

FEDERAL COMMUNICATIONS COMMISSION

445 12th Street SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: <http://www.fcc.gov/mb/audio/>

PROCESSING ENGINEER: Dale Bickel
TELEPHONE: (202) 418-2700
FAX: (202)-418-1411 MAIL STOP: 2-B450
INTERNET ADDRESS: dale.bickel@fcc.gov

February 10, 2009

Mr. Kevin Bae
KM Communications, Inc.
3654 West Jarvis Avenue
Skokie, IL 60076

In re: NEW (FM); Trent, TX
KM Communications, Inc.
Facility ID No. 171016
Application BNPH-20070502ADT

Dear Mr. Bae:

KM Communications, Inc. was the winning bidder in Auction No. 70 for a commercial FM allotment in Sweetwater, TX. The instant application BNPH-20070502ADT proposes to change the community of license to Trent, TX.

Presently, the application as filed cannot be granted because Federal Aviation Administration clearance has not been obtained for the coordinates and tower height specified in the application, nor has the proposed tower structure been registered. However, we note that on September 5, 2008, KM Communications, Inc. was granted a *Determination of No Hazard to Air Navigation* by the FAA for a transmitter site 1.48 km distant from the proposed coordinates.

Accordingly, KM Communications, Inc. must file an amendment to application BNPH-20070502ADT not later than March 12, 2009 to resolve the discrepancy between the FCC and FAA filings.

Sincerely,



Dale E. Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Jeffrey L. Timmons, P.C.
: duTreil, Lundin and Rackley



Federal Aviation Administration
Air Traffic Airspace Branch, ASW-520
2601 Meacham Blvd.
Fort Worth, TX 76137-0520

Aeronautical Study No.
2008-ASW-5722-OE
Prior Study No.
2007-ASW-4474-OE

Issued Date: 09/05/2008

Kevin Bae
KM Communications, Inc.
3654 West Jarvis Street
Skokie, IL 60076

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Trent CH221C3
Location: Noodle, TX
Latitude: 32-38-05.54N NAD 83
Longitude: 100-07-52.38W
Heights: 500 feet above ground level (AGL)
2332 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part I)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 03/05/2010 unless:

-
- (a) extended, revised or terminated by the issuing office.
(b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 838-1997. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2008-ASW-5722-OE.

Signature Control No: 593090-103279548

(DNE)

Douglas Felix
Specialist

Attachment(s)
Case Description
Frequency Data
Map(s)

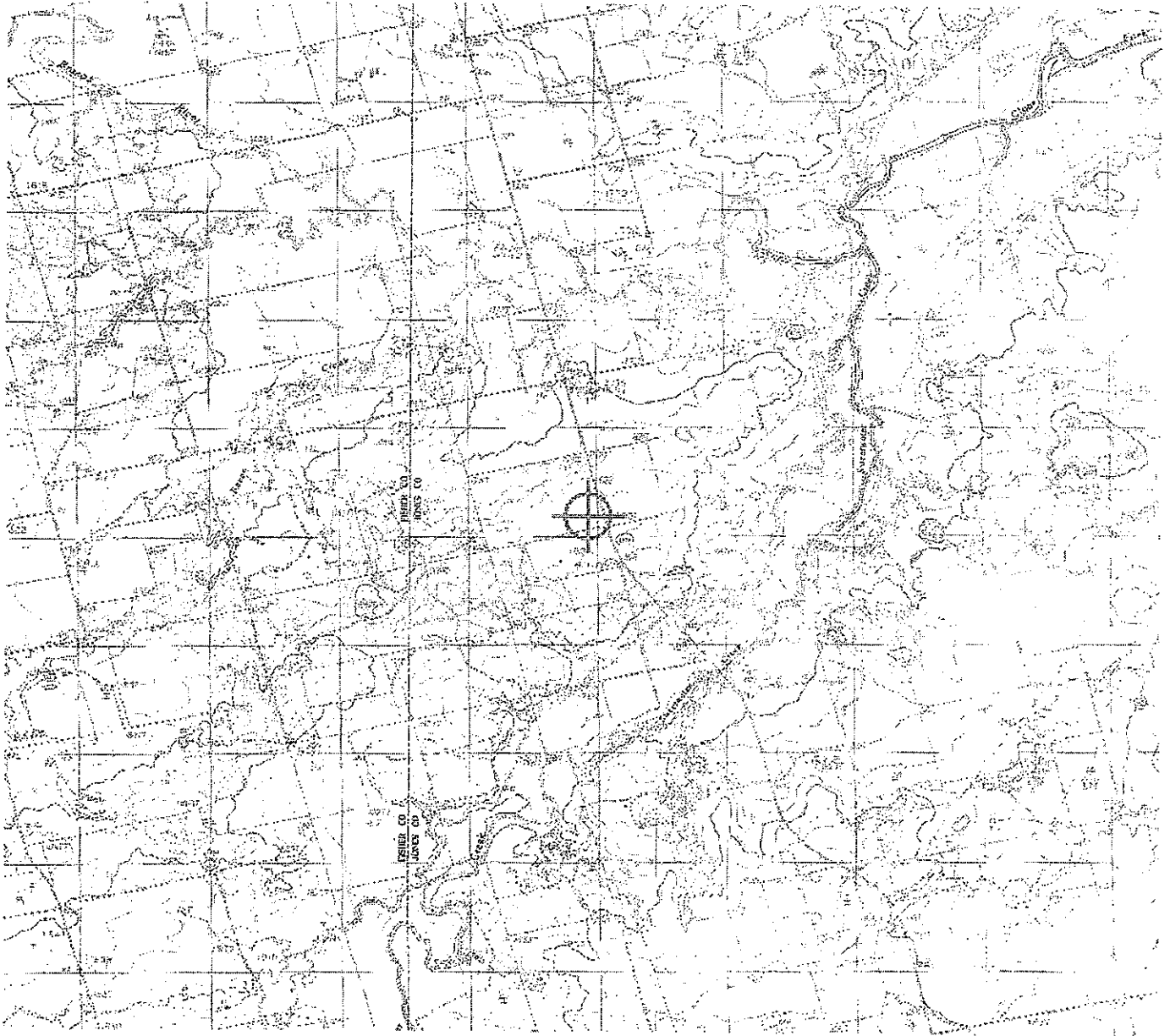
Case Description for ASN 2008-ASW-5722-OE

New 500-foot tower to support FM broadcast antenna

Frequency Data for ASN 2008-ASW-5722-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
92.1	92.1	MHz	13	KW

TOPO Map for ASN 2008-ASW-5722-OE



Sectional Map for ASN 2008-ASW-5722-OE

