

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
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Georgia Public Telecommunications
Commission
260 Fourteenth Street, N.W.
Atlanta, GA 30318

In re: WGPB (FM), Rome, GA
Facility ID# 6797
Georgia Public Telecommunications
Commission
BPED-20130207AAU

Dear Applicant:

This letter is in reference to the above-captioned minor change application to modify location, effective radiated power, and height.

An engineering study of the proposed directional antenna reveals that it is in violation of 47 C.F.R. § 73.316. Specifically, the proposed radiation pattern varies by more than 2 dB per 10 degrees. It is necessary to note that this violation occurs in the direction of a short-spaced station and the directional antenna is necessary to prevent any prohibited overlap. Pursuant to 47 C.F.R. § 73.316(b)(2), directional antennas used to protect short-spaced stations that have a radiation pattern which varies more than 2 dB per 10 degrees of azimuth will not be authorized. This deficiency constitutes an acceptance defect. The application must be amended to demonstrate compliance with § 73.316.

In addition, an engineering study also reveals that the facility specified in the application fails to meet the minimum spacing requirement of 47 C.F.R. § 73.207. Specifically, the facility is short-spaced by 22 kilometers to the co-channel Class C1 reserved assignment for WMGZ(FM), Lexington, GA.¹ The required spacing pursuant to 47 C.F.R. § 73.207 is 211 kilometers while the actual spacing proposed in the application is 189 kilometers. This constitutes an acceptance defect. Therefore, the application must be amended to demonstrate compliance with § 73.207.²

¹ The reserved assignment for WMGZ was specified in BPH-20070416ACW.

² Note that the proposed facility will also fail to comply with § 73.215 with respect to the reserved assignment for WMGZ.

Pursuant to 47 C.F.R. § 73.3522, "... an applicant whose application is found to meet the minimum filing requirements but nevertheless is not complete and acceptable shall have the opportunity in the 30-day period specified in the FCC staff's deficiency letter to correct all deficiencies in the tenderability and acceptability of the underlying application, including any deficiency not specifically identified by the staff." Additionally, 47 C.F.R. § 73.3564 states that "[a]pplications with uncorrected tender and/or acceptance defects remaining after the opportunity for corrective amendment will be dismissed with no further opportunity for amendment." See Appendix B in the Report and Order in MM Docket No. 91-347. This letter constitutes your opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3522.

Further action on the subject application will be withheld for a period of thirty days from the date of this letter to provide WGPB an opportunity to respond. Failure to correct all tender and acceptance defects within the thirty days from the date of this letter will result in the dismissal of the application with no further opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3564. Please note, any amendment must be submitted in the same manner as the original application.

Sincerely,

A handwritten signature in blue ink that reads "Edna V. Prado".

Edna V. Prado
Supervisory Engineer
Audio Division
Media Bureau

cc: Ms. Margaret L. Miller, Esquire
Mr. Lee S. Reynolds, Technical Consultant