

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
OFFICE OF BROADCAST LICENSE POLICY
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

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March 25, 2009

Houston Christian Broadcasters, Inc.
2424 South Boulevard
Houston, TX 77098-5196

In re: KALD(FM), Caldwell, TX
Houston Christian Broadcasters, Inc.
("Houston")
Facility ID No.: 91682
BMPED-20070907AEH

Dear Applicant:

This letter refers to the above-captioned minor change application, as amended March 2, 2009, to change transmitter location, effective radiated power and antenna height.

Section 73.7002(c) of the Commission's Rules stipulates that for a period of four years of on-air operations, an applicant receiving a decisive 307(b) preference is required to "construct and operate technical facilities substantially as proposed and shall not downgrade service to the area on which the preference was based." Houston has neither constructed nor operated, for any period, the authorized facilities for which KALD(FM) received a decisive 307(b) preference. Furthermore, the proposed facilities would result in a downgrade in service to the area on which KALD's decisive 307(b) preference was based.¹ Even though Houston would provide new first and second service to 949 more people than the facilities authorized by Construction Permit BPED-19980922MB, they fail to adequately address the loss of first and second service to part of the area on which the 307(b) service was based.

Therefore, Application BMPED-20070907AEH, as originally filed and as amended March 2, 2009, is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a) and is HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,

Arthur E. Doak

Arthur E. Doak
Senior Engineer
Audio Division
Media Bureau

cc: Southmayd & Miller
Mullaney Engineering, Inc.

¹ The application as originally filed has the same acceptability defect.