



Federal Communications Commission
Washington, D.C. 20554

February 23, 2026

DA 26-180
In Reply Refer to:
1800B3-RFS

Troy G. Langham
VP, Technical Regulatory Affairs
IHM Licenses, LLC
7136 S. Yale Avenue
Suite 501
Tulsa, OK 74136

Re: WROV-FM, Martinsville, VA
Facility ID No. 37747
File No. 0000280438

Dear Mr. Langham:

This letter refers to the minor change application (Application) filed on behalf of IHM Licenses, LLC (IHM), licensee of station WROV-FM, Channel 242C1, Martinsville, Virginia. The Application proposes a community of license modification for station WROV-FM from Martinsville, Virginia, to New Castle, Virginia within the Roanoke, Virginia Urbanized Area (Roanoke UA). For the reasons discussed below, we request an amendment to the Application.

Background. The Application was filed pursuant to section 73.3573(g) of the Commission's rules,¹ which permits the modification of a station's authorization to specify a new community of license by minor modification application without allowing other interested parties to file a competing expression of interest. Among other requirements, an applicant for such a minor modification must demonstrate that the proposed change of community constitutes a preferential arrangement of assignments.² We make this determination using FM allotment priorities set forth in the *Revision of FM Assignment Policies and Procedures*.³

¹ See 47 CFR § 73.3573(g); see also *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); *Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, Report and Order, 21 FCC Rcd 14212, 14213-23, ¶¶ 4-18 (2006); and *Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures*, Second Report and Order, 26 FCC Rcd 2556, 2572-2578, ¶¶ 36-40 (2011) (*Rural Radio Second R&O*); *recon. granted in part*, Second Order on Reconsideration, 27 FCC Rcd 12829 (2012) (*Rural Radio Second Order*).

² 47 CFR § 73.3573(g)(1).

³ *Revision of FM Assignment Policies and Procedures*, Second Report and Order, 90 FCC 2d 88 (1982). The FM allotment priorities are: (1) First fulltime aural service, (2) Second fulltime aural service, (3) First local service and (4) Other public interest matters. Co-equal weight is given to Priorities (2) and (3).

In its Application, IHM states that the proposed WROV-FM community of license modification from Martinsville, Virginia, to New Castle, Virginia is considered under Priority (4),⁴ because the existing and proposed facilities cover 100 percent of the Roanoke UA.⁵ IHM claims that the proposed facilities are mutually exclusive with the licensed facilities. IHM contends that the proposed WROV-FM modification is considered an intra-urbanized area move within the Roanoke UA therefore no *Tuck* showing is required.⁶ IHM asserts that the proposed WROV-FM modification would result in a preferential arrangement of allotments under Priority (4), based on the increased population coverage within the proposed 60 dBu (74,208 persons) and 70 dBu (10,518 persons) contours.⁷

Discussion. We disagree with IHM assertion that the proposed change of community of license for station WROV-FM would be in the public interest based on a net gain of 74,208 persons within the proposed 60 dBu contour. A staff engineering analysis found that IHM's net gain population in the service contour is based on the allotment coordinates, which is inconsistent with the Commission's *Rural Radio* policy. Specifically, the Commission stated in the *Rural Radio Second Order* that when determining gain and loss areas for an FM station changing its community of license, the contours should be calculated using the authorized transmitter coordinates for the existing facility and the actual transmitter coordinates specified for the proposed new or modified facility.⁸ The staff engineering analysis determines that, based on the actual transmitter coordinates, the proposed WROV-FM modification to New Castle would provide an additional service to 9,942 persons within the proposed 70 dBu contour while resulting in a net loss of 137,657 persons within the proposed 60 dBu contour. The staff engineering analysis indicates that WROV-FM's existing licensed facilities at Martinsville covers 100 percent of the Roanoke UA and 61.5 percent of the Blacksburg—Christiansburg UA (Blacksburg UA), whereas the proposed facilities at New Castle covers 100 percent of both the Roanoke UA and Blacksburg UA.

Accordingly, we find that the proposed WROV-FM modification to New Castle is not in a preferential arrangement of allotments under Priority (4).⁹ We determine that the proposed WROV-FM modification results in a net loss of 133,322 persons within the Roanoke UA and Blacksburg UA.¹⁰ We conclude that the retention of a third local service at the larger community of Martinsville, Virginia (2020 U.S. census population of 13,485 persons) is preferred over the proposed smaller community of New Castle, Virginia (2020 U.S. Census population of 125 persons) within the Roanoke UA.

⁴ *Id.*

⁵ 307(b) showing at 2.

⁶ *Citing Gearhart, Madras, Manzanita, and Seaside, Oregon*, 26 FCC Rcd 10259, 10262 ¶ 9 (MB 2011) (“there is no need for a Tuck showing where both the station's existing and proposed communities of license are located within an Urbanized Area because such intra-urbanized area moves do not present the same concerns as rural to urban moves”).

⁷ 307(b) showing at 3 and 5.

⁸ *Rural Radio Second Order* at 12836 ¶ 14.

⁹ *Rural Radio Second Order* at 12841 ¶ 19 (stating that a station proposing to move within the same urbanized area is required to make a showing under Priority (4) by demonstrating from which of the two communities the station would provide service to a greater area and population within the urbanized area).

¹⁰ WHEE(AM) and WPIM(FM) is licensed to Martinsville. The loss area is considered well-served with least nine aural reception services, whereas the gain area is considered well-served with at least seven aural reception services.

Conclusion. We direct IHM to amend the Application. Pursuant to section 73.3522(c)(2) of the rules, “an applicant whose application is found to meet the minimum filing requirements but nevertheless is not complete and acceptable shall have the opportunity in the 30 days specified in the FCC staff’s deficiency letter to correct all deficiencies in the tender ability and acceptability of the underlying application, including any deficiency not specifically identified by the staff.”¹¹ Additionally, section 73.3564 states that “[a]pplications with uncorrected tender and/or acceptance defects remaining after the opportunity for corrective amendment will be dismissed with no further opportunity for amendment.”¹² This letter constitutes your opportunity for corrective amendment pursuant to section 73.3522.¹³

Further action on the subject application will be withheld for a period of thirty days from the date of this letter to provide the applicant an opportunity to respond. Failure to correct all tender and acceptance defects within thirty days from the date of this letter will result in the dismissal of the application with no further opportunity for corrective amendment pursuant to section 73.3564(a)(3).¹⁴ Furthermore, failure to respond within 30 days will result in the dismissal of the application pursuant to section 73.3568.¹⁵

Sincerely,

Nazifa Sawez
Assistant Chief
Audio Division
Media Bureau

¹¹ 47 CFR § 73.3522(c)(2).

¹² 47 CFR § 73.3564; *see also Amendment of Part 73 of the Commission's Rules to Modify Processing Procedures for Commercial FM Broadcast Applications*, Report and Order, 7 FCC Rcd 5074, 5080 Appendix B (1992).

¹³ 47 CFR § 73.3522.

¹⁴ 47 CFR § 73.3564(a)(3).

¹⁵ 47 CFR § 73.3568.