

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET SW
WASHINGTON DC 20554

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

OCT 05 2016

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WAMC
318 Central Avenue
Albany, NY 12206

In re: WCEL(FM), Plattsburgh, NY
Facility ID No. 44032
WAMC
BPED-20160829ABJ

Dear Applicant,

This letter refers to the above-captioned minor change application to change antenna height, antenna location, and effective radiated power.

An engineering review of the application reveals that the application fails to comply with the grandfathered short-spacing provisions of 47 C. F. R. § 73.213(c). Specifically, the proposal is short spaced by 1 kilometer to the licensed (BLH-19920701KC) first-adjacent channel Class C3 facility for WVTK(FM), Port Henry, NY. The required spacing pursuant to 47 C. F. R. § 73.213(c) is 84 kilometers while the actual spacing proposed in the application is 83 kilometers. This short spacing was not recognized in the application.¹ This constitutes an acceptance defect.

In light of the above, Application BPED-20160829ABJ 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: Barry D. Fersh (via email)
E.R. (Chip) Morgan (via email)

¹ We have studied the application under the provisions of 47 C.F.R. § 73.215, and found that it meets the minimum spacing requirement of § 73.215(e), and if the effective radiated power were reduced to 0.300 kilowatts in the direction of WVTK, the proposal would provide contour protection pursuant to § 73.215(a) to WVTK.