

FEDERAL COMMUNICATIONS COMMISSION

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AUDIO DIVISION
TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
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NOV 17 2009

John Neely, Esquire
Miller and Neely, P.C.
6900 Wisconsin Avenue Suite 704
Bethesda, Maryland 20815

Re: The Voice of International Christian Evangelism, Inc.
KGBA(AM), Herber, California
Facility Identification Number: 8174
BP-20090723AAQ

Dear Mr. Neely:

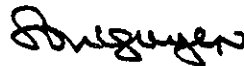
This letter is in reference to the above-captioned minor change application filed by The Voice of International Christian Evangelism, Inc. to modify Construction Permit BP-20090723AAQ by increasing the daytime and nighttime power from 500 watts to 1 kilowatt.

A preliminary review of the application reveals the following deficiencies:

1. The proposed facility is in conflict with AM Auction 84 short form applications for a new AM station at Lemon Grove, California, (File No. BNP-20040129ARJ) due to prohibited daytime overlap between the proposed 0.5 mV/m and the Lemon Grove 0.025 mV/m contour, in violation of Section 73.37 of the Commission's rules. As a result, if the overlap problem is not removed by means of a curative engineering amendment, processing of this application will be held in queue pending final Commission action on the Lemon Grove application.
2. Mexico has objected the daytime proposal because the proposed daytime 0.25 mV/m contour overlaps the 0.5 mV/m contour of first adjacent channel station XEMCA, CD Morelos, BN, in violation of the U.S/Mexico Agreement. It is noted that Mexico did approve the KGBA(AM) licensed 1 kilowatt operation at Calexico, California, in response to CL# 02038 dated March 27, 1986. However when this facility was moved to Heber, California, and reduced power to 500 watts Mexico objected in CL-3082 dated May 6, 2009. If you have any questions concerning the objections, please contact George Fehlner at (202)418-2197.

Further action on the subject application will be withheld for a period of thirty (30) days from the date of this letter to provide an opportunity to file a curative electronic amendment. Failure to respond or amend within this time period will result in the dismissal of the application pursuant to Section 73.3568 of the Commission's rules.

Sincerely,



Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: Bob Sager, President
Cynthia M. Jacobson, PE

¹ Pursuant to Auction rules, the Lemon Grove applications must be protected.