

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

In the Matter of	)	
	)	
Amendment of section 73.202(b), Table of Allotments, FM Broadcast Stations (Enterprise, Utah)	)	MB Docket No. 25-243
	)	RM-12006
	)	RM-12019
	)	
FM Application for Minor Modification for Station KXUT, Page, Arizona.	)	File No. 0000280777
	)	Facility ID No. 36340
	)	
FM Application for Minor Modification for Station KXQX, Tusayan, Arizona. <sup>1</sup>	)	File No. 0000280780
	)	Facility ID No. 762488

**REPORT AND ORDER**

**Adopted: April 22, 2026**

**Released: April 23, 2026**

By the Assistant Chief, Audio Division, Media Bureau:

**I. INTRODUCTION**

1. The Audio Division has before it a Notice of Proposed Rulemaking issued in response to a Petition for Rulemaking (Petition) filed by SSR Communications, Inc. (Petitioner).<sup>2</sup> Petitioner filed Comments.<sup>3</sup> Southwest Broadcasting, LLC, licensee of FM station KXUT, Page, Arizona and Estrella Broadcasting, LLC, licensee of FM station KXQX, Tusayan, Arizona (Joint Parties) filed a timely submission entitled Comments and Counterproposal.<sup>4</sup> No other comments or counterproposals were received in response to the *Notice*. For the reasons discussed below, we grant the Joint Parties’ Counterproposal, and allot an alternate Channel 265C3 at Enterprise, Utah, as the community’s second local service.

**II. BACKGROUND**

2. The *Notice* proposed the allotment of Channel 226C3 at Enterprise, Utah, as the community’s second local service under Priority (4).<sup>5</sup> Enterprise is an incorporated community with a

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<sup>1</sup> The FM minor modification applications for stations KXUT, Page, Arizona and KXQX, Tusayan, Arizona have been added to the caption and will be treated as a Counterproposal (RM-12019) in this proceeding. *See Office of the Secretary’s Reference Information Center, Petition for Rulemaking Filed*, Public Notice, Report No. 3219, 2026 WL 806594 (OMD Mar. 12, 2026).

<sup>2</sup> *See Enterprise, Utah*, Notice of Proposed Rulemaking, 40 FCC Rcd 5955 (MB 2025) (*Notice*). Due to the government shutdown, the *Notice’s* comment deadline was revised to November 18, 2025. *See Revisions to Deadlines Following Resumption of Normal Operations*, Public Notice, DA 25-943 (Nov. 17, 2025) (announcing filing deadlines for filings that were due between October 1, 2025 and November 17, 2025, were due by November 18, 2025).

<sup>3</sup> Comments on Proposed Rule Making of Petitioner (filed Aug. 18, 2025) (Comments).

<sup>4</sup> Comments and Counterproposal of Joint Parties (filed Nov. 18, 2025) (Joint Parties’ Counterproposal).

<sup>5</sup> *See Notice* at 5956 ¶ 3.

2020 U.S. Census population of 2,027 persons.<sup>6</sup> In response to the *Notice*, Petitioner filed Comments reiterating its expression of interest in Channel 226C3 at Enterprise. Petitioner states that, if the channel is allotted, it will prosecute its application,<sup>7</sup> participate in any FM auction for the Enterprise allotment, and if it is the winning bidder, it will promptly construct the facilities in the event the Commission grants its application for a construction permit.

3. The Joint Parties' Counterproposal requests to upgrade and change the community of license for stations KXUT from Channel 227C2, Page, Arizona, to Channel 226C1, Orderville, Utah, as the community's first local service, and KXQX from Channel 223A, Tusayan, Arizona, to Channel 223C2, Big Water, Utah, as the community's first local service.<sup>8</sup> The Joint Parties state that the relocation of KXQX to Big Water will ensure that there is no loss of area associated with the relocation of KXUT to Orderville. The Joint Parties demonstrate that neither KXUT at Orderville nor KXQX at Big Water would provide or could be modified by minor modification to cover 50 percent or more of any urbanized area within the stations' 70 dBu contour.<sup>9</sup> The Joint Parties also state that they have no objection to a second local service at Enterprise; however, the public interest would be better served by providing first local services at Orderville and Big Water, Utah. To resolve the conflict with the *Notice*, the Joint Parties propose Channel 265C3 in lieu of Channel 226C3 at Enterprise.

### III. DISCUSSION

4. Generally, conflicting proposals are considered on a comparative basis consistent with the FM allotment priorities set forth in *Revision of FM Assignment Policies*.<sup>10</sup> In this instance, a comparison is no longer necessary since alternate Channel 265C3 is available at Enterprise, Utah.<sup>11</sup> We therefore allot alternate Channel 265C3 at Enterprise, Utah, as the community's second local service under Priority (4).<sup>12</sup> A staff engineering analysis determines that Channel 265C3 can be allotted to Enterprise consistent with the minimum distance separation requirements of the Commission's rules<sup>13</sup> with a site restriction of 15 kilometers (9.3 miles) west of the community at reference coordinates 37-35-27 NL and 113-54-02 WL.

5. We grant the Joint Parties' Counterproposal pursuant to section 73.3573(g) of the

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<sup>6</sup> Enterprise has its own U.S. Post Office and zip code (84725), a municipal government, Enterprise Elementary School, Enterprise High School, Enterprise Fire Department, Enterprise Library, Enterprise Community Center, Enterprise City Cemetery, churches, numerous civic organizations, and businesses. See *Notice* at 5955 ¶ 2.

<sup>7</sup> Application File No. 0000276218.

<sup>8</sup> Orderville, Utah (2020 U.S. Census population of 598 persons) and Big Water, Utah (2020 U.S. Census population of 449 persons) are both incorporated towns located in Kane County. See Counterproposal at 4.

<sup>9</sup> Counterproposal at 17. See also *Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures*, Second Report and Order, 26 FCC Rcd 2556, 2576-2578, ¶¶ 36-40 (2011); *recon. granted in part*, Second Order on Reconsideration, 27 FCC Rcd 12829 (2012) (establishing an urbanized area service presumption (UASP) when the proposed community is located in an urbanized area or could, through a minor modification application, cover more than 50 percent of an urbanized area).

<sup>10</sup> See *Revision of FM Assignment Policies and Procedures*, Second Report and Order, 90 FCC 2d 88 (1982) (*Revision of FM Assignment Policies*). 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).

<sup>11</sup> See *Notice* at 5956 ¶ 6(b) (stating that the filing of a counterproposal may lead the Commission to allot a different channel than was requested in the *Notice*); see also *Pinewood, South Carolina*, Memorandum Opinion and Order, 5 FCC Rcd 7609 (1990) (approving the use of an alternate channel to resolve a conflict between mutually exclusive proposals).

<sup>12</sup> *Id.* *Revision of FM Assignment Policies* at note 10.

<sup>13</sup> 47 CFR § 73.207.

Commission's rules.<sup>14</sup> We find that the Joint Parties' Counterproposal would be a preferential arrangement of assignments under Priority (3).<sup>15</sup> Specifically, the KXUT relocation to Channel 226C1 at Orderville, Utah, as a first local service under Priority (3) is preferred over the retention of Channel 226C2 at Page, Arizona,<sup>16</sup> as a third local service under Priority (4),<sup>17</sup> and the KXQX relocation to Channel 223C2 at Big Water, Utah, as a first local service under Priority (3) is preferred over the retention of Channel 223A at Tusayan, as a second local service under (Priority (4)).<sup>18</sup> We determine that the proposed channels are mutually exclusive with the existing channels. In addition, the Joint Parties certify that they comply with the local public notice provisions of section 73.3580 of the Commission's rules.<sup>19</sup> A staff engineering analysis confirms that the Joint Parties' Counterproposal complies with the Commission's technical rules.<sup>20</sup> Accordingly, we modify FM stations KXUT's license and authorization from Channel 226C2, Page, Arizona, to specify operation on Channel 226C1, Orderville, Utah, as the community's first local service,<sup>21</sup> and KXQX's license from Channel 223A, Tusayan, Arizona, to specify operation on Channel 223C2, Big Water, Utah, as the community's first local service.<sup>22</sup>

6. *Paperwork Reduction and Regulatory Flexibility.* The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980, as amended,<sup>23</sup> do not apply to a rulemaking proceeding to amend the Table of FM Allotments, section 73.202(b) of the Rules.<sup>24</sup> This document does not contain information collection requirements subject to the Paperwork Reduction Act

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<sup>14</sup> 47 CFR § 73.3573(g). A station may change its community of license without subjecting itself to other expressions of interest if (1) the proposed community of license constitutes a preferential arrangement of assignments; (2) the proposed facilities are mutually exclusive with the current facilities; (3) the applicant complies with the local public notice provisions of 47 CFR § 73.3580(c)(5); and (4) non-reserved band applications demonstrate the existence of a suitable assignment or allotment site that fully complies with 47 CFR §§ 73.207 and 73.315. See 47 CFR § 73.3573(g)(1)-(4).

<sup>15</sup> *Supra*, *Revision of FM Assignment Policies* at note 10.

<sup>16</sup> KXUT currently has a construction permit authorization for Channel 226C2 at Page, Arizona. See Application File No. 000267597 (gr. May 5, 2025) (modifying the license to specify operation on Channel 226C2 in lieu of Channel 227C2 at Page, Arizona).

<sup>17</sup> Page, Arizona will receive local services from AM and FM Stations KPGE(AM) and KNAD(FM). See *Ehrenberg, Arizona et al.*, Report and Order, 29 FCC Rcd 11280 (MB 2014) (stating that the Application results in a preferential arrangement of allotments under Priority (3) because a first local service at North Shore, California is preferred over the retention of a third local service at Twentynine Palms, California under Priority (4)).

<sup>18</sup> Tusayan will receive local service from station KRXS(FM). See *Pike Road, Alabama et al.*, Report and Order, 29 FCC Rcd 13947 (MB 2014) (stating that the Counterproposal results in a preferential arrangement of allotments because the allotment of Channel 228A to Hope Hull, Alabama, as the community's first local service Priority (3) is preferred to the allotment of Channel 228A to Pike Road, Alabama, as the community's second local service Priority (4)).

<sup>19</sup> 47 CFR § 73.3580.

<sup>20</sup> See 47 CFR §§ 1.1306, 73.203, 73.207, 73.211 and 73.315.

<sup>21</sup> The staff engineering analysis determines that Channel 226C1 can be allotted to Orderville, Utah consistent with the minimum distance separation requirements of 47 CFR § 73.207 with a site restriction of 17 kilometers (10.6 miles) west of the community at coordinates 37° 17' 42.8" NL and 112° 50' 45.1" WL.

<sup>22</sup> The staff engineering analysis indicates that Channel 223C2 can be allotted to Big Water, Utah consistent with the minimum distance separation requirements of the 47 CFR § 73.207 with a site restriction of 7 kilometers (4.4 miles) south of the community at coordinates 37° 00' 36.8" NL and 111° 40' 51.1" WL.

<sup>23</sup> 5 U.S.C. § 603. The RFA, see 5 U.S.C. § 601 *et seq.*, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 857 (1996). The SBREFA was enacted as Title II of the Contract with America Advancement Act of 1996 (CWAAA).

<sup>24</sup> 47 CFR § 73.202(b).

of 1995.<sup>25</sup> In addition, therefore, it does not contain any proposed information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002.<sup>26</sup>

#### IV. ORDERING CLAUSES

7. IT IS ORDERED that, pursuant to authority found in 47 U.S.C. sections 4(i), 5(c)(1), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 155(c)(1), 303(g), (r), and 307(b) and sections 0.61, 0.204(b), and 0.283 of the Rules, 47 CFR §§ 0.61, 0.204(b), and 0.283, effective **June 8, 2026**, the Table of FM Allotments, 47 CFR § 73.202(b), IS AMENDED, with respect to the community listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Enterprise, Utah	265C3

8. The window period for filing applications for Channel 265C3 at Enterprise, Utah will not be opened at this time. Instead, the issue of opening this allotment for filing will be addressed by the Commission in a subsequent order.

9. IT IS FURTHER ORDERED, That the Petition for Rule Making, RM-12006, filed by SSR Communications, Inc. IS GRANTED.

10. IT IS FURTHER ORDERED, That the Counterproposal, RM-12019, filed jointly by Southwest Broadcasting LLC and Estrella Broadcasting, LLC, IS GRANTED.

11. IT IS FURTHER ORDERED, pursuant to 47 U.S.C. Section 316(a), That the license and authorization of Southwest Broadcasting LLC, for FM Station KXUT, Channel 226C2, Page, Arizona, File No. 0000267597, IS MODIFIED to specify operation on Channel 226C1, Orderville, Utah, and that the application, File No. 0000280777, IS GRANTED.

12. IT IS FURTHER ORDERED, pursuant to 47 U.S.C. Section 316(a), That the license of Estrella Broadcasting, LLC, for FM Station KXQX, Channel 223A, Tusayan, Arizona, File No. 0000276964, IS MODIFIED to specify operation on Channel 223C2, Big Water, Utah, and that the application, File No. 0000280780, IS GRANTED.

13. IT IS FURTHER ORDERED, That the Commission will send a copy of this *Report and Order* in a report to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A).

14. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

15. For further information concerning this proceeding, contact Rolanda F. Smith, Media Bureau, (202) 418-2054.

FEDERAL COMMUNICATIONS COMMISSION

Nazifa Sawez  
Assistant Chief, Audio Division  
Media Bureau

<sup>25</sup> 44 U.S.C. §§ 3501-3520.

<sup>26</sup> 44 U.S.C. § 3506(c)(4).