

**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

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David Tillotson, Esq.  
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OCT 22 2009

In re: North County Broadcasting Corporation  
KCEO(AM), Vista, California  
Facility Identification Number: 67666  
File Number: BP-20040109AAF

Dear Mr. Tillotson:

This letter refers to the above-captioned minor change application filed by North County Broadcasting Corporation (NCBC). We noted that NCBC requests a waiver of Section 73.37(a) due to prohibited contour overlap. We will grant the waiver request and the application for the reasons shown below.

NCBC requests a waiver of Section 73.37(a) of the Commission's Rules because the proposed KCEO(AM) 0.25 mV/m daytime groundwave contour overlaps the 0.5 mV/m contour of first-adjacent channel station KTMS(AM), Santa Barbara, California, and the proposed KCEO(AM) 5 mV/m contour overlaps the 5 mV/m contours of second-adjacent stations KFWB(AM), Los Angeles, California, and KTNQ(AM), Los Angeles, California. NCBC states that KTMS(AM) overlap area is due to a long salt water path between the stations and falls along the coastline, and the KFWB(AM)/KTNQ(AM) overlap areas falls off the coast, over two islands. We agree with these findings, and find that the facts and circumstances set forth in the application are sufficient to establish that a granted of the requested waiver would better serve the public interest. Furthermore, the Commission has previously, under similar circumstances, has granted waivers due to salt water paths. See *Spann Communications 4 FCC Rcd. 617 (1989)*.

Accordingly, NCBC's request for waiver of Section 73.37 is hereby GRANTED, and the application (File No. BP-20040109AAF) is hereby GRANTED.

Sincerely,



Son Nguyen  
Supervisory Engineer  
Audio Division  
Media Bureau

cc: N. Arthur Astor, President  
Matthew Folkert