

REQUEST FOR WAIVER OF SHORTSPACING RULES

Come Together Productions, Inc.

WMBT-LP, Facility ID Number 196950, Gainesville, FL

Application for Minor Modification of Licensed Facility

For Transmitter Site Change

This application proposes a change of the transmitter site of LPFM Station WMBT-LP from its current leased site to a different, existing tower. The proposed destination tower site (ASR 1315615) would result in a distance separation of 99.39 km from first-adjacent-channel FM station WJCT-FM, Gainesville, Florida, which operates on Channel 210C1. With rounding (based on Section 73.807 of the Commission's rules), 99.5 km separation spacing between an LPFM and first-adjacent-channel Class C1 FM station is permitted as a matter of right. In this case, the destination tower would be located 110 meters closer to WJCT-FM than the separation distance permitted as a matter of right.

The licensee, however, which has only very recently acquired this LPFM station (See, BALL-20201110AAK) has no practical alternative than to seek this waiver. The current, leased transmitter site of WMBT-LP, consists of a tower and transmitter building. Both are in dilapidated condition, and both lack structural integrity. A fair assessment of the site condition is that both the tower and the transmitter building are in danger of imminent collapse. There are no other communications facilities at the current, leased site other than WMBT-LP. A principal of the licensee of WMBT-LP, has approached the site owner repeatedly, but unfortunately the site owner is disinterested in rehabilitating either the tower or the transmitter building, despite repeated requests to do so. After a thorough investigation, there are no existing, non-short-spaced towers on which to relocate the station, with the exception of a municipally owned police land mobile tower, and that has been determined to be unavailable for the purpose. The specified tower is the nearest one to the community of license that is available for the relocation of WMBT-LP. Nor is a different channel available for WMBT-LP that could be fully spaced.

Given the *de minimis* shortspacing of 110 meters, and the circumstances encountered by this new licensee, it is respectfully requested that the Commission permit the relocation of WMBT-LP to this new tower location.