

FEDERAL COMMUNICATIONS COMMISSION
445 Twelfth Street, S.W.
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APR 27 2009

MEDIA BUREAU
AUDIO DIVISION
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Educational Media Corporation
P.O. Box 905
830 Gunnery Hill Road
Spotsylvania, Virginia 22553-0905

In re: WWED(FM), Spotsylvania, VA
Educational Media Corporation
Facility ID # 90679
BMPED-20090218AAA

Dear Applicant:

This letter refers to the above-captioned minor change non-commercial educational construction permit application filed to modify permit BPED-20080522AAC.

An engineering review of the application reveals that it fails to comply with Section 73.525¹ of the Commission's Rules with respect to Channel 6 TV station, WTVR-TV, Richmond, Virginia. Pursuant to the application's technical exhibit, construction will commence as soon as WTVR-TV terminates its analog broadcast transmission. Pursuant to the Commission's Public Notice,² the Bureau will dismiss any NCE FM station application that fails either to (1) satisfy Section 73.525 protection requirements, or (2) include an unconditional consent letter from the affected television Channel 6 station concurring with the proposed NCE FM facilities.³ Accordingly, we will dismiss the above referenced application.

In light of the foregoing, Educational Media Corporation's Application BMPED-20090218AAA is unacceptable for filing and is HEREBY DISMISSED pursuant to Section 73.3566(a)⁴ of the Rules. This action is taken pursuant to Section 0.283⁵ of the Rules.

Sincerely,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Robert J. Robbins

¹ 47 C.F.R. § 73.525.

² See *Media Bureau Provides Guidance to NCE FM Stations Regarding Television Channel 6 Protection Requirements*, Public Notice, DA 09-744, (released April 1, 2009).

³ No consent letter was filed with EMF's application.

⁴ 47 C.F.R. § 73.3566(a).

⁵ *Id.* at § 0.283.