

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET, SW**  
**WASHINGTON, DC 20554**

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

**FEB 04 2011**

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Southwest Radio Broadcasting, LTD  
1702 Cypress Drive  
Irving, TX 75061

In re: KKLb(FM), Kurten, TX  
Southwest Radio Broadcasting, LTD  
BMPH-20101217AAE  
Facility ID# 166036

Dear Applicant:

This letter refers to the above-captioned minor change application to change KKLb's facility to a new location (BMPH-20101217AAE) on Channel 299A. The application also proposes to change the effective radiated power and antenna height.

An engineering study of the application reveals that it is unclear whether the proposed facilities would provide city grade coverage as required by 47 C.F.R. § 73.315(a). Specifically, KKLb states in the engineering exhibit that while its 70 dBu contour does not cover 80% of the area of Kurten, TX, it does cover at least 80% of the population of that community. However, KKLb's proposed population figures are based on the use of additional land mass that is asserted as having been annexed to the community of Kurten, TX in 2009. In addition, the engineering exhibit merely states that the Mayor of Kurten indicated that the citizens of Kurten are somewhat equally distributed around the city, but there tends to be more people generally living in the southern part of the city. However, based on the exhibits provided, we cannot confirm the annexation of the land nor the distribution of the population. Furthermore, we cannot confirm the total population listed in the application. Therefore, the Commission cannot accurately determine whether the proposal provides city grade coverage pursuant to 47 C.F.R. § 73.315. This violation constitutes an acceptance defect. Thus, KKLb must either specify a new site that provides city grade coverage to at least 80% of Kurten, TX or provide certified documentation of the boundary of the community and population data indicating the distribution of the population as well as the total population.

Pursuant to 47 C.F.R. § 73.3522, "...an applicant whose application is found to meet the minimum filing requirements but nevertheless is not complete and acceptable shall have the opportunity in the 30-day period specified in the FCC staff's deficiency letter to correct all

deficiencies in the tenderability and acceptability of the underlying application, including any deficiency not specifically identified by the staff." Additionally, 47 C.F.R. § 73.3564 states that, "[a]pplications with uncorrected tender and/or acceptance defects remaining after the opportunity for corrective amendment will be dismissed with no further opportunity for corrective amendment." See Appendix B in the *Report and Order* in MM Docket No. 91-347. This letter constitutes your opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3522.

Further action on the subject application will be withheld for a period of thirty days from the date of this letter to provide KKLB an opportunity to respond. Failure to correct all tender and acceptance defects within the thirty days from the date of this letter will result in the dismissal of the application with no further opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3564.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rodolfo F. Bonacci".

Rodolfo F. Bonacci  
Assistant Chief  
Audio Division  
Media Bureau

cc: Robert Clint Crawford  
John J. Mullaney