



Federal Communications Commission
Washington, D.C. 20554
July 30, 2007

Robert A. Naismith
P.O. Box 97
Charlevoix, MI. 49720

1800E3-JCF

In re: LPTV/TV Translator Application of:
Robert A. Naismith
Channel 38 Blairsville, GA.
BMPTTL-20070613ACD
Facility ID: 125850

Dear Applicant:

By Public Notice released May 1, 2000, the Commission announced the scheduling of an auction filing window for certain low power television, television translator and Class A television broadcast stations, from July 31 through August 4, 2000. This filing window was subject to geographic restrictions on the filing of applications for new station construction permits and for major changes in existing facilities, in that only applications which specified antenna site coordinates located more than 121 kilometers (75 miles) from the reference coordinates of 168 cities listed in the attachment to the Public Notice.

The above-referenced application was filed to modify the existing construction permit BNPTTL-20000822AAD which was filed during the filing window, and the proposed antenna site of the modification application is less than 121 kilometers from the following cities to which the geographic restrictions apply: (1) Atlanta, GA. (100 KM), (2) Anderson, S.C. (106 KM). Thus, you may amend your application, within 30 days from the date of this letter, to request a waiver of the geographic restrictions based on terrain shielding. Waiver requests must be supported by an appropriate number of profiles showing the terrain between the proposed community of license and the applicable TV market cities, indicating that the signals of the full-service stations in these cities cannot be directly received in the proposed community.¹ Alternatively, you may demonstrate terrain shielding using the Longley-Rice terrain dependent signal propagation prediction methods.

¹ Guidance for preparing terrain profiles can be found in the Commission's Policy Statement on Terrain Shielding, 3 FCC Rcd 2664, recon. granted in part, 3 FCC Rcd 7105 (1988).

Failure to file an amendment within 30 days from the date of this letter will result in dismissal of your application.

Sincerely,

Hossein Hashemzadeh
Associate Chief
Video Division
Media Bureau