

### **Explanation for this Minor Modification Application:**

As a result of application BNPFT-20030714AAB, on October 24, 2003 the Commission granted a construction permit for new FM translator station K254AR at Truckee, California.

Calvary Chapel of Twin Falls, Inc. built K254AR during the weekend of November 1, 2003 and an FCC Form 350 license application was filed November 3, 2003. See, BLFT- 20031103AAT

During the first week of December 2003, the applicant inquired as to whether the modification of an existing licensed station needed to provide contour protection to a short form FM translator application that had not yet been perfected with the filing of a long form application. It was then noted through an email from our counsel, Cary Tepper, that the short form applications filed March 2003 did not need to be protected when filing a minor modification for an existing authorized station. On December 11, 2003 after having checked the operations of K254AR to see if the directional antenna and or frequency could be modified, it was discovered that K254AR had been constructed at the wrong site. The incorrect site had been used by the applicant in the past, so the installation crew did not realize it had been given incorrect site information.

The applicant's counsel advised us to shut down the operations of K254AR immediately, and an inquiry was made to Jim Bradshaw as to how this matter should be handled. The filing of this modification application was suggested. K254AR remains off-air as a local entity has been contacted to shut this station down until authorization to the site applied for herein has been granted.

*Spencer*  
12/12/2003