

**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/)

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March 29, 2011

Jackman Holding Company, LLC  
6139 Franklin Park Road  
McLean, VA 22101

In re: KLMZ(FM), Leadwood, MO  
Jackman Holding Company, LLC  
Facility ID No.: 170970  
BPH-20110223ABK

Dear Applicant:

This letter is in reference to the above-captioned minor change application to increase the effective radiated power (ERP) from 0.1 kilowatt to 0.38 kilowatt.

The proposed facility is short-spaced by 10.3 kilometers to the licensed facility (BLH-20050107ABG) of first adjacent channel Class C3 FM Station KLPW-FM, Cuba, Missouri (Facility ID No.: 79236) on Channel 297. The actual spacing is 78.7 kilometers while the required spacing pursuant to 47 C.F.R. § 73.207 is 89 kilometers. This short-spacing is noted in the application and processing pursuant to 47 C.F.R. § 73.215 is requested. However, although the proposal meets the 72 kilometer spacing requirement of § 73.215(e), our study shows that it violates the contour overlap provision of § 73.215(a). Specifically, the proposed 60 dBu protected contour would be overlapped by the 54 dBu interfering contour of KLPW by approximately 1 (one) kilometer. This constitutes an acceptance defect.<sup>1</sup>

In addition, because the application is not proposing a change in the community of license, channel or class, it is not considered a "one-step" application. Therefore, Section III-B, Item 4 of the application must be amended to specify "Not Applicable." Furthermore, the coordinates specified in Item 4 must be deleted. Finally, all exhibits regarding the "one-step" allotment coordinates should be amended or deleted as appropriate.

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<sup>1</sup> Our study shows that the ERP would have to be reduced to 0.31 kilowatts in order to comply with § 73.215(a).

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 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 you an opportunity to amend. 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

*Arthur E. Doak*

Arthur E. Doak  
Senior Engineer  
Audio Division  
Media Bureau

cc: Gammon & Grange, P.C.  
Mr. Kevin J. Youngers