

FEDERAL COMMUNICATIONS COMMISSION

**445 12th STREET SW
WASHINGTON DC 20554**

FEB 25 2020

**MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS:** (202) 418-2730
HOME PAGE: www.fcc.gov/media/radio/audio-division

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Cedar Cove Broadcasting, Inc.
87 Jasper Lake Road
Loveland, CO 80537

In re: KFCY(FM), Grants, NM
Facility ID No.: 172582
Cedar Cove Broadcasting, Inc
File No.: 0000096721

Dear Licensee:

This letter refers to the above-captioned minor change application to modify the channel, class, and effective radiated power ("ERP"). For the reasons stated below, we will dismiss the application.

An engineering study of the application reveals that it is in violation of 47 C.F.R. § 73.509 with respect to co-channel Class C3 licensed station (BMLED-20090630AFW), KQGC(FM), Belen, NM. Specifically, with respect to KFCY, the proposed protected contour (60dBu) will receive prohibited overlap from the interfering contour (40dBu) of KQGC by more than ten kilometers between the azimuths of 117° T and 170° T. This constitutes an acceptance defect.¹

Accordingly, Application File No. 0000096721 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,



Rodolfo F. Bonacci
Assistant Division Chief
Audio Division
Media Bureau

cc: Victor Michael via email

¹ In its technical statement submitted to support the minor changes, Cedar Cove Broadcasting, Inc. ("CCBI") states that KQGC(FM) has been silent for at least three years, and therefore its license should be canceled. Furthermore, CCBI's proposed channel change and upgrade to class C2 are conditioned on the cancellation of KQGC's license. CCBI has filed a request, dated December 22, 2019, to cancel KQGC's license. However, absent a final decision made by the Commission to cancel the license of KQGC(FM), its licensed facility must be protected.