

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET SW
WASHINGTON DC 20554

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

PROCESSING ENGINEER: Jimmy Kong
FACSIMILE: (202) 418-2700
MAIL STOP: 1800B3-JSK
E-MAIL ADDRESS: Jimmy.Kong@fcc.gov

January 21, 2011

Miracle Radio, Inc.
3801 N. Pace Blvd
Pensacola, Florida 32505

Re: Miracle Radio, Inc.
WPNN(AM), Pensacola, Florida
Facility Identification Number: 43135
File Number: BMP-20100915ABR

Dear Applicant:

The staff has under consideration the above-captioned application for a construction permit to modify broadcast Station WPNN(AM) to change frequency and increase daytime power.

An engineering review of the application reveals that the proposed daytime 0.5 mV/m and 0.025 mV/m groundwave contours would respectively overlap the 0.025 mV/m and 0.5 mV/m groundwave contours of co-channel Class B station DKJCB, Lafayette, Louisiana in contravention of Section 73.37(a) of the Commission's Rules.¹ (See attached exhibit)

Accordingly, pursuant to Section 0.283 of the Commission's rules, the application (File No. BMP-20100915ABR) IS HEREBY DISMISSED as unacceptable for filing.

In the Public Notice entitled "Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications", FCC 84-366, released August 2, 1984, the Commission indicated that it would reinstate applications nunc pro tunc where the original application was returned and where a relatively minor curative amendment was filed in conjunction with a petition for reconsideration within 30 days of the date of the dismissal. Any amendment filed later than 30 days will be returned as untimely. See 47 U.S.C. § 405, 47 CFR § 1.106(f). In this regard, it should be emphasized that the above

¹ The DKJCB(AM) license was cancelled and the call sign was deleted on April 29, 2010. On June 4, 2010, R & M Broadcasting Co., licensee of station DKJCB(AM) filed a renewal application (BR-20100604ACU), and June 12, 2010, R & M filed a Petition for Reconsideration against the staff cancellation. Until the Petition for Reconsideration and the renewal application are acted on, DKJCB(AM) must be protected.

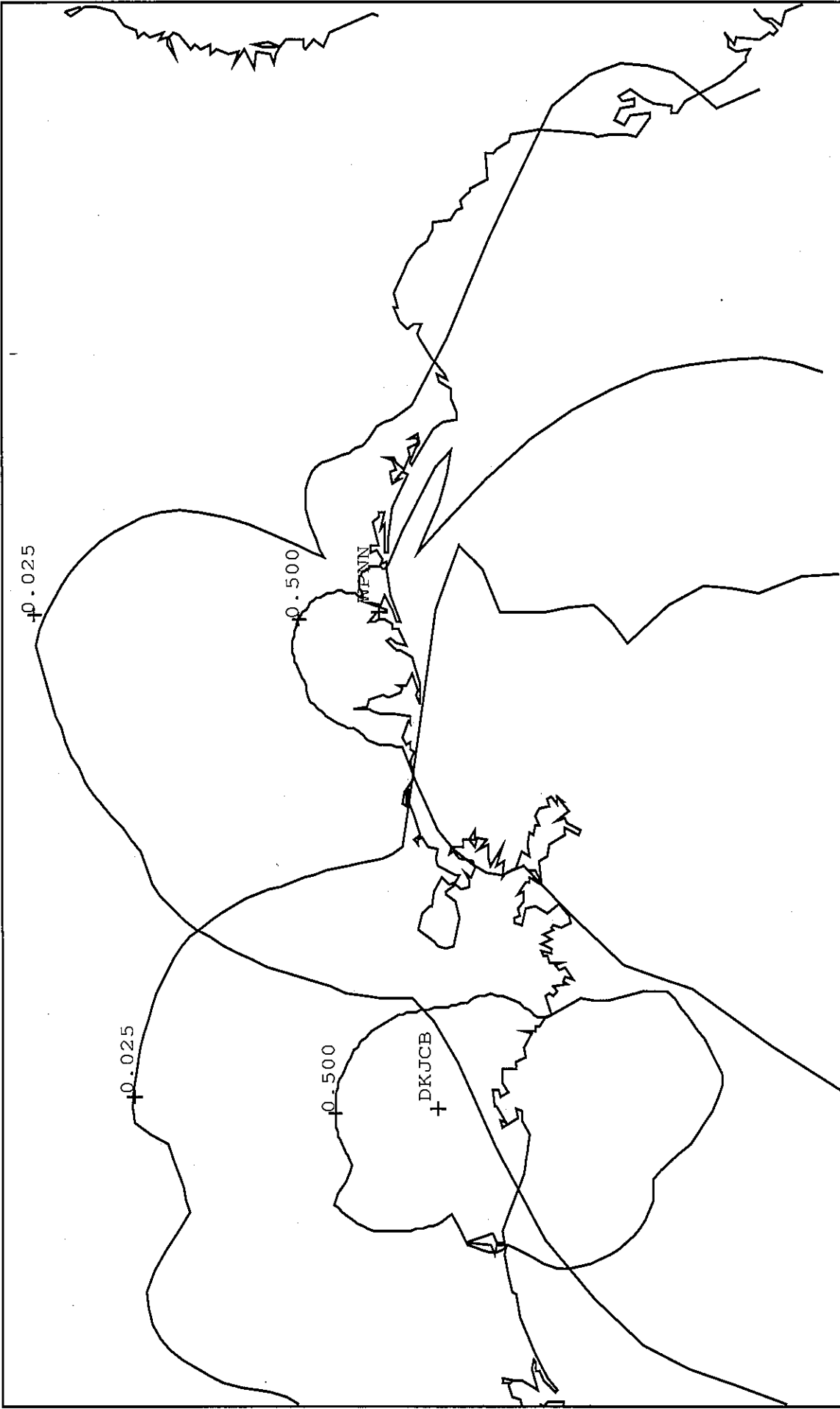
deficiencies were discerned after a preliminary study of the application. A detailed review was not made of the entire application to determine whether other deficiencies exist which would preclude acceptance for filing or result in a subsequent dismissal. Inasmuch as the applicant will not be afforded a second opportunity to correct another deficiency, the applicant is encouraged to carefully review the entire application.

Sincerely,

A handwritten signature in black ink, appearing to read "Son Nguyen", written in a cursive style.

Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: David Tillotson, Esq.
Glen Clark



KILOMETERS		ALBERS	
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		266	399
LOWER LEFT COORDS:		DATE: 9-DEC-10	
N. LAT.: 25 00 00		ENGINEER: JSK	
W. LONG.: 95 00 00		JOB ID. WPNN/KJCB	