

FEDERAL COMMUNICATIONS COMMISSION

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WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
TECHNICAL PROCESSING GROUP
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April 14, 2009

TBTA Ministries
5704 Pineglen Lane
Irondale, AL 35210

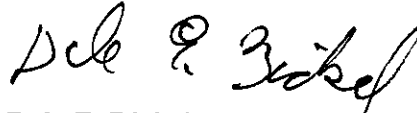
In re: NEW (FM), Moundsville, AL
TBTA Ministries
Facility ID No. 171636
Construction Permit Application BMPED-20090218ACU

Dear TBTA Ministries:

Your construction permit modification application for the new noncommercial educational station authorized to Moundsville, AL was filed one day after application BMPED-20090217ABW for WABE, Five Points, AL (Facility ID. No. 172997) and would create prohibited contour overlap in violation of Section 73.509 with the earlier filed application. Under the Commission's processing system for FM noncommercial educational minor change applications, minor change applications are processed on a first come / first served basis. Later filed applications are "held in queue" behind the first-filed or lead application.¹ If the lead application is granted, the queue is dissolved and the queue applications are dismissed; if the lead application is dismissed, then the first queue application (the application filed closest in time after the lead application) is processed.

In the present instance, the staff granted the lead application BMPED-20090217ABW on April 6, 2009. As a result, the first come / first served queue is dissolved. Application BMPED-20090218ACU, as a part of that queue, IS DISMISSED.

Sincerely,



Dale E. Bickel
Senior Electronics Engineer
Audio Division
Media Bureau

cc: Sterling Communications, Inc.

¹ "First come / first served" processing for FM noncommercial educational minor change applications was adopted in the *First Report and Order* in MM Docket 98-93, 14 FCC Red 5272, 5273-77 (1999).