

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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SEP 14 2015

Sincere Seven
422 Marietta Place, NW
Suite L
Washington, DC 20011

Re: WOOK-LP, Washington, DCCA
Facility ID No. 195472
Sincere Seven
File No. BMPL-20150715AAG

Dear Applicant:

The staff has under consideration the above-captioned application for a Low Power FM ("LPFM") facility to serve Washington, DC. For the reasons set forth herein, we will dismiss the application.

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 58.2 kilometers from the licensed facility for WQSR (BLH-19890117KE) on Channel 274B in Baltimore, MD. The required spacing pursuant to § 73.807 is 67 kilometers. The application supplies a second adjacent short-spacing waiver request that does not adequately demonstrate that no interference will occur.¹

The use of the U/D method of interference calculation employing the FCC F(50,50) and F(50,10) contour curves has been in use for many years to resolve second adjacent waiver requests for translator stations.² When the Commission integrated the necessary provisions of the Local Community Radio Act of 2010³ into the rules, it permitted the use of this same U/D method while also allowing alternate prediction methods to demonstrate that a proposed LPFM operation will not result in interference.⁴ Longley-Rice or other alternate calculations may be used in certain situations but have never been authorized for the purpose of reducing the size of the service contour of an FM station or reducing the signal strength of an FM station in conjunction with a second-adjacent channel waiver request. The application fails to provide any documentation to the contrary.

¹ The application also supplies a second adjacent short-spacing waiver for station WTOP-FM that does adequately demonstrate that no interference will occur.

² *Living Way Ministries, Inc.*, Memorandum Opinion and Order, 17 FCC Rcd 17054, 17056, ¶ 5 (2002), *recon. denied* 23 FCC Rcd 15070 (2008).

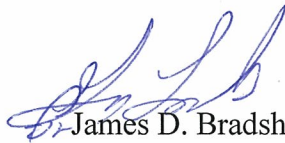
³ Pub. L. No. 111-371, 124 Stat. 4072 (2011).

⁴ *See Creation of a Low Power Radio Service*, Sixth Order on Reconsideration, 28 FCC Rcd 14489, 14498 (2013).

Therefore, the waiver request does not adequately demonstrate that no interference will occur. 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.

In light of the above, the application BNPL-20150715AAG is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a)⁵ and IS HEREBY DISMISSED. These actions are taken pursuant to 47 C.F.R. Section 0.283.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. D. Bradshaw', is positioned above the printed name.

James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Michelle Bradley

⁵ 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.