

Laramie Mountain Broadcasting, LLC
FCC Form 301
Laramie, WY
Exhibit 23

As more particularly described in attached Figures 1 and 2, the proposed amended facilities will provide coverage to 87% of the population of Laramie. The Commission has determined that 80% city grade coverage of the community of license is substantial compliance with Rule 73.315 and does not require a waiver request. *See, Amendments of Parts 73 and 74 of the Commission's Rules to Permit Certain Minor Changes in Broadcast Facilities Without a Construction Permit*, 12 FCC Rcd 12371 (1997) (80% substantial compliance requirement applies to the FM city-coverage rule); *see also, Special Markets Media, Inc.*, 5 FCC Rcd 80 at ¶8 (1989) ("the Commission no longer requires a waiver of the city-grade coverage rule when more than 80% of the community of license will be served within the 3.16 mV/m contour"). *See also, Cloverdale, Montgomery and Warrior, Alabama*, 10 FCC Rcd 13630 at Note 4 (1995). *See also, John R. Hughes*, 50 FR 5679 at ¶9 (1985).

Laramie Mountain Broadcasting, LLC ("Laramie Mountain"), does not believe a waiver is necessary since it proposes to provide coverage to 87% of the population of Laramie with a city grade signal. Although the proposal provides city grade coverage to less than 80% (68.5%) of the total land area of Laramie, the important measure for service is service to people in the community and not to unpopulated areas, Laramie Mountain's proposal exceeds the Commission's minimum threshold requirements. To the extent necessary, Laramie Mountain seeks a waiver for covering less than 80% of the land area of Laramie. As already noted, however, good cause exists for waiver due to nearly 90% city grade coverage of the population.