

FEDERAL COMMUNICATIONS COMMISSION
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JUL 07 2015

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
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Craven Community College
800 College Court
New Bern, NC 28562

In re: WZNB(FM), New Bern, NC
Facility ID No. 94050
Craven Community College
BPED-20150601AFB

Dear Applicant:

This letter refers to the above-captioned minor change application to modify the directional antenna pattern, effective radiated power, and antenna height.

An engineering study of the application reveals that it is in violation of 47 C.F.R. § 73.509 with respect to the co-channel Class A construction permit (BMPED-20150529AAB) for WGHW(FM), Lockwoods Folly Town, NC.¹ Specifically, the proposed protected contour (60 dBu) would receive prohibited overlap from the interfering contour (40 dBu) of WGHW. Furthermore, the proposed interfering contour (40 dBu) would cause prohibited overlap to the protected contour (60 dBu) of WGHW. This constitutes an acceptance defect.

In light of the above, Application BPED-20150601AFB 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,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Harry F. Cole (via email)
Daniel G. Ryson (via email)

¹ In Exhibit 17, Statement A, Footnote 3 states that "For purposes of this study and application, WGHW Applications for Construction Permit (including BPED-20110211AAK, BMPED-20150402AAT, BMPED-20150529AAB) were presumed to have expired..." WGHW's construction permit had an expiration date of May 30, 2015. However, on May 29, 2015, WGHW filed a timely license application BLED-20150529ADI. Therefore, WGHW's construction permit did not expire and WZNB's presumption is incorrect. Finally, although there are pleadings pending against this license application, absent a dismissal of the license application and cancellation of the construction permit, WGHW's construction permit requires protection.