

FEDERAL COMMUNICATIONS COMMISSION

**445 12th STREET SW
WASHINGTON DC 20554**

JUL 21 2010

**MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: WWW.FCC.GOV/MB/AUDIO/**

**PROCESSING ENGINEER: Khoa Tran
TELEPHONE: (202) 418-2700
FACSIMILE: (202) 418-1410
MAIL STOP: 1800B3
INTERNET ADDRESS: khoa.tran@fcc.gov**

Northern California Public Broadcasting Inc.
2601 Mariposa St.
San Francisco, CA 94110

In re: KQEI-FM, North Highlands, CA
Facility ID# 20791
Northern California Public Broadcasting
Inc.
BMPED-20100203ABU

Dear Applicant:

This letter is in reference to the above-captioned minor change application to modify effective radiated power, class, antenna height and location.

The proposed directional antenna pattern violates 47 C.F.R. § 73.510. Section 73.510(a) states that noncommercial educational stations must comply with 47 C.F.R. § 73.316. 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 requirement. The violation occurs between the azimuths of 70° to 80° where the proposed radiation pattern varies by 3.1 dB. It is necessary to note that these azimuths are in the direction of a station where a directional antenna is necessary to reduce existing prohibited overlap.

In addition, an engineering study of the application reveals that it is in violation of 47 C.F.R. § 73.509 with respect to the first adjacent-channel Class B1 license (BLED-20001020AAK) for KVMR(FM), Nevada City, CA. Specifically, the proposed interfering contour (54 dBu) causes overlap to the protected contour (60 dBu) of WCWP between the azimuths from 354°T to 100°T. Furthermore, our studies indicate that KQEI proposes to increase the existing overlap to KVMR. This increased overlap constitutes an acceptance defect.

In light of the above, Application BMPED-20100203ABU is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a) and is HEREBY DISMISSED. These actions are taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Abby Staebble