

**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

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**FEB 14 2018**

Brian P. McGlynn  
Genesee Media Corporation  
620 Park Avenue  
Suite 301  
Rochester, New York, 14607

Re: Genesee Media Corporation ("GMC")  
WRSB(AM), Brockport, New York  
Facility Identification Number: 15767  
File Number: BP-20140124AME

Dear Mr. McGlynn:

This is in reference to the above-captioned minor change application for station WRSB(AM) to change frequency from 1590 kHz to 1600 kHz, and the January 8, 2018 amendment.

A preliminary review of the amended application reveals the following deficiencies:

1. The proposed nighttime power of 1.0 kW with a theoretical RMS of 347.00 mV/m @ 1 km will result in a loss resistance per tower of -0.91 ohm, in violation of Section 73.150 of the Commission's rules.<sup>1</sup>
2. The proposed nighttime operation would increase the existing 50% RSS limit of co-channel Canadian station New, Cornwall, Ontario from 19.3 mV/m to 22.6 mV/m, in violation of the 1984 US/Canada Agreement.
3. The proposed 0.025 mV/m daytime groundwave contour would overlap the 0.5 mV/m daytime groundwave contour of co-channel Canadian station CHNR, Simcoe, Ontario, in violation of the 1984 US/Canada Agreement. GMC acknowledged this and stated "... it has engaged engineering services in Canada to propose modifications to the Simcoe,

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<sup>1</sup> The nominal power and specified theoretical RMS of the proposed standard radiation pattern must result in a 1.00 ohm loss resistance per tower pursuant to Section 73.150 of the Commission's rules.

Ontario 1600 kHz allocation as a net benefit to Canada...” It should be noted that any modification to Canadian allotments must be approved and their records must be modified by Canada before to be considered in the allocation study.

Accordingly, under Section 0.283 of the Commission's Rules, the application (File Number: BP-20140124AME) IS HEREBY DISMISSED as unacceptable for filing.

In the Public Notice entitled "*Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications*", FCC 84-366, released August 2, 1984, the Commission indicated that it would reinstate applications nunc pro tunc where the original application was dismissed and where a relatively minor curative amendment was filed in conjunction with a petition for reconsideration within 30 days of the date of the dismissal. Any amendment filed later than 30 days will be returned as untimely. See 47 U.S.C. § 405, 47 C.F.R. § 1.106(f). In this regard, it should be emphasized that the above deficiency was discerned after a preliminary study of the application. A detailed review was not made of the entire application to determine whether other deficiencies exist, which would preclude acceptance for filing or result in a subsequent dismissal. Inasmuch as the applicant will not be afforded a second opportunity to correct another deficiency, I would urge that the applicant carefully review the entire application as GMC has been afford more than four years and multiple amendments to perfect WRSB application.<sup>2</sup>

Sincerely,



Son Nguyen,  
Supervisory Engineer  
Audio Division  
Media Bureau

cc: Jim Oyster (via email)

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<sup>2</sup> WRSB filed amendments on October 6, 2016, May 1, 2017 and January 8, 2018.