



Federal Communications Commission
Washington, D.C. 20554

December 8, 2005

1800E3-RLG

Richard C. & Lisa A. Goetz
116 Beaumont Drive
Hendersonville, TN. 37075

In re: LPTV/TV Translator Application of:
Richard C. & Lisa A. Goetz
Channel: 28, Cumming, GA.
BMPTTL-20040224ABC
Facility ID: 125861

Dear Applicant:

On October 4, 2005, the applicant as addressed above was sent a letter outlining the following issues, and was given the opportunity to file an amendment within 30 days from the date of that letter and failure to file the amendment will result in dismissal of the application.

By Public Notice released May 1, 2000, the Commission announced the scheduling of an auction filing window for certain low power television, television translator and Class A television broadcast stations, from July 31 through August 4, 2000. This filing window was subject to geographic restrictions on the filing of applications for new station construction permits and for major changes in existing facilities, in that only applications which specified antenna site coordinates located more than 121 kilometers (75 miles) from the reference coordinates of 168 cities listed in the attachment to the Public Notice.

The above-referenced modification as amended November 23, 2004, was filed as a modification to construction permit BNPTTL-20000823AAI which was filed during the filing window, and the proposed antenna site of the amended modification is less than 121 kilometers from the following cities to which the geographic restrictions apply: (1) Atlanta, GA. and (2) Anderson, SC. Thus, you may amend your application, within 30 days from the date of this letter, to request a waiver of the geographic restrictions based on terrain shielding. Waiver requests must be supported by an appropriate number of profiles showing the terrain between the proposed community of license and the applicable TV market cities, indicating that the signals of the full-service stations in these cities cannot be directly received in the proposed community.¹ Alternatively, you may demonstrate terrain shielding using the Longley-Rice terrain dependent signal propagation prediction methods.

¹ Guidance for preparing terrain profiles can be found in the Commission's Policy Statement on Terrain Shielding, 3 FCC Rcd 2664, recon. granted in part, 3 FCC Rcd 7105 (1988).

Our records show that no amendment has been filed to resolve the issues as addressed above; therefore the above-referenced application IS HEREBY DISMISSED.

Sincerely,

Hossein Hashemzadeh
Associate Chief
Video Division
Media Bureau