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DEC 19 2007

Patrick Diemer, President
Electronic Applications Radio Service
15 North Wood Street
Greenfield, Indiana 46140

In re: Electronic Applications Radio Service
WRFM(AM), Knightstown, IN
Facility ID No. 1724
File No. BP-20070521ABD

Dear Mr. Diemer:

This letter is in reference to the above captioned application filed by Electronic Applications Radio Service, Inc. (EARS) to change the city of license from Muncie, Indiana to Knightstown, Indiana, and eliminate the licensed nighttime facility. The application was amended on August 30, 2007, and October 29, 2007, in response to the Commission letters dated August 24, 2007, and October 4, 2007.¹

The October 29, 2007, amendment specifies a change in frequency from 990 kHz to 1170 kHz. Pursuant to Section 73.3571(a)(1) this would be considered a major change amendment, and pursuant to Section 73.3571(a)(2) major change amendments will not be accepted after the closing of the AM filing window. The last AM filing window closed on January 30, 2004. Accordingly, the October 29, 2007, amendment is not acceptable for filing.

Based on this information, application File No. BP-20070521ABD IS HEREBY DISMISSED. This action is taken pursuant to Section 0.283 of the Commission's rules.

In the Public Notice entitled "Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications", FCC 84-366, released August 2, 1984, the Commission indicated that it would reinstate applications nunc pro tunc where the original application was returned and where a relatively minor curative amendment was filed in conjunction with a paper-filed petition for reconsideration within 30 days of the date

¹ On August 24, 2007, the staff requested an amendment to correct the antenna efficiency, tower height, and provide site exhibits. On August 30, 2007, EARS submitted an amendment and requested a waiver of Section 73.37(a) concerning prohibited contour overlap to station WTTZ(AM) and WONE(AM). On October 4, 2007, the staff denied the waiver request and requested an amendment to eliminate the overlap areas and provide a 307b showing.

of the dismissal. Any electronic amendment filed later than 30 days will be returned as untimely. See 47 U.S.C. § 405, 47 C.F.R. § 1.106(f). In this regard, it should be emphasized that the above deficiencies were discerned after a preliminary study of the application. A detailed review

was not made of the entire application to determine whether other deficiencies exist which would preclude acceptance for filing or result in a subsequent dismissal. Inasmuch as the applicant will not be afforded a second opportunity to correct another deficiency, I would urge that the applicant carefully review the entire application.

Sincerely,

Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: Martin Hensley, Technical Consultant