

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET, SW**  
**WASHINGTON, DC 20554**

APR 28 2009

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
**HOME PAGE:** [www.fcc.gov/mb/audio/](http://www.fcc.gov/mb/audio/)

**ENGINEER:** GARY A. LOEHRS  
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College Creek Media, LLC  
980 N. Michigan Ave.  
Suite 1880  
Chicago, IL 60611

Re: KRID(FM), Ashton, ID  
Facility ID No. 164126  
College Creek Media, LLC  
File No. BMPH-20080404AEF

Dear Applicant:

This letter refers to the above-captioned minor modification to a construction permit application.

**Antenna Structure Registration**

Pursuant to 47 C.F.R. § 17.4(a), any proposed construction of a new antenna structure or proposed alteration of an existing antenna structure that requires notification to the Federal Aviation Administration (FAA) requires registration with the Commission prior to the proposed construction or alteration. The KRID application indicates that the tower for the facility proposed in the captioned application is not registered. Although the proposed structure height is less than 61 meters, its proximity to the airport facility at Rexburg-Madison Count, ID indicates that registration is required. FCC antenna structure registration may be accomplished via the internet at <http://www.fcc.gov/wtb/antenna/>.

Please note that FAA approval of the KRID tower is necessary in order to obtain FCC antenna structure registration. Following FCC registration of the antenna structure, a curative amendment to the application, which includes the antenna structure registration number, must be submitted to the Commission so that processing of the application may be completed.

**NEPA Certification**

The instant application requires an assessment to determine applicability of the Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process (See Report and Order FCC 04-222 released October 5, 2004).<sup>1</sup> The application indicates that an environmental evaluation has not been initiated even though item 17 in Section III-B has been entered as "Yes". The applicant must complete the Section 106 Review Process in accordance with Sections 1.1306 and 1.1307 of the

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<sup>1</sup> The Agreement is incorporated as Appendix C to Part 1 of the Commission's Rules.

Commission's Rules.<sup>2</sup> Rule 1.1307(a)(4) specifies the requirement to follow the procedures set forth in the rules of the Advisory Council on Historic Preservation.<sup>3</sup> Upon completion, the applicant shall electronically file an amendment, including the environmental certification and a statement summarizing the results of the Section 106 Review. The applicant may use the Agreements incorporated as Appendices B and C to Part 1 of the Commission's Rules to determine whether the undertaking is excluded from Section 106 Review. If the proposal is not excluded, the applicant may use the Tower Construction Notification System to notify Tribal Historic Preservation Offices. Use FCC Form 620 to notify the State Historic Preservation Office of a proposal for a new tower or FCC Form 621 for proposed collocation.

### **Conclusion**

Further action on the subject application will be withheld for a period of thirty (30) days from the date of this letter to provide KRID an opportunity to submit the requested information. If the antenna structure cannot be registered or if the applicant cannot demonstrate compliance with the National Historic Preservation Act Review Process within 60 days of the date of this letter, the Audio Division (AD) must be notified in writing, concerning the delay.<sup>4</sup> In the event that further delays occur, the applicant must provide the Audio Division with written updates every 60 days thereafter.<sup>5</sup> Failure to respond within this time period or to provide the written updates every 60 days will result in the dismissal of the application for failure to prosecute pursuant to 47 C.F.R. § 73.3568(a)(1).

Sincerely,



Rodolfo F. Bonacci  
Assistant Chief  
Audio Division  
Media Bureau

cc: Shainis & Peltzman, Chartered  
Kevin Terry

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<sup>2</sup> See 47 C.F.R. § 1.1306 and § 1.1307.

<sup>3</sup> See 36 C.F.R., Part 800.

<sup>4</sup> If this cannot be accomplished within the initial 60 day period, the first response to this letter shall be filed in triplicate with the Secretary of the Commission and shall contain a specific narrative of the actions taken to accomplish these two requirements. The response shall include copies of all correspondence with the FAA and all local environmental offices.

<sup>5</sup> Each 60 day update shall be filed in triplicate with the Secretary of the Commission and shall report specific actions taken since the previous report toward securing FAA approval and environmental compliance.