

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET SW
WASHINGTON DC 20554

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

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PROCESSING ENGINEER: Harding Chism
TELEPHONE: (202) 418-2700
FACSIMILE: (202) 418-1411
MAIL STOP: 1800B3
INTERNET ADDRESS: Harding.Chism@fcc.gov

Centro Familiar Cristiano
9834 17th Street, SW
Seattle, WA 98106

In re: KGIO(FM), Astoria, OR
Facility ID No. 92452
Centro Familiar Cristiano
BPED-20150529AAZ

Dear Applicant:

This letter is in reference to the above-captioned minor change application to modify the effective radiated power, antenna height, and antenna location. For the reasons stated below, we dismiss the application.

An engineering review of the application reveals that it is in violation of 47 C.F.R. Section 73.509 with respect to the third-adjacent channel Class A license (BLED-20100715AAE) of FM Station, KCPB-FM, Warrenton, OR. Specifically, the application's proposed protected contour (60 dBu) would encompass KCPB's interfering contour (100 dBu). This overlap was not sufficiently addressed in the application.¹ This constitutes an acceptance defect.

Accordingly, in light of the above, application BPED-20150529AAZ, being unacceptable for filing, IS HEREBY DISMISSED. This action is taken pursuant to 47 CFR Section 0.283.

Sincerely,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: David J. Doherty (via email)

¹ In the Technical Exhibit, the applicant states under the "Inbound" plot, "The only area of overlap is around the KCPB transmitter. This is permissible under the terms of the KCPB-FM *Raleigh* waiver." We disagree. The Section 73.509 *Raleigh* waiver granted to KCPB-FM, Warrenton, OR does not authorize the applicant to receive overlap. The waiver granted to KCPB only authorizes KGIO to cause overlap with KCPB. In this application, KGIO proposes to receive overlap from KCPB for the first time. Hence, KGIO must request a separate waiver to receive overlap and must provide sufficient justification to meet the *Raleigh* waiver criterion (*Educational Information Corporation (WCPE)*, 6 FCC Rcd 2207 (1991)). Evidence supporting a request for waiver typically consists of computations of area and population gained within the proposed 60 dBu contour (as compared to the existing area and population), area and population within the opposite station's 100 dBu interfering contour, and discussion of any other factors that support grant of a waiver. The waiver request should also acknowledge that any future modifications by the opposite station (KCPB-FM) would not be construed as a *per se* modification of KGIO's authorization. Here, KGIO fails to request waiver and provide any justification.