

FEDERAL COMMUNICATIONS COMMISSION

445 12th Street SW
WASHINGTON DC 20554

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

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March 12, 2007

Educational Community Radio, Inc.
P.O. Box 338
Owensville, Ohio 45160-0338

First Broadcasting Capital Partners, Inc.
750 North Saint Paul, 10th Floor
Dallas, Texas 75201

Radio Station WMUB (FM)
The President and Trustees of Miami University
Williams Hall, Miami University
Oxford, Ohio 45056-2459

In re: WOBO (FM), Batavia, OH
Educational Community Radio, Inc.
Facility ID No. 71288
Application File No: BPH-20070122AKE

WAOL (FM), Amelia, OH
First Broadcasting Capital Partners, Inc.
Facility ID No. 56226
Application File No: BPH-20070122AKI

Gentlemen:

On January 22, 2007, Educational Community Radio, Inc. and First Broadcasting Capital Partners, Inc. submitted contingent applications for WOBO (FM) and WAOL (FM), respectively. The WAOL application proposes to change that station's community of license from Ripley, OH to Amelia, OH, and change the station's transmitter site by 51.4 km. To accommodate this proposed change, IF channel station WOBO proposes to change transmitter site by 15 km and alter its directional antenna pattern. However, The President and Trustees of Miami University, licensee of noncommercial educational station WMUB, Oxford, OH, has filed a petition to deny against the WOBO application on the grounds that prohibited contour overlap would be created. Because a petition to deny does not lie against a minor change application, the petition to deny will be treated as an informal objection.

The University's pleading points out that the proposed 54 dBu interfering contour of WOBO will impermissibly overlap the existing 60 dBu of WMUB, in violation of Section 73.509. With respect to first-adjacent channel station WEKU, Richmond, KY, the University finds that prohibited contour overlap would occur between WOBO's proposed 60 dBu contour and the existing 54 dBu interfering contour of WEKU. The University also alleges deficiencies in the WOBO showing of compliance with Section 73.525.

We agree with the University's conclusions regarding WMUB and WEKU. Our analysis gives the same results, and using different terrain databases did not eliminate the prohibited contour overlap. We conclude that the WOBO application is in violation of Section 73.509 with respect to WMUB and WEKU, and the WOBO application is therefore unacceptable for filing.

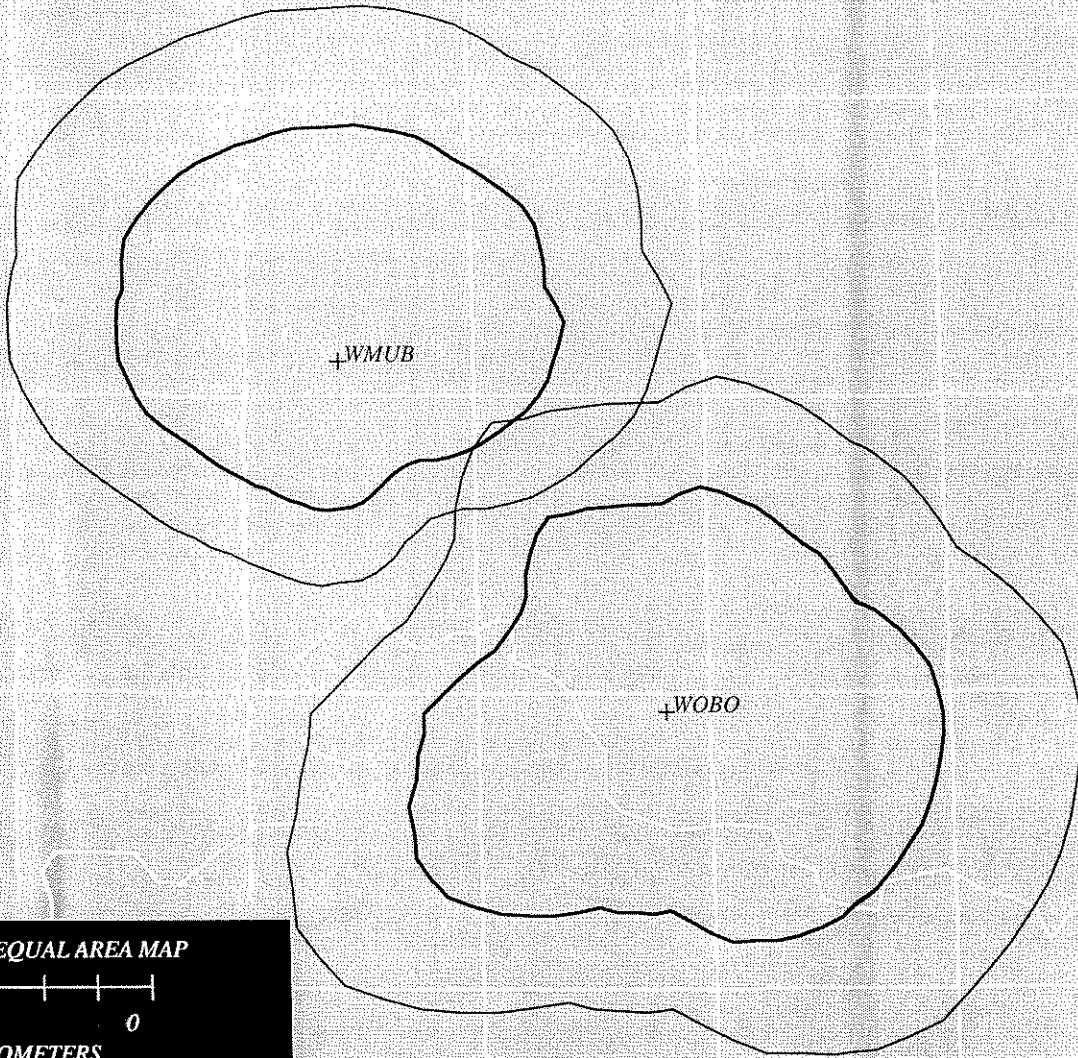
Accordingly, the University's petition to deny, when treated as an informal objection, IS GRANTED, and application BPED-20070122AKE IS DISMISSED. As the WOBO application was filed as part of a contingent application group with WAOL's application BPH-20070122AKI, the WAOL application IS ALSO DISMISSED, pursuant to 47 CFR Section 73.3517(e). These actions are taken pursuant to 47 CFR Section 0.283. Please note that we have not performed a complete analysis on either application that could reveal additional deficiencies that could preclude acceptance of these applications.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale E. Bickel". The signature is written in a cursive style with a large, looping flourish at the end.

Dale E. Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Wiley Rein & Fielding
: Baker & Hostetler, LLP



LAMBERT EQUAL AREA MAP

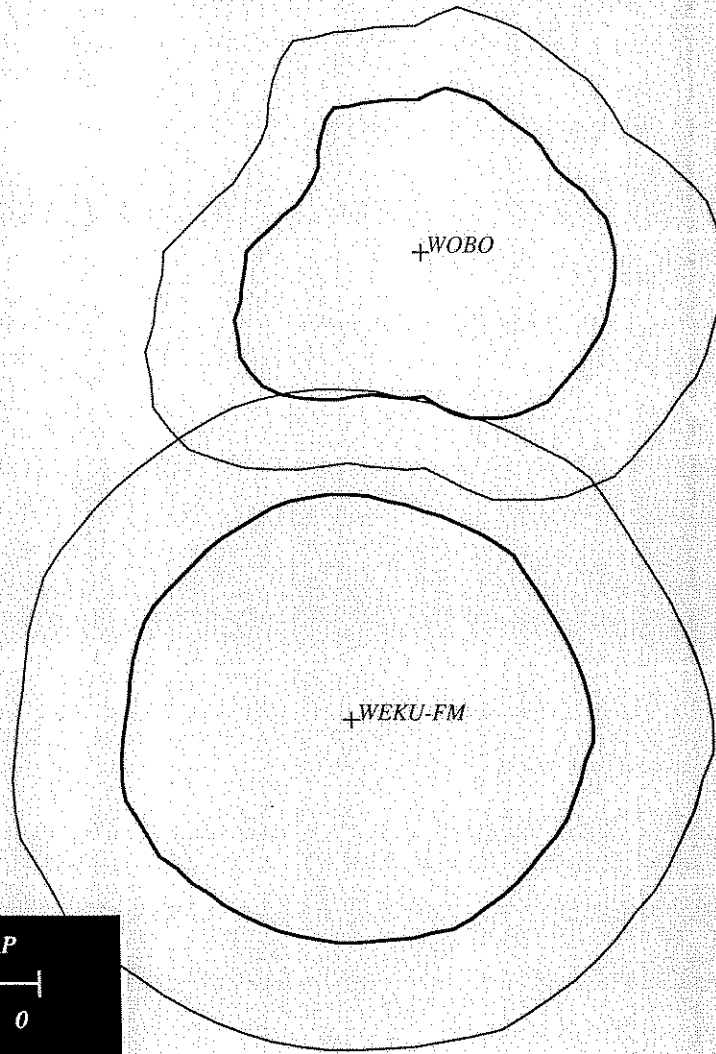
50 0
KILOMETERS

ENGINEER: Dale_Bickel
DATE: 03/12/07

THE FOLLOWING IS A LIST OF THE DATA WHICH APPEARS ON THE ABOVE MAP
 BOTTOM LATITUDE: 38.25 TOP LATITUDE: 40.29 LEFT LONGITUDE: -85.72 RIGHT LONGITUDE: -83.02
 MAP: ENLARGED CONUS MAP PROJECTION: Lambert Equal-area CENTER LAT: 39.27 LONG: -84.37 GRID SPACING: 0.50
 KILOMETERS / INCH = 37.26
 PLOT MADE ON : 12 March, 2007 11:58 HOURS

call	serv	city,state	application no.	contour	chan	erp	haat	rcamsl	coverage area	A1
WMUB	FM	OXFORD,OH	BLED-19940407KB	60.0 dBu (50,50)	203B	24.500	154.0	449.0	4486.7 sq km	0
WMUB	FM	OXFORD,OH	BLED-19940407KB	54.0 dBu (50,10)	203B	24.500	154.0	449.0	10041.4 sq km	0
WOBO	FM	BATAVIA,OH	BPED-20070122AKE	60.0 dBu (50,50)	204B	50.000	150.0	408.0	6137.5 sq km	0
WOBO	FM	BATAVIA,OH	BPED-20070122AKE	54.0 dBu (50,10)	204B	50.000	150.0	408.0	13715.5 sq km	0

No topographic data is available for this location.
 A1 - Number of radials where free space equation was used for field strength calculations.
 A7 - Number of radials where a HAAT less than 30 meters was adjusted to 30 meters.



LAMBERT EQUAL AREA MAP

100 0

KILOMETERS

ENGINEER: Arthur Doak	DATE: 03 / 12 / 07
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THE FOLLOWING IS A LIST OF THE DATA WHICH APPEARS ON THE ABOVE MAP

BOTTOM LATITUDE: 36.91 TOP LATITUDE: 39.73 LEFT LONGITUDE: -86.14 RIGHT LONGITUDE: -82.41

MAP: ENLARGED CONUS MAP PROJECTION: Lambert Equal-area CENTER LAT: 38.32 LONG: -84.27 GRID SPACING: 0.50

KILOMETERS / INCH = 51.47

PLOT MADE ON : 12 March, 2007 12:10 HOURS

all	serv	city,state	application no.	contour	chan	erp	haat	rcamsl	coverage area	A1
WOBO	FM	BATAVIA,OH	BPED-20070122AKE	60.0 dBu (50,50)	204B	50.000	150.0	408.0	6137.5 sq km	0
WOBO	FM	BATAVIA,OH	BPED-20070122AKE	54.0 dBu (50,10)	204B	50.000	150.0	408.0	13715.5 sq km	0
WEKU-F	FM	RICHMOND,KY	BMLED-19990407KA	60.0 dBu (50,50)	205C1	50.000	219.0	482.0	10978.6 sq km	0
WEKU-F	FM	RICHMOND,KY	BMLED-19990407KA	54.0 dBu (50,10)	205C1	50.000	219.0	482.0	23893.0 sq km	0

No topographic data is available for this location.

A1 - Number of radials where free space equation was used for field strength calculations.

A7 - Number of radials where a HAAT less than 30 meters was adjusted to 30 meters.