

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	
Table of Allotments,)	MB Docket No. 02-14
FM Broadcast Stations.)	RM-10358
(Ketchum, Jerome, and Rupert, Idaho,)	RM-10764
and Coalville, Naples, Huntsville, South Jordan,)	
Tooele, Wellington, Castle Dale, Salina,)	
Parowan and Payson, Utah.)	
)	

ORDER TO SHOW CAUSE

Adopted: November 12, 2003

Released: November 14, 2003

By the Assistant Chief, Audio Division:

1. The Audio Division has before it the *Notice of Proposed Rule Making* proposing the allotment of Channel 224A to Ketchum, Idaho.¹ In response to the *Notice*, Millcreek Broadcasting, L.L.C., Community Wireless of Park City, Inc., and George S. Finn, Jr. (“Joint Parties”) jointly filed a Counterproposal. The Counterproposal involved interrelated channel substitutions at thirteen communities in Idaho and Utah. Included in that Counterproposal was a proposal to substitute Channel 223C for Channel 221C3 at Tooele, Utah, reallocate Channel 223C to South Jordan, Utah, and modify the Station KUUU license to specify operation on Channel 223C at South Jordan. In order to accommodate this reallocation and upgrade, it is necessary to substitute Channel 221A for Channel 222A at Payson, Utah, and modify the license of Station KTCE to specify operation on Channel 221A at Payson. For the reasons discussed below, we are issuing this *Order to Show Cause* directed to Moenkopi Communications, Inc., licensee of Station KTCE, Channel 222A, Payson, Utah.

2. In order to proceed with our analysis of the Counterproposal and the ultimate resolution of this proceeding, it is first necessary to issue this *Order to Show Cause* directed Moenkopi Communications, Inc. to show cause why its Station KTCE license should not be modified to specify operation on Channel 221A in lieu of Channel 222A at Payson. Section 316(a) of the Communications Act of 1934, as amended, permits us to modify a license or construction permit if such action is in the public interest. Section 316(a) requires that we notify the affected stations 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.² In this instance, the substitution of Channel 221A at Payson will accommodate the Station KUUU reallocation and upgrade. This results in a first local service to South Jordan and a net gain in service to 1,130,525 persons. We consider these to be significant public interest benefits.

¹ *Ketchum, Idaho, 17 FCC Rcd 1660 Med. Bur. 2002*).

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

3. The Station KTCE license at Payson can be modified to specify operation on Channel 221A at its currently authorized transmitter site.³ The Joint Parties have agreed to reimburse Communications for the reasonable costs incurred in connection with the change of the Station KTCE channel.

4. Accordingly, IT IS ORDERED, That pursuant to Section 316(a) of the Communications Act of 1934, as amended, Moenkopi Communications, Inc., licensee of Station KTCE, Payson, Utah, SHALL SHOW CAUSE why its license should not be changed to specify operation on Channel 221A in lieu of Channel 222A.

5. Pursuant to Section 1.87 of the Commission's Rules, Moenkopi Communications, Inc. may, no later than December 29, 2003, file a written statement showing with particularity why its construction permit should not be modified as proposed in this *Order to Show Cause*. The Commission may call upon the licensee to furnish additional information. If the licensee raises a substantial and material question 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 licensee will be deemed to have consented to a modification as proposed in this *Order to Show Cause* and a final *Order* will be issued if the modification is found to be in the public interest.

6. IT IS FURTHER ORDERED, That a copy of this *Order to Show Cause* shall be sent BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to the following:

Moenkopi Communications, Inc.
2235 North University Parkway, Suite 15
Provo, Utah 84603-0010
(Licensee of Station KTCE)

7. For further information concerning this proceeding, contact Robert Hayne, Mass Media Bureau, (202) 418-2177,

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

³ The reference coordinates for the Channel 221A allotment at Payson, Utah, are 40-03-20 and 111-49-43.