

FEDERAL COMMUNICATIONS COMMISSION

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APR 26 2010

Mountain Valley Broadcasting, Inc.
P.O. Box 72
Norway, ME 04268

Re: Mountain Valley Broadcasting, Inc. (Mountain)
WEZR(AM), Lewiston, Maine
Facility Identification Number: 11031
File Number: BP-20091110AAE

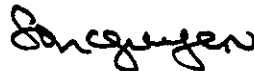
Dear Applicant:

The staff has under consideration the above-captioned minor change application of station WEZR(AM), Lewiston, Maine. We noted that Mountain requested a waiver of Section 73.37 of the Commission's rules concerning prohibited contour overlap to station WBUR(AM). We will grant the waiver request and the application for the following reasons.

Mountain requested a waiver of Section 73.37 because the daytime proposal would increase the existing overlap between the WEZR(AM) 0.025 mV/m and the WBUR(AM) 0.5 mV/m daytime contours, in violation of Section 73.37. In support of the waiver request, Mountain claims that the overlap is caused by a long saltwater path along the coastline between the two stations, and that similar waivers have been granted in the past. We agree with these findings, and find that the facts and circumstances set forth in the application are sufficient to establish that a granted of the requested waiver would better serve the public interest. Furthermore, the Commission has previously, under similar circumstances, has granted waivers due to salt water paths. See *Spann Communications* 4 FCC Rcd. 617 (1989).

Accordingly, under authority of Section 0.283 of the Commission's rules, Mountain Valley Broadcasting, Inc's request for waiver of Section 73.37 is GRANTED, and Application BP-20091110AAE is hereby GRANTED.

Sincerely,



Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: John F. Garziglia, Esq.
Clarence M Beverage