

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, SW
WASHINGTON, DC 20554

MAY 01 2009

MEDIA BUREAU
AUDIO DIVISION
TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

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Lehigh University
Ulrich Student Center
39 University Drive
Bethlehem, PA 18015

Re: WLVR-FM; Bethlehem, PA
Facility ID No. 36984
Lehigh University
BPED-20090204AAX

Dear Applicant:

This letter refers to the above-captioned application for a minor change to a licensed facility.

An engineering study of the application reveals that the proposed directional antenna violates 47 C.F.R. § 73.510(a). Section 73.510(a) states that noncommercial educational stations must comply with 47 C.F.R. § 73.316(b). Specifically, Section 73.316(b)(2) states that “[d]irectional antennas used to protect short-spaced stations pursuant to § 73.213 or § 73.215 of the rules, that have a radiation pattern which varies more than 2 dB per 10 degrees of azimuth will not be authorized.” It has been the Commission’s longstanding policy to apply the 2 dB/10° limitation to noncommercial educational stations protected under the analogous contour overlap section, 47 C.F.R. § 73.509. The proposal violates this requirement. The proposed radiation pattern varies by as much as 2.8 dB per 10 degrees between the azimuths of 220° T and 230° T. It is necessary to note that these azimuths are in the direction of a station where a directional antenna is necessary to prevent any prohibited overlap. This constitutes an acceptance defect.

In addition, a review of the application’s TV6 interference showing indicates that only the analog facility (BLCT-2282) of WPVI-TV, Philadelphia, PA was studied. An interference study of WPVI-TV’s digital TV6 facility (BPCDT-20080208ADW) that indicates compliance with 47 C.F.R. § 73.525 must also be submitted.

In light of the above, Application BPED-20090204AAX is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a) and is **HEREBY DISMISSED**. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Alfred H. Fritzing, Jr.
Charles A. Hecht