

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
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APPLICATION STATUS: (202) 418-2730
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January 13, 2010

Mr. James Hulgan
Briarwood Presbyterian Church
2200 Briarwood Way
Birmingham, AL 35243-2900

In re: WLJR(FM), Birmingham, AL
Briarwood Presbyterian Church
Facility ID No.: 6804
BPED-20091210ABG

Dear Mr. Hulgan:

This letter refers to the above-captioned non-commercial educational FM minor change application to change the effective radiated power, the antenna height, and the class of the station, and add a directional antenna. The application was amended on January 7, 2010 to provide a more detailed showing regarding coverage of the community of license.

An engineering study reveals that the proposal fails to provide adequate community coverage as required by 47 C.F.R. § 73.515. Specifically, the proposed 60 dBu contour fails to cover at least 50% of the community of license (Birmingham, Alabama). In the application as amended, Exhibit 14 indicates that the proposal covers 61.3% of Birmingham. However, our study shows the corporate limits of Birmingham to be different than those shown on Exhibit 14. Our study shows that the proposal covers 46% of the city of Birmingham and 42% of its population. Furthermore, although the proposal is improving the coverage of Birmingham when compared to WLJR's licensed facility (BLED-20060119ADQ), merely improving coverage of the community of license fails to satisfy the Commission's minimum community coverage requirement. Licensed NCE FM stations operating on reserved channels, such as WLJR, are required "to provide a predicted 60 dBu signal to at least 50 percent of its community of license or reach 50 percent of the population within the community" in proposed modifications of their facilities.¹ Accordingly, this constitutes an acceptance defect.

In light of the above, Application File No. BPED-20091210ABG 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,

Arthur E. Doak

Arthur E. Doak
Senior Engineer
Audio Division
Media Bureau

cc: Mr. Alan F. Kilgore

¹ *Technical Streamlining Order*, 15 FCC Rcd at 21670.