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Hispanic Family Christian Network, Inc.
P.O. Box 542843
Dallas, TX 75354

In re: K229CO, Dallas, TX
BMPFT-20160122AHS
Facility ID No. 144076

Dear Applicant:

This letter refers to the above-captioned application for K229CO, Dallas, Texas. For the reasons set forth below, the waiver request is denied and the application is dismissed.

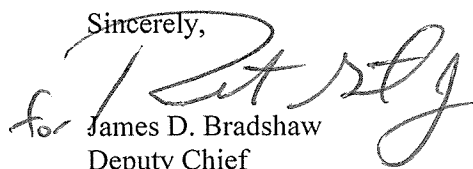
An engineering study of the application reveals that the application is a major change application pursuant to 47 C.F.R. § 74.1233(a)(1). Specifically, Section 74.1233(a)(1) states that “a major change is any change in frequency (output channel) except changes to first, second or third adjacent channels, or intermediate frequency channels”. K229CO is authorized to operate on channel 229. This modification application proposes channel 293 by requesting a waiver of Section 74.1233(a)(1) based on interference caused from co-channel KNOR(FM), Krum, Texas.

We have allowed FM translators to waive Section 74.1233(a)(1) only when “displacement” occurs. Displacement occurs when a full service FM station commences operation in the vicinity of a translator and there is interference predicted or caused by the existing translator. KNOR(FM) has been licensed and operating at its current site since December 10, 2010. Hence, displacement is not warranted in this case and Section 74.1233(a)(1) will not be waived.

When an applicant seeks waiver of the rules, it must plead with particularity the facts and circumstances which warrant such action. *Columbia Communications Corp. v. FCC*, 832 F.2d 139, 192 (D.C. Cir. 1987), quoting *Rio Grande Family Radio Fellowship, Inc. v. FCC*, 406 F. 2d 644, 666 (D.C. Cir 1968 (per curiam)). We have afforded Hispanic Family Christian Network, Incorporated’s waiver request the “hard look” called for under *WAIT Radio v. FCC*, 418 F. 2d 1153 (D.C. Cir. 1969), but find that the facts and circumstances presented are not sufficient to warrant waiver of 47 CFR Section 74.1233.

Accordingly, the request for waiver of 74.1233(a)(1), IS HEREBY DENIED, and the Application BMPFT-20160122AHS IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,


James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau