

FEDERAL COMMUNICATIONS COMMISSION

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JAN 21 2009

Dennis J. Kelly, Esq.
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Post Office Box 41177
Washington, DC 20018

Re: IHR Educational Broadcasting
KIHG(AM), Eureka, California
Facility Identification Number: 160910
Construction Permit: BNP-20050118AHP
As modified by BMP-20070124AKI
License Application: BL-20080821AEG
Program Test Authority ("PTA")

Dear Mr. Kelly:

This is in reference to the above-captioned license application of IHR Educational Broadcasting (IHR) as amended on September 25, 2008, the Commission's letter of September 4, 2008, and program test authority.

A preliminary engineering study of the amendment reveals that condition #6 of the permit has not been fulfilled;¹ that there is a discrepancy between the authorized overall height of the tower (85.8 meters) and the overall height of the tower in the license application (86.8 meters);² that the correct antenna coordinates as specified in the amendment are not on the FCC Form 302 application.³

Accordingly, program test authority is DENIED.

¹ Specifically, IHR has not shown that the combined operation of KIHG(AM) on 1400 kHz and KWSW(AM) on 790 kHz will not produce any objectionable interference. The intermodulation products submitted in the amendment involved 1400 kHz/1340 kHz, 1400 kHz/1480 kHz and did not involve the required 1400 kHz/790 kHz showing. In addition KWSW(AM) did not file an FCC Form 302 to return to direct measurement of power as required by the condition.

² This was noted in the Commission's letter of September 4, 2008. IHR needs to modify its tower registration for the taller height or modify the license application to agree with the height specified in its construction permit.

³ IHR corrected the antenna coordinates to 40°48'10" North Latitude, 124°08'16 West Longitude in the text of the amendment to agree with the modified Antenna Structure Registration # 1050214 antenna coordinates for the tower. However, correction of antenna coordinates by more than 3" require the filing of an FCC Form 301 for a construction permit. KIHG(AM) authorized antenna coordinates are at 40°48'09" N Latitude; 124°08'20" W Longitude. Consequently, this license application will be used to cover the construction permit application to correct the antenna coordinates.

Further action on the subject application will be withheld for thirty (30) days from the date of this letter in order to provide IHR an opportunity to file a curative amendment and file a minor change application to correct antenna coordinates. Failure to respond or file an amendment within this time period will result in the dismissal of the application.

Sincerely,



Son K. Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: IHR Educational Broadcasting
William Richard Green