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NOV 29 2013

John G. Ralls, Jr, Esq.
Ralls Law Firm, LLC
5201 North Davis Highway
Pensacola, FL 32503

Re: Andala Enterprises, Inc. (Andala)
WNWF(AM), Destin, FL
Facility ID No. 72803
File No. BMP-20130419AAK

Dear Mr. Ralls:

This is in reference to above-captioned minor change application to change frequency from 1120 to 1140 kHz, change electrical tower height, increase daytime power from 1 kW to 3 kW, add a 2.4 kW critical hours facility, and add a 0.012 kW nighttime facility for station WNWF(AM); and the October 23, 2013, amendment. We noted that Andala request for a waiver of Section 73.24(g) concerning the 1 V/m blanketing contour,¹ and a request for waiver of Section 73.37(a) due to groundwave overlap. We will grant the waivers and the application for the reasons shown below.

Waivers

Andala requests a waiver of Section 73.37(a) due to areas of received and caused land overlap with the first-adjacent channel station WQFX, Gulfport, Mississippi, 0.5 and 0.25 mV/m contours, and caused overlap from the proposed 0.025 mV/m contour with the co-channel station WQBA, Miami, Florida, 0.5 mV/m daytime groundwave contour. In support of this request Andala states that the overlap is caused primarily by the long salt water path between the stations. As a result, we find a grant of the waiver is in the public interest since the Commission has previously granted similar waivers requests for overlap due to long salt-water paths. See John Hutton Corp. 7 FCC 2d 168 (1967), Spann Communications 4 FCC Rcd. 617 (1989), Sandpiper Communications Inc. MM Docket No. 85-368 (1985). In addition, Andala requests a waiver of Section 73.24(g) because the proposal exceeds 1% of the population within the 25 mV/m contour. In support of the request, Andala states that: (1) the proposed 1 V/m daytime contour is 876 persons, or 2% of the population in the 25 mV/m contour, which envelops 40,813

¹ Section 73.24(g) requires that the population within the 1.0 V/m contour of a broadcast station must not exceed 1% of the population within the 25 mV/m contour. The purpose of the rule is to encourage the location of transmitting antennas in the least congested areas to ensure that the strong signal intensity of a broadcast station will not cause interference to a disproportionate number of receivers being utilized to receive other broadcast signals, and to avoid cross-modulation. WHOO Radio, Inc., 8 RR 2d 83, fn 4 (1966).

persons; (2) this value exceeds the 1% value specified in the rules, but is well within the waiver range commonly granted; (3) there is no change in site, and there is an existing blanketing area which does not experience interference on the existing frequency of 1120 kHz; and (4) the applicant pledges to comply fully with Rule Section 73.88. As a result, we find that a grant of waiver of Section 73.24(g) is in the public interest, and is consistent with established Commission policy and outstanding precedents.

Accordingly, Andala's request for waiver of Section 73.37(a) and 73.24(g) are GRANTED, and pursuant to Section 0.283 of the Commission's rules, the application (File Number: BP-20130419AAK) is GRANTED.

Sincerely,



Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: Clarence Beverage