

SUPPLEMENT

The Technical Exhibit reveals a short spacing to Stations WEBN(FM) WKLN(FM), and WVKO-FM. However, WDHT is currently short-spaced to these stations pursuant to Sections 73.213(a) and 73.213(c). To the extent necessary, Blue Chip Broadcasting Licenses, Ltd. (“Blue Chip”) requests a waiver of Section 73.3573(g)(4) of the Commission’s Rules. The Commission has indicated that it will consider requests for waiver of this rule if such a request is consistent with *Newnan and Peachtree City, Georgia*, 7 FCC Rcd 6307 (1992).¹ Under *Newnan and Peachtree City*, grandfathered short-spaced stations are permitted to change community of license “provided that no new short spacings are created, no existing short spacings are exacerbated, and the potential for interference between the currently short spaced stations is not increased.” These criteria are met here because the proposed allocation site is WDHT’s currently licensed site and the current short spacings are grandfathered under Section 73.213.

¹ See *Media Bureau Offers Examples to Clarify the Treatment of Applications and Rule Making Petitions Proposing Community of License Changes, Channel Substitutions, and New FM Allotments*, Public Notice, DA 07-1671, Example 15 (April 10, 2007) (“*Examples PN*”). Blue Chip did not specifically request a waiver in its original application (filed on January 19, 2007) because the Media Bureau had not yet released the *Examples PN* indicating that a waiver is necessary. Blue Chip did however state previously that it complied with the precedent set in *Newnan and Peachtree City, Georgia, supra*.