

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/

MAR 19 2014

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Public Media of New England, Inc.
189 Ward Hill Avenue
Haverhill, MA 01835-6973

Re: NEW-LP, Haverhill, MA
Facility ID No. 193811
Public Media of New England, Inc.
File No. BNPL-20131113AKZ

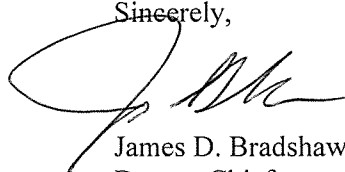
Dear Applicant:

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 fails to meet the minimum spacing requirements of 47 C.F.R. § 73.807. Specifically, the site proposed is located near the second adjacent licensed facilities for WBZ-FM (BLH-19900131KB) in Boston, MA. The application recognizes this short-spacing and requests a second-adjacent waiver. However, the waiver request does not adequately demonstrate that no interference will occur. The exhibits include a signal strength plot of the proposed antenna. The plot suggests the use of a vertical plane pattern to show compliance with the non-interference requirement. However, without submitting the vertical plane pattern, it is impossible for us to confirm the accuracy of the claims in the application. Therefore, the application is unacceptable for filing and will be dismissed. Please note that an adequate demonstration of no interference should contain various items such as a map of the proposed interference area, a tower diagram, a satellite or aerial photograph, the antenna manufacture's vertical radiation pattern, and/or any details about any nearby structures or major roadways.

Accordingly, in light of the above, application BNPL-20131113AKZ is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a)¹ 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: Howard M. Liberman

¹ 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.