

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: Joe Szczesny
TELEPHONE: (202) 418-2700
FACSIMILE: (202) 418-1410
MAIL STOP: 1800B2-JBS
EMAIL ADDRESS: Joseph.Szczesny@fcc.gov

APR 30 2012

Anthony Lepore, Esquire
Post Office Box 823662
South Florida, FL 33082-3662

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

Dear Mr. Lepore:

This letter is in reference to the July 12, 2011, Petition for Reconsideration (Petition) filed in response to our June 30, 2011, action dismissing the above-captioned application due to daytime prohibited groundwave contour overlap with stations WQQW(AM) and WPMB(AM); and the July 8, 2011, amendment. We will deny the Petition for the reasons shown below.

A preliminary review of the amended application reveals that the proposed daytime 0.5 mV/m and 0.25 mV/m groundwave contours (at 1 kW) will overlap the respective 0.5 mV/m and 0.25 mV/m contours (at 0.5 kW) of first-adjacent channel Class D station WJBM(AM), Jerseyville, Illinois, and the proposed 0.025 mV/m contour (at 0.25 kW) will overlap the 0.5 mV/m daytime groundwave contour (at 1 kW) of co-channel Class C station WRKO(AM), Cairo, Illinois, in violation of Section 73.37 of the Commission's rules.

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 dismissed and where a relatively minor curative amendment was filed within 30 days of the date of the dismissal. Although the July 12, 2011, petition was filed within 30 days of the dismissal of the application, the amended application did not resolve all groundwave overlap. As a result, we find that the resubmitted application is not in compliance with the August 2, 1984 Public Notice and therefore the Petition must be denied.

Accordingly, the July 12, 2011, Petition filed by EMT is hereby DENIED. Pursuant to the

Public Notice entitled "*Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications*", FCC 84-366, we will not entertain another petition for reconsideration.

Sincerely,

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

Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: Dennis Watkins, Trustee (EMT)