



Federal Communications Commission
Washington, D.C. 20554

August 29, 2017

In Reply Refer to:
1800B3-RFS

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In re: WPOZ(FM), Orlando, Florida
Facility ID No. 9876
File No. BPED-20170504ABA

Dear Counsel:

We have before us a minor change application filed by Central Florida Educational Foundation Inc. ("Central Florida"), licensee of Station WPOZ(FM), Channel 202C, Union Park, Florida. The Application proposes to change the community of license of Station WPOZ(FM), Channel 202C, from Union Park, Florida, to Orlando, Florida. For the reasons set forth below, we dismiss the Application.

Background. The Application was filed pursuant to Section 73.3573(g) of the Commission's Rules, which sets forth the requirements for modification of an FM Station license to specify a new community of license without providing an opportunity for competing expressions of interest. Among other requirements, an applicant for such a minor modification must demonstrate that the proposed change of community constitutes a preferential arrangement of allotments.¹ We make this determination using the FM allotment priorities set forth in *Revision of FM Assignment Policies and Procedures*.²

Discussion. Central Florida proposes to change the community of license of Station WPOZ(FM) from Union Park, Florida, to Orlando, Florida, utilizing its current licensed facilities. Central Florida failed to submitted a Section 307(b) showing to determine whether the community of license proposal results in the public interest. A staff engineering analysis determined that the proposed change of community of license would constitute an intra-urbanized move within the Orlando, Florida Urbanized Area because both communities are part of the urbanized area, and the station would cover 98.91 percent of the urbanized area. There is no gain or loss areas because there is no transmitter site change.

The community of license proposal of Station WPOZ(FM), from Union Park, Florida, to Orlando, Florida triggers Priority (4), other public interest matters. Under Priority 4, we take into account,

¹ See 47 C.F.R. § 73.3573(g). See also *Modification of FM and TV Authorizations to Specify a New Community of License ("Community of License")*, Report and Order, 4 FCC Rcd 4870 (1989), recon. granted in part, Memorandum Opinion and Order, 5 FCC Rcd 7094 (1990).

² *Revision of FM Assignment Policies and Procedures*, Second Report and Order, 90 FCC 2d 88 (1982). The FM allotment priorities are: (1) First fulltime aural service, (2) Second fulltime aural service, (3) First local service and (4) Other public interest matters. Co-equal weight is given to Priorities (2) and (3).

transmission services, reception services, population gains, and other information relevant to the public interest. In order to satisfy the requirements of Priority (4) of the Commission's allotment priorities, further information regarding the public interest must be submitted. Accordingly, we find that there are no public interest benefits under Priority (4) justifying the proposed community of license change for Station WPOZ(FM), from Union Park, Florida to Orlando, Florida.

Conclusion. Based on the foregoing, the Application, File No. BPED-20170504ABA is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a) and is HEREBY DISMISSED.

Sincerely,



Nazifa Sawez
Assistant Chief, Audio Division
Media Bureau