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MAR 04 2010

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Edgewater Alliance Church  
310 North Ridgewood Avenue  
Edgewater, FL 32132

Re: WLGM-LP, Edgewater, FL  
Facility ID No. 134638  
Edgewater Alliance Church  
File No. BPL-20080214ADK

Dear Applicant:

This letter refers to the above-captioned application for a minor change to a licensed facility, as last amended on November 6, 2008, and the request for waiver of 47 C.F.R. § 73.807 with respect to second adjacent channel spacing rules.

In the application, Edgewater Alliance Church ("AEC") proposes to operate station WLGM-LP on Channel 220L1 creating a second-adjacent channel short-spacing to WWKA(FM), Orlando, FL. AEC states that the currently licensed location has been receiving interference from co-channel station WPYO(FM) since it upgraded from class A to class C3 in 2004<sup>1</sup> and is requesting a waiver of the spacing rules. On March 21, 2008, Cox Radio, Inc. filed an Informal Objection to the originally proposed channel change stating that AEC does not meet the criteria for a second-adjacent channel waiver.

On December 11, 2007, the Federal Communications Commission released *Creation of a Low Power Radio Service*, Third Report and Order and Second Further Notice of Proposed Rulemaking.<sup>2</sup> The *Third Report and Order* established the requirement for requesting waiver of Section 73.807 of the Commission's Rules<sup>3</sup> regarding second adjacent channel spacing. To be considered for a waiver, there must be an impending encroachment or displacement application from a full service FM facility that would severely impact or curtail the LPFM's operation. The upgrade of WPYO in 2004 is not a pending application and therefore is not a qualifying action to request the relief provided by the *Third Report and Order*.

<sup>1</sup> File Number BLH-20040325AHN, granted April 01, 2004

<sup>2</sup> See *Creation of a Low Power Service*, Third Report and Order and Second Further Notice of Proposed Rulemaking, FCC 07-204 (rel. December 11, 2007) ("*Third Report and Order*").

<sup>3</sup> 47 C.F.R. § 73.807.

Accordingly, in light of the above, the request for waiver of 47 C.F.R. § 73.807 IS HEREBY DENIED and application BPL-20080214ADK is IS HEREBY DISMISSED. Furthermore, Cox Radio, Inc.'s Informal Objection IS HERBY DISMISSED as moot. These actions are taken pursuant to Section 0.283 of the Commission's Rules.<sup>4</sup>

Sincerely,



Edna V. Prado  
Supervisory Engineer  
Audio Division  
Media Bureau

cc: Richard Van Zandt

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<sup>4</sup> 47 C.F.R. § 0.283.