

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

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Blue Chip Broadcasting Licenses, LTD
1010 Wayne Avenue, 14th Floor
Silver Spring, MD 20910

In re: WXMG(FM), London, OH
Facility ID No. 63949
Blue Chip Broadcasting Licenses, LTD
BPH-20140829AAE

Dear Applicant:

This letter refers to the above-captioned minor change application to modify the site coordinates and the directional antenna pattern.

An engineering study of the proposed directional antenna reveals that it is in violation of 47 C.F.R. § 73.316(a)(2). Specifically, between the azimuths of 240° T to 250° T and 320° T to 330° T, the proposed radiation pattern varies by as much as 2.1 dB per 10 degrees. It is necessary to note that this azimuth is in the direction of a short-spaced station and a directional antenna is necessary to maintain the existing overlap. Pursuant to 47 C.F.R. § 73.316(c)(2), directional antennas used to protect short-spaced stations that have a radiation pattern which varies more than 2 dB per 10 degrees of azimuth will not be authorized. This constitutes an acceptance defect.¹

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 Please note, the applicant requests processing pursuant to the Class A grandfathered short-spaced provisions of 47 C.F.R. § 73.213(c)(1) with respect to the first-adjacent Class B licensed facility (BLH-19901105KD) of WRZX(FM), Greenville, OH. However, the current licensed facility (BLH-19920828KF) protects WRZX with the contour overlap provisions of 47 C.F.R. § 73.215. Once a station is licensed using § 73.215 to protect another station, it is no longer eligible for grandfathered § 73.213 processing to that station. Furthermore, this application also requests § 73.215 processing. Our study indicates that this proposal reduces or maintains the existing overlap and therefore, complies with § 73.215.

Further action on the subject application will be withheld for a period of thirty days from the date of this letter to provide WXMG 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: Sonya M. Hall-Harris, Esquire
Gregory Strickland, Engineer