

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
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CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Radio License Holding CBC, LLC
3280 Peach Tree Road, N.W.
Suite 2300
Atlanta, GA 30305

In re: WGKX(FM) , Memphis, TN
Facility ID # 35009
Radio License Holding CBC, LLC
BLH-20041018ACR

Dear Licensee:

In accordance with procedures adopted by the Commission, this letter constitutes notification to Radio License Holding CBC, LLC ("Radio") of the filing of a minor change construction permit application (BPH-20120716ADT) by Malvern Entertainment Corporation ("Malvern"), licensee of Station KHAN(FM), Kensett, AR. Malvern's application proposes that WGKX's license and assignment be modified to specify Class C0 in lieu of Class C pursuant to Note 4 of 47 C.F.R. § 73.3573.¹

The staff has tentatively concluded that Malvern application meets the requirements of § 73.3573, Note 4 and is otherwise acceptable for filing.² Accordingly, IT IS ORDERED, that pursuant to Section 316(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 316(a), and pursuant to Section 1.87 of the Commission's Rules, Radio, licensee of Station WGKX, SHALL SHOW CAUSE why its license SHOULD NOT BE MODIFIED to specify Channel 290C0 in lieu of Channel 290C. Radio may, not later than 30 days from the date of this letter, file a written statement to express its intention to seek authority to modify Station WGKX's technical facilities to attain minimum Class C HAAT; or, alternatively, as provided for by NOTE 4 cited above, otherwise challenge the triggering application. If Radio chooses to seek authority to modify WGKX's facilities, an acceptable application for a construction permit to increase the antenna height to at least 451 meters HAAT must be on file with the Commission 180 days subsequent to the show cause response due date. Failure to file a construction permit application within this period will result in the automatic downgrade of WGKX's licensed

¹ See *Revision of Procedures Governing Amendments to FM Table of Allotment and Changes of Community of License in the Radio Broadcast Services, Report and Order, MB Docket No. 05-210, FCC 06-163 (rel. Nov. 29, 2006)*.

² In order to be considered in compliance with Note 4, the triggering application must: 1) be short-spaced to the Class C station, but be fully spaced if it were a Class C0; 2) include a certification that no alternative channel is available at the proposed location without any other changes to the table of allotments; and 3) be served on the licensee of the affected Class C station.

facilities.³ Furthermore, Radio must serve Malvern with copies of any FAA submissions related to its efforts to modify the WGKX facility.

Further action on the subject application will be withheld for thirty days from the date of this letter to provide an opportunity to reply. Failure to respond to this letter will result in the automatic downgrade of WGKX's license pursuant to Note 4 of § 73.3573. Please note that responses must be submitted to the Secretary of the Commission in triplicate and must be served on all parties.

Sincerely,



Edna V. Prado
Supervisory Engineer
Audio Division
Media Bureau

cc: Mark N. Lipp, Esquire
Scott A. Gray, Officer-Director
Malvern Entertainment Corporation

³ Failure to build pursuant to the subsequently authorized construction permit will also result in the automatic downgrade of WGKX's licensed facilities.