

**FEDERAL COMMUNICATIONS COMMISSION**

**445 12<sup>th</sup> STREET SW  
WASHINGTON DC 20554**

**JUN 28 2013**

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

PROCESSING ENGINEER: Khoa Tran  
TELEPHONE: (202) 418-2700  
FACSIMILE: (202) 418-1410  
MAIL STOP: 1800B3  
INTERNET ADDRESS: khoa.tran@fcc.gov

State of Wisconsin-Educational Communications Board  
3319 W. Beltline HWY.  
Madison, WI 53713

In re: WHND(FM), Sister Bay, WI  
State of Wisconsin-Educational  
Communication Board  
Facility ID #83612  
BMPED-20130614AAD

Dear Applicant:

This letter is in reference to the above-captioned minor change application to modify the effective radiated power, antenna height, and location.

An engineering study of the application reveals that it is in violation of 47 C.F.R. § 73.509 with respect to the co-channel Class C3 license (BLED-20100728AFC) for WLMN(FM), Manistee, MI. Specifically, the proposed interfering contour (40 dBu) causes overlap to the protected contour (60 dBu) of WLMN. While the majority of this overlap is over Lake Michigan, there is overlap over land.<sup>1</sup> This overlap constitutes an acceptance defect.

In light of the above, Application BMPED-20130614AAD is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a) and is HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



Rodolfo F. Bonacci  
Assistant Chief  
Audio Division  
Mass Bureau

cc: Margaret L. Miller

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<sup>1</sup> Our studies indicate that this overlap would be eliminated if the effective radiated power was reduced to 22 kilowatts.