclassification of License)	
of FM Station KGGO,)	RM-11390
Des Moines, Iowa)	

ORDER TO SHOW CAUSE

Adopted: October 17, 2007

Released: October 19, 2007

Comment Date: December 10, 2007

By the Assistant Chief, Audio Division, Media Bureau:

1. Before the Audio Division is a Petition for Rule Making filed by KM Radio of Independence, LLC (“Petitioner”), requesting the allotment of Channel 238A at Mineral Point, Wisconsin, as its first local service; substitution of Channel *254A for vacant Channel *238A at Asbury, Iowa; and substitution of Channel 237A for Channel 236A at Maquoketa, Iowa and modification of the Station KMAQ-FM license to facilitate the community of license application,¹ proposing the reallocation of Station KQMG-FM from Independence to Solon, Iowa in compliance with Section 1.420(i) of the Commission’s Rules (the “Rules”).² To accommodate the proposed Maquoketa channel substitution and Solon community of license application, Petitioner requests the reclassification of Station KGGO(FM), Channel 235C, to specify operation on Channel 235C0. Station KGGO(FM) currently operates on Channel 235C with an effective radiated power (“ERP”) of 100 kilowatts at 325 meters height above average terrain (“HAAT”). As such, Station KGGO(FM) is subject to reclassification as a Class C0 facility, since it is operating below the minimum Class C antenna height requirements of at least 451 meters HAAT.³

2. Section 316(a) of the Communications Act of 1934, as amended, permits the Commission to modify an authorization if such action is in the public interest.⁴ Further, pursuant to Section 316(a), we are required to notify the affected station of the proposed action, as well as the public interest reasons for the action, and afford at least 30 days to respond. This procedure is set forth in Section 1.87 of the Rules.⁵ In

¹ See File No. BPH-20070119AEI.

² See 47 C.F.R. § 1.420(i).

³ See *1998 Biennial Regulatory Review—Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission’s Rules*, Second Report and Order, 15 FCC Rcd 21,649 (2000) (“*Second Report and Order*”), and 47 C.F.R. §§ 1.420(g), n. 2, and 73.3573, n. 4.

⁴ 47 U.S.C. § 316(a).

⁵ See *Modification of FM and Television Licenses Pursuant to Section 316 of the Communications Act*, 2 FCC Rcd 3327 (1987).

this instance, a Class C0 reclassification of Station KGGO(FM) at Des Moines would accommodate the Petitioner's request to substitute Channel 237A for Channel 236A at Maquoketa for Station KMAQ-FM and the reallocation of Station KQMG-FM from Independence to Solon, Iowa, as its first local service. Therefore, we find the Petitioner's request has sufficient public interest benefits and justifies the issuance of an order to show cause.

3. The reclassification of a Class C FM station to a Class C0 station may be initiated through the filing of a petition for rule making to amend the FM Table of Allotments or FM broadcast application.⁶ In instances where the reclassification involves a petition, amending the FM Table of Allotments in addition to the proposed reclassification of a Class C FM station, the Commission must issue an order to show cause as set forth in Section 73.3573, note 4, of the Rules. In such circumstances, a notice of proposed rule making will be issued only after the reclassification issue has been resolved.

4. A petitioner proposing both Amendment of the FM Table of Allotments and reclassification of a Class C FM station must certify that no alternative channel is available for the proposed service.⁷ Petitioner has submitted such certification. Therefore, in order to comply with the Commission's Class C0 reclassification procedures, we must issue this *Order to Show Cause* directed to Citadel Broadcasting Company ("Citadel"), licensee of Station KGGO(FM) at Des Moines, Iowa. Citadel is required to show cause why its license should not be modified to specify operation on Channel 235C0 in lieu of Channel 235C at Des Moines.

5. The license for Station KGGO(FM) (File No. BLH-19840210AD) at Des Moines, Iowa, can be modified to Channel 235C0 at its current authorized transmitter site located at coordinates 41-37-54 NL and 93-27-24 WL. Pursuant to 47 C.F.R. Section 1.87, Citadel, no later than December 10, 2007, may file a written statement showing with particularity why its respective license (File No. BLH-19840210AD) should not be modified as proposed in this *Order to Show Cause*. The Commission may call on Citadel to furnish additional information. If Citadel raises a substantial and material question of fact, a hearing may be required to resolve such a question pursuant to Section 1.87. Upon review of the statements and/or additional information furnished, the Commission may grant the modifications, deny the modifications, or set the matter of modifications for hearing. If no written statement is filed by the date referred to above, Citadel will be deemed to have consented to the modification as proposed in this *Order to Show Cause* and a final *Order* will be issued by the Commission, if the channel modification is found to be in the public interest.

6. If Citadel chooses to seek authority to modify its facilities, an acceptable application for a construction permit to increase the antenna height to at least 451 meters HAAT for Station KGGO(FM) must be filed with the Commission within 180 days subsequent to the show cause response due date (XXX). Upon the grant of construction permit application instead of the filing of an acceptable application, the proposal to allot Channel 238A at Mineral Point, Wisconsin, will be dismissed since the proposed reclassification of Station KGGO(FM) is also triggered by the Station KQMG-FM community of license

⁶ *Second Report and Order, supra*, and 47 C.F.R. § 1.420, n.2.

⁷ See 47 C.F.R. §§ 73.3573, n. 4 and 1.420(g), n.2. See also *Second Report and Order*, 15 FCC Rcd at 21,662, ¶ 26.

application. The present three-year construction period will be applicable if a construction permit is obtained by Citadel for Channel 235C, as specified herein, under this procedure. If the construction is not completed as authorized, Station KGGO(FM) is subject to reclassification automatically as a Class C0 station, and, in that event, a new petition for rule making to allot Channel 238A at Mineral Point, Wisconsin and FM application to change the community of license of Station KQMG-FM to Solon, may be refiled.

7. IT IS FURTHER ORDERED, That the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, SHALL Send a copy of this *Order to Show Cause* by Certified Mail, Return Receipt Requested, to the following licensee and its counsel:

Citadel Broadcasting Company
7201 W Lake Mead Blvd, Suite 400
Las Vegas, NV 89128

8. For further information concerning this proceeding, contact Rolanda F. Smith, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau