

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
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March 27, 2019

McNeese State University
4205 Ryan Street
Lake Charles, LA 70605

Re: KBYS(FM), Moss Bluff, LA
McNeese State University
Facility Identification Number: 172777
License application BLED-20180615ABD

Dear Licensee:

This is in reference to your license application for KBYS (FM), to cover the directional antenna operation authorized by construction permit BPED-20150226ABQ. For the reasons set forth below, program test authority for full power operation has not been issued, and the license application cannot presently be granted.

The license application contains the required directional antenna exhibits – surveyor's statement, manufacturer's proof of performance measurements, and the engineer's certification. The antenna manufacturer's measurements were based on the information provided by the licensee with regard to orientation of the tower faces. However, the survey found that the face of the tower was not oriented at north 90 degrees east, but north 102.5 degrees east (12.5° shift). The license application plainly acknowledges this discrepancy and indicates that "[t]he licensee is currently working with ERI, the antenna manufacturer, to determine the impact of this change and will either file an revise [sic] proof of performance or an application for modification of facilities, as necessary." Since the licensee apparently was (at the time of filing) taking prompt action to resolve the matter, we deferred action on the license application and the concurrent request for program test authority, pending the outcome of this analysis.¹

However, nine months have passed, and we do not have any further information in hand. We cannot ascertain the impact of the changed tower orientation (and the mounting of the antenna relative to that tower orientation) on the directional antenna pattern, nor can we find that full power operation would adequately protect other FM stations on the same or adjacent channels. Consequently, the license application is not grantable.

¹ The license application indicates that KBYS was (and presumably continues to) operate at half power, as permitted by FCC rule Section 73.1620(a)(2).

We require a written summary within 30 days to explain where matters stand, and how the licensee plans to rectify the deficiencies in the license application. This filing shall be sent through the Office of the Secretary, FCC, Washington, DC 20554. Failure to respond may result in dismissal of the license application, and cancellation of the underlying construction permit.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale Bickel".

Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Brad Deutsch (via e-mail only)