



Federal Communications Commission
Washington, D.C. 20554

September 21, 2009

1800E3-JLB

Budd Broadcasting Co., Inc.
c/o Aaron P. Shainis, Esq.
Shainis & Peltzman, Chartered
1850 M Street, N.W., Suite 240
Washington, D.C. 20036

Re: File No. BDISDTL-20090318AAB
Facility ID No. 168482

Dear Applicant:

This is with respect to the above-referenced digital displacement application filed by Budd Broadcasting Co., Inc. ("Budd") for low power television station WBPB-LP, Palm Beach, Florida.¹ By letter dated March 25, 2009, the staff notified Budd that its application was defective because the proposed facility was predicted to cause interference to the licensed facilities of station WBFS-TV, channel 33, Miami, Florida. Accordingly, Budd was afforded 30 days from the date of the letter to file a minor amendment to resolve its interference with WBFS-TV. Rather than file a responsive amendment to its application, Budd filed a petition for reconsideration of the March 25 deficiency letter. In its petition, Budd states that while the Commission may be correct that its proposed facility would cause interference to WBFS-TV, after June 12, 2009, when WBFS-TV ceased analog operations on channel 33, the possibility for interference would no longer remain.

By Public Notice released June 10, 2009,² the Commission stated that it had received a number of Class A, low power and television translator applications that did not comply with the Commission's interference protection requirements because they were in conflict with pre-transition full-service stations' operations. Because many of these applications would be in compliance with Commission interference standards after the full-service digital transition on June 12, 2009, the Commission announced that such applications filed prior to June 12, 2009, through June 30, 2009, would be treated for cut-off purposes as being filed on June 30, 2009.

In view of the foregoing, the petition for reconsideration filed by Budd Broadcasting Co., Inc. IS DISMISSED as moot and its application remains pending for further processing.

Sincerely,

Hossein Hashemzadeh
Associate Chief, Video Division
Video Division

¹ WBPB-LP has been silent since January 13, 2009. See File No. BLESTA-20090707ABU. Pursuant to Section 312(g) of the Communications Act, the license of any station that fails to transmit a broadcast signal for any consecutive 12-month period expires at the end of that period.

² Commission Sets "Cut-Off" Date of June 30, 2009 for Class A, Low Power, and Translator Applications that are Filed Prior to the Full-Service Station Digital Transition, DA 09-1299 (released June 10, 2009).