

**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](http://www.fcc.gov/mb/audio)

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JUN 30 2011

Anthony Lepore, Esquire  
P.O. Box 823662  
South Florida, Florida 33082-3662

In re: Entertainment Media Trust (EMT)  
Dennis J. Watkins, Trustee  
WQQX(AM), East St. Louis, IL  
Facility Identification Number: 72815  
File Number: BP-20100716AAR

Dear Mr. Lepore:

This letter is in reference to the above-captioned minor change application filed by EMT, and the December 10, 2010, amendment.

A preliminary review of the amended application reveals that the proposed 5 mV/m contour overlaps the 5 mV/m contour of the third-adjacent station WQQW(AM), Highland, Illinois, in violation of Section 73.37(a) of the Commission's rules.<sup>1</sup> In addition, the proposed 0.5 mV/m and 0.25 mV/m contours overlap the respective 0.5 mV/m and 0.25 mV/m contours of first-adjacent channel station WPMB(AM), Vandalia, Illinois, in violation of Section 73.37(a) of the Commission's rules.<sup>2</sup>

Accordingly, EMT's application (File No. BP-20100716AAR) is hereby DISMISSED as unacceptable for filing. This action is taken pursuant to Section 0.283 of the Commission's rules.<sup>3</sup>

<sup>1</sup> This finding is based on all available measurements submitted in the application. We note that there are no measured data graphs or tabulation pages were submitted from WQQW(AM).

<sup>2</sup> This finding is based on FCC M3 ground conductivity data. Although the first-adjacent map exhibit in the application shows no overlap would occur based upon measurements used for station WPMB(AM), no measurement data graphs or tabulation pages were submitted in the application to allow our staff to determine if acceptable for use, therefore M3 ground conductivity data was used.

<sup>3</sup> 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 electronic amendment filed later than 30 days will be returned as untimely. See 47 U.S.C. § 405, 47 C.F.R. § 1.106(f). In this regard, it should be emphasized that the above 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, I would urge that the applicant carefully review the entire application.

Additional Technical Deficiencies:

1. The nighttime coordinates (38° 17' 16"; 90° 09' 26") do not matched with the licensed coordinates (38° 37' 16"; 90° 09' 36")
2. The WFFX(AM) 35° and 55° June 2006 measurements and June 2010 measurements must be analyzed and plotted together on the same graph to determine the ground conductivity.

Sincerely,

A handwritten signature in blue ink, appearing to read "Son Nguyen".

Son Nguyen  
Supervisory Engineer  
Audio Division  
Media Bureau

cc: Bob Morrow  
Dennis Watkins, Trustee (EMT)