

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET, SW**  
**WASHINGTON, DC 20554**

MEDIA BUREAU  
AUDIO DIVISION  
APPLICATION STATUS: (202) 418-2730  
HOME PAGE: WWW.FCC.GOV/MB/AUDIO

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**MAY 13 2014**

Family of God Fellowship Church, Inc.  
1231 NW Eugene St.  
Topeka, KS 66608

In re: NEW, Topeka, KS  
Facility ID No.: 193922  
Family of God Fellowship Church, Inc.  
BNPL- 20131107ALX

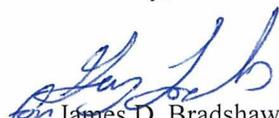
Dear Applicant:

The staff has under consideration the above-captioned application for a new LPFM station.

An engineering study has revealed that the applicant fails to certify compliance with the Environmental Policy Act. Specifically, a review of the environmental exhibit indicates that the applicant has not demonstrated compliance with the Nationwide Programmatic Agreement and Section 106 of the National Historic Preservation Act (See Report and Order, FCC 04-222, released October 5, 2004).<sup>1</sup> The applicant must amend the application to certify compliance with the Environmental Policy Act and demonstrate the completion of the Section 106 Review Process in accordance with Sections 1.1306 and 1.1307 of the Commission's Rules.<sup>2</sup> Please also note that we contacted the contact representative Matthew H McCormick on April 15, 2014 about this defect. On April 15, 2014, Mr. McCormick stated that as soon as the Section 106/Nationwide Programmatic Agreement with respect to the proposed antenna mast has been completed successfully, amendment will be filed. Since then, the Commission has not received a response, and the National Environmental Policy Act question remains uncertified.

Further action on the subject application will be withheld for a period of twenty (20) days from the date of this letter to provide an opportunity to submit the requested information. If the applicant cannot demonstrate compliance with the Environmental Policy Act within 20 days of the date of this letter, the Audio Division (AD) must be notified in writing, concerning the delay. In the event that further delays occur, the applicant must provide the Audio Division with written updates every 30 days thereafter. Failure to respond within this time period or to provide the written updates every 30 days will result in the dismissal of the application for failure to prosecute pursuant to 47 C.F.R. § 73.3568(a)(1).

Sincerely,

  
James D. Bradshaw  
Deputy Chief  
Audio Division  
Media Bureau

cc: Matthew H. McCormick

<sup>1</sup> The Agreement is incorporated as Appendix C to Part 1 of the Commission's Rules.

<sup>2</sup> See 47 C.F.R. § 1.1306 and § 1.1307.