

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12th Street, S.W.**  
**WASHINGTON DC 20554**

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

OCT 30 2017

PROCESSING ENGINEER: ROBERT GATES  
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Centro Cristiano De Eterna  
8230 Antoine Drive  
Houston, TX 77088

In re: K210DF, Lake Jackson, TX  
BPFT-20171016AEX  
Facility ID # 122072

Dear Applicant:

This refers to the above-captioned FM translator application for K210DF, Lake Jackson, Texas.

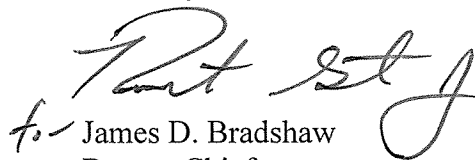
An engineering study has revealed the application is a major change application pursuant to 47 C.F.R. § 74.1233(a)(1). Specifically, the Section states that “a major change is any change in frequency except changes to first, second or third adjacent channels or intermediate frequency channels.” K210DF is licensed on channel 210. The applicant is proposing channel 200 which is a major change.

Secondly, the specified channel 200 is a violation of § 74.1202(b)(2) which states that channels 201 through 300 are permissible for translators. The applicant recognizes this violation and requests waiver of Section 74.1202(b)(2) of the Commission’s Rules.

When an applicant seeks waiver of the rules, it must plead with particularity the facts and circumstances which warrant such action. *Columbia Communications Corp. v. FCC*, 832 F.2d 139, 192 (D.C. Cir. 1987), quoting *Rio Grande Family Radio Fellowship, Inc. v. FCC*, 406 F.2d 644, 666 (D.C. Cir. 1968 (per curiam)). We have afforded The Original Company, Incorporated’s waiver request the “hard look” called for under *WAIT Radio v. FCC*, 418 F.2d 1153 (D.C. Cir. 1969), but find that the facts and circumstances presented are not sufficient to warrant waiver of 47 CFR Section 74.1202(b)(2).

Accordingly, the request for waiver of 74.1202(b)(2), IS HEREBY DENIED, and the Application BPFT-20171016AEX IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bradshaw".

for James D. Bradshaw  
Deputy Chief  
Audio Division  
Media Bureau