

FEDERAL COMMUNICATIONS COMMISSION

**445 TWELFTH STREET, SW
WASHINGTON, DC 20554**

FEB 04 2008

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

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Community Broadcasting, Inc.
10550 Barkley, Suite 108
Overland Park, KS 66212

Re: KCRL(FM); Sunrise Beach, MO
Facility ID No. 85069
Community Broadcasting, Inc.
BPED-20070907AAN

Dear Applicant:

This letter refers to the above-captioned application for a minor change to a licensed facility.

An engineering study of the application reveals that the proposed directional antenna violates 47 C.F.R. § 73.510 (a). Section 73.510(a) states that noncommercial educational stations must comply with 47 C.F.R. § 73.316(b). 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 policy. Specifically, between the azimuths of 30°-40° T and 70°-80° T, the proposed radiation pattern varies by as much as 2.5 dB per 10 degrees. 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 BPED-20070907AAN 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,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Fletcher, Heald & Hildreth, P.L.C.
D.L. Markley & Associates, Inc.