

**FEDERAL COMMUNICATIONS COMMISSION**

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

**MEDIA BUREAU  
AUDIO DIVISION  
TECHNICAL PROCESSING GROUP  
APPLICATION STATUS: (202) 418-2730  
HOME PAGE: [www.fcc.gov/mb/audio/](http://www.fcc.gov/mb/audio/)**

**OCT 21 2014**

**ENGINEER: Bernard Gorden  
TELEPHONE: (202) 418-2700  
FACSIMILE: (202) 418-1410  
MAIL STOP: 1800B2  
INTERNET ADDRESS: [Bernard.Gorden@fcc.gov](mailto:Bernard.Gorden@fcc.gov)**

Centro Cristiano De Vida Eterna  
8230 Antoine Dr.  
Houston, TX 77088

In re: KPAL(FM), Palacios, TX  
Centro Cristiano De Vida Eterna  
Facility ID No. 174451  
BPED-20140910ADR

Dear Applicant:

This letter is in reference to the above-captioned minor change application to modify effective radiated power, and antenna height with a directional radiation pattern at a new transmitter site.

The engineering review study of the application reveals that it is in violation of 47 C.F.R. § 73.509 with respect to the following stations: (1) the first-adjacent channel Class C3 license (BLED-20111227AAU) for KYBJ(FM), Lake Jackson, TX, and (2) the first-adjacent channel Class C2 license (BLED-20060509AAA) for KHVT(FM), Bloomington, TX. Specifically, with respect to KYBJ, the proposed protected contour (60 dBu) would receive prohibited overlap from the interfering contour (54 dBu) of KYBJ by as much as 5.6 kilometers between the azimuths from 61°T to 99°T. In addition, the proposed interfering contour (54 dBu) would cause prohibited overlap to the protected contour (60 dBu) of KYBJ by as much as 3.7 kilometers between the azimuths from 66°T to 87°T. With respect to KHVT, the proposed protected contour (60 dBu) would receive prohibited overlap from the interfering contour (54 dBu) of KHVT by as much as 26 kilometers between the azimuths from 222°T to 340°T. In addition, the proposed interfering contour (54 dBu) would cause prohibited overlap to the protected contour (60 dBu) of KHVT by as much as 18 kilometers between the azimuths from 251°T to 311°T. These overlaps constitute an acceptance defect.

The engineering review also reveals that the proposed directional antenna is in violation of 47 C.F.R. Section 73.510(a). Section 73.510(a) states that noncommercial educational stations must comply with 47 C.F.R. Section 73.316(b). Specifically, Section 73.316(b)(2) states that “[d]irectional antennas used to protect short-spaced stations pursuant to Section 73.213 or Section 73.215 of the rules, that have a radiation pattern which varies more than 2 dB per 10 degrees of azimuth will not be authorized.” It has been the Commission’s longstanding policy to apply the 2 dB/10° limitation to noncommercial educational stations protected under the analogous contour overlap section, 47 C.F.R. Section 73.509. The proposal violates this requirement. The proposed radiation pattern varies by as much as 2.7 dB per 10 degrees between the azimuths of 50° T and 60° T and 2.4 dB per 10 degrees between the azimuths of 60° T and 70° T. It is necessary to note that these azimuths are in the direction of station KYBJ, where a directional antenna is necessary to prevent any prohibited overlap. This also constitutes an acceptance defect.

Finally, the engineering study reveals that the application is in violation of 47 C.F.R. § 73.511. Specifically, the application proposes a Class A facility with 2 kilowatts effective radiated power (ERP) at 285 meters antenna height above average terrain (HAAT). The 1 mV/m contour reference distance for the proposed facility is 36 kilometers. Section 73.211(a)(3) requires Class A facilities to have a 1 mV/m contour reference distance that does not exceed 28 km. Thus, the application specifies a Class C3 facility. This also constitutes an acceptance defect.

Therefore, in light of the above, Application BPED-20140910ADR 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,

A handwritten signature in blue ink, appearing to read "Rodolfo F. Bonacci".

Rodolfo F. Bonacci  
Assistant Chief  
Audio Division  
Media Bureau

cc: Dan J. Alpert  
Bob Morrow