

FEDERAL COMMUNICATIONS COMMISSION

**445 12th Street, S.W.
WASHINGTON DC 20554**

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

PROCESSING ENGINEER: Larry Hannif-Ali
TELEPHONE: (202) 418-2143
FACSIMILE: (202) 418-1410
MAIL STOP: 1800B3
INTERNET ADDRESS: Larry.Hannif-Ali@fcc.gov

Winnepesaukee Radio Station, LLC.
73 Varney Road
P.O. Box 900
Wolfeboro, NH 03894-0900

AUG 15 2016

In re: W264DA, Wolfeboro, NH
BMPFT-20160728ADI
Facility ID No. 145595

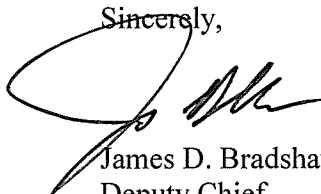
Dear Applicant:

This letter refers to the above-captioned application for W264DA, Wolfeboro, New Hampshire.

An engineering review of the application reveals that the proposal violates the one-per-AM station limitation.¹ Per the December 23, 2015 Public Notice announcing the windows for certain FM translator modification applications, the Media Bureau indicated that it would only permit the filing of one Modification Window application that proposes to rebroadcast a specific AM primary station. It further stated that we will "...dismiss any Modification Window application that proposes to rebroadcast an AM station that has already been listed in a prior Modification Window application as the primary station." We note that Winnepesaukee Radio Station, LLC, ("Winnepesaukee") filed a Modification Window application on January 29, 2016 (BPFT-20160129AGD), proposing to relocate the station approximately 358 kilometers to Channel 264. Staff granted that application on February 17, 2016. Winnepesaukee now seeks to modify the granted construction permit by changing to Channel 246. We note that such a channel change is a major change, per Section 74.1233(b)(1) of the Commission's Rules.² Therefore we must treat this application as a second Modification Window application. Winnepesaukee fails to address this deficiency. Therefore, we will dismiss the application.

In light of the above, the application BMPFT-20160728ADI filed by Winnepesaukee Radio Station, LLC., 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,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Dennis Jackson
Allan G. Moskowitz, Esq.

¹ Media Bureau Announces Filing Dates and Procedures for AM Station Filing Window for FM Translator Modifications and Availability of FM Translator Technical Tools, Public Notice, 30 FCC Rcd. 14690 (2015). (Window PN)

² 47 C.F.R. Section 74.1233(b)(1).