

FEDERAL COMMUNICATIONS COMMISSION

445 12th Street SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: <http://www.fcc.gov/mb/audio/>

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August 20, 2009

New Horizon Christian Fellowship
3401 Ponchartrain Drive, Suite 6
Slidell, LA 70458

In re: NEW (FM); Pearl River, MS
New Horizon Christian Fellowship
Facility ID No. 175764
CP application BNPED-20071022BAN

Dear New Horizon Christian Fellowship:

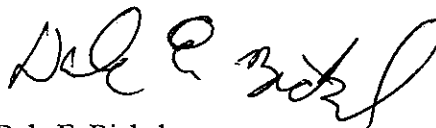
Your construction permit application for a new noncommercial educational station in Pearl City, MS was tentatively selected as the winning application in Mutually Exclusive (MX) Group 07-358.¹ However, the application as it stands is not grantable.

The tower proposed in the application requires the assignment of an Antenna Structure Registration Number (ASRN), which can be applied for at <http://wireless.fcc.gov/antenna>. Once an antenna structure registration number is obtained, application BNPED-20071022BAN must be revised to include this number.²

In addition, the applicant checked "No" to Question 18 in Section VII of the Form 340 application. This means that the proposal cannot be categorically excluded from environmental processing. Please provide a summary of where the application stands in the process with respect to historical, tribal, and environmental issues. See Sections 1.1306 and 1.1307 of the Commission's Rules.

Further action on this application will be withheld until **September 20, 2009** to afford you an opportunity to address these issues. Failure to respond within this time period will result in the dismissal of the application pursuant to Section 73.3566(b) of the Commission's Rules. Please be aware that any amendment that changes the already-proposed technical parameters will be subject to a new Threshold Fair Distribution Analysis.

Sincerely,



Dale E. Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Wiley Rein, LLP
: Gray Haertig

¹ See *Threshold Fair Distribution Analysis of 26 Groups of Mutually Exclusive Groups of Applications for Permits to Construct New or Modified Noncommercial Educational FM Stations Files in October 2007 Window*, DA 08-2727, released December 12, 2008.

² It appears that the FAA has issued a *Determination of No Hazard* in FAA Study No. 2007-ASW-9701-OE for the proposed tower structure. However, the site elevation and tower height parameters specified in the FAA clearance are not consistent with those specified in this construction permit application.



Federal Aviation Administration
Air Traffic Airspace Branch, ASW-520
2601 Meacham Blvd.
Fort Worth, TX 76137-0520

Aeronautical Study No.
2007-ASW-9701-OE

Issued Date: 11/01/2007

Gray Frierson Haertig
Gray Frierson Haertig & Assoc.
820 North River Street, Suite 100
Portland, OR 97227

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower New Horizon Christian Church Tower
Location:	Talisheek, LA
Latitude:	30-31-12.700N NAD 83
Longitude:	89-50-48.300W
Heights:	365 feet above ground level (AGL) 421 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

 At least 10 days prior to start of construction (7460-2, Part I)
 X Within 5 days after the construction reaches its greatest height (7460-2, Part II)

This determination expires on 05/01/2009 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 838-1995. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2007-ASW-9701-OE.

Signature Control No: 543818-100847708

(DNE)

Alice Yett

Technician

Attachment(s)

Frequency Data

7460-2 Attached

Frequency Data for ASN 2007-ASW-9701-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
88.7	88.7	MHz	100	KW