

FEDERAL COMMUNICATIONS COMMISSION

**445 12th STREET SW
WASHINGTON DC 20554**

APR 29 2013

**MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: WWW.FCC.GOV/MB/AUDIO**

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1 TV.COM, Inc.
4501 Broadway
Miami, AZ 85539

In re: KIKO-FM, Claypool, AZ
Facility ID # 11894
1 TV.COM, Inc.
BPH-20130404ABO

Dear applicant:

This letter refers to the above-captioned minor change application to modify KIKO's assignment from Channel 247C2 to Channel 286C2 at Claypool, AZ pursuant to the *Report and Order* in MB Docket 05-210. The applicant also proposes to modify the effective radiated power.

An engineering study reveals that the one-step allotment site specified in the application fails to meet the minimum spacing requirement of 47 C.F.R. § 73.207 with respect to the co-channel Class C2 license (BLH-19991202ABY) for KBTK(FM), Kachina Village, AZ.¹ Specifically, the proposed allotment site is short-spaced by 8 kilometers. The required spacing pursuant to 47 C.F.R. § 73.207 is 190 kilometers while the actual spacing proposed in the application is 182 kilometers. Therefore, KIKO must amend the application to specify a fully-spaced allotment site.

Pursuant to 47 C.F.R. § 73.3522, "... an applicant whose application is found to meet the minimum filing requirements but nevertheless is not complete and acceptable shall have the opportunity in the 30-day period specified in the FCC staff's deficiency letter to correct all deficiencies in the tenderability and acceptability of the underlying application, including any deficiency not specifically identified by the staff." Additionally, 47 C.F.R. § 73.3564 states that "[a]pplications with uncorrected tender and/or acceptance defects remaining after the opportunity for corrective amendment will be dismissed with no further opportunity for amendment." See Appendix B in the *Report and Order* in MM Docket No. 91-347. This letter constitutes your opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3522.

¹ KIKO requests that the application be held in queue pending the resolution of the rulemaking proposing the deletion of this station. Our studies indicate that the counterproposal requesting this action was denied in the *Report and Order* in MB Docket No. 11-207, released February 15, 2013. This action is now final.

Further action on the subject application will be withheld for a period of thirty days from the date of this letter to provide the applicant an opportunity to respond. Failure to correct all tender and acceptance defects within the thirty days from the date of this letter will result in the dismissal of the application with no further opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3564. Please note, any amendment must be submitted in the same manner as the original application.

Sincerely,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: J. Dominic Monahan
Lee S. Reynolds