

FEDERAL COMMUNICATIONS COMMISSION

**445 12th STREET SW
WASHINGTON DC 20554**

MAY 29 2009

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

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Hoosier Broadcasting Corporation
3500 Depauw Blvd., Suite 2085
Indianapolis, IN 46268

In Re: WIRE(FM), Lebanon, IN
Facility ID No.: 87829
Hoosier Broadcasting Corporation
BMPED-20090526AEN

Dear Applicant:

This letter refers to the above-captioned minor change application to change antenna pattern.

The proposed directional antenna pattern violates 47 C.F.R. § 73.510. Section 73.510(a) states that noncommercial educational stations must comply with 47 C.F.R. § 73.316. 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 violation occurs between the following azimuths:

<u>Azimuth Range</u>	<u>Values Exceeding 2db</u>
100-110 degrees	2.391 dB
140-150 degrees	4.811 dB
160-170 degrees	2.547 dB
330-340 degrees	3.476 dB

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.

In light of the above, Application BMPED-20090526AEN is unacceptable for filing, 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

Attn: Richard Carr, Esq.
Martin Hensley, Engr.