

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
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APPLICATION STATUS: (202) 418-2730
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September 12, 2016

Priority Radio, Inc.
2207 Concord Pike
Box 269
Wilmington, DE 19803

Re: W237CD, Bridgeton, NJ
Facility ID No. 141376
Priority Radio, Inc.
BPFT-20160808AAI

Dear Applicant:

The staff has under consideration the above-captioned modification application for W237CD.

An engineering study has revealed that the proposed transmitter site specified in the application fails to meet the interference protection requirements of 47 C.F.R. § 74.1204. Specifically, the 100 dBu interfering contour of the proposed facility would overlap the 60 dBu contour of the third-adjacent channel facility for WDSB(FM), Dover, DE (BMLH-19931129KC). The application recognizes this issue and requests processing pursuant to Section 74.1204(d) towards WDSB(FM). However, the application does not adequately demonstrate that no interference will occur. The application states that within the interference area there are commercial buildings that are “industrial in nature – including a large lumber yard to the south that is owned by the tower owner...” The application goes on to say that people on the property would be “subjected to interference to a similar degree as persons transversing a non-major roadway...” Even without this admission that the proposal violates the “non-interference” requirement of Section 74.1204(d), we could not conclude that the substantial number of buildings within the interference area should be excluded from protection from interference. Therefore, the application is unacceptable for filing and will be dismissed. Please note that an adequate demonstration of no interference should contain items such as a tower diagram, the antenna manufacturer’s vertical radiation pattern, and/or any details about any nearby structures or major roadways.

Accordingly, in light of the above, application BPFT-20160808AAI 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: Cary S. Tepper, Esq.
Darryl K. Delawder