

FEDERAL COMMUNICATIONS COMMISSION
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Turquoise Broadcasting Company, L.L.C.
P.O. Box 64125
Tucson, AZ 85728

In re: K300BZ, Kodiak, AK
BPFT-20080815ACA
Facility ID No. 142585

K282AU, Kodiak, AK
BMPFT-20080815ABZ
Facility ID No. 142580

K271BF, Kodiak, AK
BPFT-20080815ABY
Facility ID No. 142573

Dear Applicant:

This refers to the above-captioned applications for K300BZ, K282AU, and K271BF, Kodiak, Alaska.

An engineering study of the applications reveal that they are in violation of 47 C.F.R. § 74.1231(b). The applicant recognizes this violation and requests waiver of Section 74.1231(b). Section 74.1231(b) of the Commission's Rules states that a "non-fill-in" translator in the commercial band may be used for the purpose of retransmitting the signal of a primary FM radio broadcast station or another translator station which is received directly through space

The applicant claims that the waiver is necessary because the proposed facility of KMXT(FM) (BPED-20060810AIG) will cause blanketing interference to the input frequencies of the associated primary stations and would therefore make "direct-off-air" reception unreliable. We note that such impediments to receiving a clear input signal does not justify waiver of the rules. Turquoise Broadcasting Company L.L.C. ("TBC") cites three situations where the Commission has supposedly waived the "alternate delivery method" requirement. K210CF and K216DF are both noncommercial educational translators operating on reserved channels and are therefore allowed alternative signal delivery means. Furthermore, since K296DC was licensed prior to the new rules adopted November 8, 1990 (MM Docket No. 88-140) released December 4, 1990, K296DC