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2300 N Street, NW
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In re: Shoecraft Broadcasting, Inc.
KIKO(AM), Queen Creek, AZ
Facility Identification No: 72477
BP-20071002ADQ

Dear Ms. Schmeltzer:

This letter is in reference to the above-captioned minor change application filed by Gunslinger Radio, Inc. (Gunslinger) to eliminate nighttime operation, change city of license from Miami, Arizona, to Queens Creek, Arizona, and the April 7, 2008 amendment.

A preliminary review of the amended application reveals that KIKO(AM), a licensed Class C station, must operate unlimited hours as required by Section 73.21(c)(1) of the Commission's rules. Thus the proposal to eliminate nighttime operation is unacceptable. In addition, the proposed daytime 0.5 mV/m and 0.025 mV/m contours respectively overlap the 0.5 mV/m and 0.025 mV/m contours of co-channel AM Auction 32 long form application for a new AM station in Ajo, Arizona (BNP-20001023ADF) in violation of Section 73.37(a). It is noted that this finding is based upon the use of M3 ground conductivities. Measurement data from site #1 shown on the February 9, 2008 Special Field Test Authority can not be used because it was taken 104 miles from the Ajo site, well beyond the Commission policy of 2 miles. Finally, Gunslinger must submit a study showing adequate protection to the 0.5 mV/m contours of all nearby Class C stations using a non-directional proposal as required by Section 73.182 (a)(3) of the Commission's rules.

For the reasons stated above, under Section 0.283 of the Commission's Rules, the application (File No. BP-20071002ADQ) is HEREBY DISMISSED as unacceptable for filing.

In the Public Notice entitled "Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications", FCC 84-366, released August 2, 1984, the Commission indicated that it would reinstate applications nunc pro tunc where the original application was returned and where a relatively minor curative amendment was filed in conjunction with a petition for reconsideration within 30 days of the date of the dismissal. Any petition for reconsideration or electronic amendment filed later than 30 days will be returned as untimely. See 47 U.S.C. § 405, 47 C.F.R. § 1.106(f). In this regard, it should be emphasized that the above deficiencies were discerned after a preliminary study of the application. A detailed review was not made of the entire application to determine whether other deficiencies exist which would preclude acceptance for filing or result in a subsequent dismissal. Inasmuch as the applicant will not be afforded a second opportunity to correct another deficiency, I would urge that the applicant carefully review the entire application.

Sincerely,

Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: Timothy C. Cutforth
Ruth Wallace, Secretary