

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, SW
WASHINGTON, DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

DEC 24 2013

ENGINEER: James Bradshaw
TELEPHONE: (202) 418-2700
FACSIMILE: (202) 418-1410/1411
MAIL STOP: 1800B3
INTERNET ADDRESS: james.bradshaw@fcc.gov

The Mineral Wells Educational Association
PO Box 818
Mineral Wells, WV 26150

Re: NEW-LP, Mineral Wells, WV
Facility ID No. 195200
The Mineral Wells Educational Association
File No. BNPL-20131114AVB

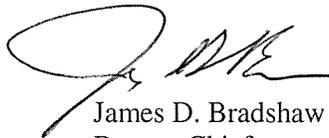
Dear Applicant:

The staff has under consideration the above-captioned application for a new low power FM (LPFM) station.

An engineering study has revealed that the proposed transmitter site specified in the application is in violation of the FM translator input signal protection requirements of 47 C.F.R. § 73.827(a). That rule states that an LPFM station will not be authorized if it is within 10 km of a translator station receiving its primary station directly off-air, the LPFM proposes to operate on a third-adjacent channel compared to the primary station, and the LPFM is located within +/- 30 degrees of the azimuth between the FM translator and its primary station.¹ The proposed site is approximately 4.4 km from the licensed site of W216CJ, Harrisville, WV, and within 30 degrees of the azimuth between the translator and the primary station. Furthermore, W216CJ receives its signal directly from WLKP(FM) on third adjacent channel 220. The application fails to address this defect.

Accordingly, in light of the above, application BNPL-20131114AVB is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a)² and IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Jerald O. Kuhn

¹ See Instructions for FCC Form 318, Section VI, Question 8(b). See also, FCC Form 318, Section VI, Question 8(b).

² Under the Public Notice entitled "Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications," FCC 84-366, released August 2, 1984, the Commission indicated that it would reinstate applications *nunc pro tunc* where the original application was dismissed and where a minor curative amendment was filed within thirty days. Please note that any amendment submitted for this purpose must be received within 30 days of the Public Notice of the dismissal of the application and must correct ALL acceptance defects with the application. This includes any defects that may not have been identified in the dismissal letter.