

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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December 7, 2012

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Radio License Holding CBC, LLC
Station WGKX(FM)
3280 Peachtree Road, NW
Suite 2300
Atlanta, Georgia 30305

In re: WGKX(FM), Memphis, TN
Facility ID No.: 35009
Radio License Holding CBC, LLC
BLH-20041018ACR

WIBT(FM), Indianola, MS
Facility ID No.: 59962
Delta Radio Network, LLC
BPH-20110913AAK

Dear Licensee:

In accordance with procedures adopted by the Commission, this letter constitutes notification to Radio License Holding CBC, LLC ("RLH") of the filing of the above captioned minor change construction permit application (BPH-20110913AAK) by Delta Radio Network, LLC ("Delta"), licensee of station WIBT(FM), Indianola, MS. In order to allow grant of its application, Delta requests that WGKX's license and assignment be modified to specify Class C0 in lieu of Class C in accordance with the procedures set forth in Note 4 of 47 C.F.R. Section 73.3573.¹ (See attached.)

The staff has tentatively concluded that Delta's application meets the requirements of Section 73.3573, Note 4 and is otherwise acceptable for filing.² Accordingly, IT IS ORDERED,

¹ See 1998 Biennial Regulatory Review—Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules, Second Report and Order in MM Docket No. 98-93, FCC 00-368 15 FCC Rcd 21649 (2000).

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.

that pursuant to Section 316(a) of the Communications Act of 1934, as amended, 47 U.S.C. Section 316(a), and pursuant to Section 1.87 of the Commission's Rules, RLH SHALL SHOW CAUSE why its license SHOULD NOT BE MODIFIED, to specify Channel 290C0 in lieu of Channel 290C.

RLH 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 no such intention is expressed and the triggering application is not challenged, WGKX's license will be reclassified as a Class C0 station.

If RLH 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 time period will result in the automatic downgrade of WGKX's licensed facilities.² Furthermore, RLH must serve Delta 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,



Nazifa Sawez
Assistant Chief
Audio Division
Media Bureau

cc: Mark N. Lipp, Esq
(Counsel for RLH)

Larry G. Fuss, President
Delta Radio Network, LLC

² Failure to build pursuant to the subsequently authorized construction permit will also result in the automatic downgrade of WGKX's licensed facilities.