

FEDERAL COMMUNICATIONS COMMISSION  
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John F. Garziglia, Esq.  
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1401 Eye Street, N.W., 7<sup>th</sup> Floor  
Washington, DC 20005

SEP 28 2011

Re: Bristol County Broadcasting, Inc. (BCB)  
WSAR(AM), Fall River, MA  
Facility Identification Number: 6879  
File Number: BMP-20110316ACH

Dear Mr. Garziglia:

This is in reference to the above-captioned minor change application filed by BCB to increase the power of station WSAR(AM), and the July 22, 2011, amendment. We note that BCB requests a waiver of Section 73.37(a) of the Commission's rules concerning prohibited contour overlap. We will grant the waiver request and the application for the following reasons.

BCB requested a waiver of Section 73.37(a) because the proposed daytime 0.5 mV/m groundwave contour overlaps the 0.25 mV/m contour of station's WBSS(AM), Pleasantville, New Jersey, WBAE(AM), Portland, Maine, and WGCH(AM), Greenwich, Connecticut. In the waiver request, BCB claims that the overlap is caused by a long salt-water path between the stations. We find that a waiver is not required with station WBSS(AM) because the overlap occurs only over water. With respect to stations WBAE(AM) and WGCH(AM), we agree that the overlap is due to the long salt water path between the stations and occurs primarily along the coastline. Accordingly, we find that a grant of a waiver is in the public interest and that the Commission has previously granted similar waivers requests for overlap due to long salt-water paths. See *John Hutton Corp.* 7 FCC 2d 168 (1967), *Spann Communications* 4 FCC Rcd. 617 (1989), *Sandpiper Communications Inc.* MM Docket No. 85-368 (1985).

Accordingly, BCB's request for waiver of Section 73.37(a) is GRANTED, and the application (File Number: BMP-20110316ACH) is GRANTED.

Sincerely,



Son Nguyen  
Supervisory Engineer  
Audio Division  
Media Bureau

cc: Charles A. Hecht  
Bristol County Broadcasting, Inc.