

FEDERAL COMMUNICATIONS COMMISSION

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CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Bethesda Christian Broadcasting, Inc.
P.O. Box 168
Rapid City, SD 57709

In re: KSLT(FM), Spearfish, SD
Facility ID # 5475
Bethesda Christian Broadcasting, Inc.
BLH-20000609ABG

Dear Licensee:

Bethesda Christian Broadcasting, Inc. ("Bethesda") is hereby notified of the modification of the license (BLH-20000609ABG) for KSLT(FM), Spearfish, SD to specify Channel 296C.

On May 2, 2007 18, 2005, JER Licenses, LLC ("JER"), permittee of proposed stations at Newell, SD and Wall, SD filed contingent minor change construction permit applications (BMPH-20070502AGV and BMPH-20070502AGW)¹ requesting the substitution of Channel 296C for Channel 297C at Spearfish, SD and modification of the above captioned license.² Section 316(a) of the Communications Act of 1934, as amended,³ permits us to modify the license or construction permit if such action is in the public interest. The Act requires that we notify the affected station of the proposed action, the public interest reasons for the action, and afford at least 30 days to respond. Accordingly, by staff letter dated July 5, 2007, Bethesda was directed to show cause why its license should not be modified to specify Channel 296C in lieu of Channel 297C.

On August 7, 2007, Bethesda filed a Response to Order to Show Cause stating why its license should not be modified to specify channel 296C. Bethesda claims that the Newell proposal is unacceptable because it fails to comply with the community coverage provisions of § 73.315. Specifically, Bethesda argues that the supplemental city coverage showing provided in the application is deficient. Furthermore, Bethesda provides a separate supplemental showing that indicates that the Newell proposal fails to provide sufficient community coverage.⁴ Therefore, Bethesda believes that the show cause order should be dismissed.

¹ These applications were granted this date.

² The license at Spearfish, SD can be modified to specify operation on Channel 296C in lieu of Channel 297C at the station's current authorized transmitter site (BLH-20000609ABG). The authorized coordinates for the license at Spearfish, are 44-19-42 NL and 103-50-03 WL.

³ 47 U.S.C. § 316(a) (the "Act").

⁴ We note that Bethesda also claims that JER fails to provide six stipulations necessary for supplemental showings. However, JER informally submitted the required parameters for supplemental showings.

We forwarded the supplemental community coverage showing to our propagation expert at the Commission's Office of Engineering and Technology (OET) to perform an independent study. OET concluded that the 70 dBu contour of the proposal would cover 100% of Newell demonstrating compliance with § 73.315. Therefore, we find that the facts and circumstances set forth in Bethesda's response to the Show Cause Order are insufficient to establish that the Newell application is unacceptable.

We have reviewed the response to order to show cause submitted by Bethesda and find that the public interest would be served by the substitution of Channel 296C for Channel 297C at Spearfish, SD and the modification of the license for Station KSLT to specify operation on Channel 296C. Furthermore, Bethesda has not raised a substantial or material question of fact or demonstrated that Station KSLT would be harmed by modification of its license to specify operation on the alternate Class C channel. Finally, JER has stated its willingness to reimburse Bethesda the reasonable costs incurred in connection with the proposed channel change consistent with the *Circleville* policy.⁵

Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective the date of this letter, the FM assignment IS MODIFIED as follows:

<u>Community</u>	<u>Channel No.</u>
Spearfish, SD	Add 296C
Spearfish, SD	Delete 297C

Pursuant to Section 316(a) of the Communications Act of 1934, as amended, license BLH-20000609ABG IS MODIFIED to specify operation on Channel 296C in lieu of Channel 297C.

Within 30 days of the effective date of this letter, Bethesda shall submit to the Commission a minor change application for construction permit (Form 301). Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's Rules. Nothing contained herein shall be construed to authorize a change in transmitter location or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's Rules.

Sincerely,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Luvaas Cobb

⁵ See *Circleville, Ohio*, 8 FCC 2d 159 (1967).