

## FCC Clarifies Rural Radio Order for City of License Changes within a Market and From One Market to Another

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**Changing the city of license of a broadcast station** was made more difficult by the FCC's **rural radio order**. That order, about which [we wrote here](#), imposed substantial obstacles on broadcasters attempting to move their stations from rural areas into urbanized areas - making such moves difficult if not impossible in many cases. However, in two recent cases, the FCC clarified that decision so as to permit some changes to be made without the substantial new showings. Specifically, these cases permit the move of stations from one city within a market to another in the same market, or from one urbanized area to another, without doing the complex showing that might otherwise be required.

The rural radio decision had changed the an FCC policy that had favored, in allocations decisions, a **first transmission service** (i.e. the first station licensed to a community) to a large community within an urbanized area over a service to a less populous community, even if that community was outside an urbanized area. After the rural radio decision, there was a presumption that service to any community within an urbanized area was service to the entire urbanized area - so a first service to a suburban community, instead of being treated as the first transmission service to that community, was treated as if it were the 20th (or 30th or 40th, depending on the number of stations in the entire market) service to the urban area. Thus, the proposal would routinely not be entitled to a preference over a new service to a community outside of the urban area in the absence of a complex and convincing "**Tuck showing**" that analyzed a number of factors to show that the suburban community was independent of the central city in the urban area and that the proposed station would really meet the needs of this independent community, not of the whole urbanized area. In [one decision released last month](#), the FCC made clear that a **move from one city within an urbanized are to another within the same urbanized area did not need this Tuck showing**, as both were considered part of the same community for allocations purposes. In a variation on that theme in [a case released last week](#), the FCC's staff held that a **move of a station from one urban area to an adjacent urban area did not require the showing**. Presumably this was because each urban area would have dozens of services, so that loss of one service in one market and the gain in another would be inconsequential. Seemingly simple decisions, but ones that can save applicants significant time and trouble when filing city of license change applications for stations that are already located within urbanized areas.

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