

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12th STREET, SW**  
**WASHINGTON DC 20554**

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

PROCESSING ENGINEER: Gary Loehrs  
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JUN 24 2016

Ms. Carolyn Keddy  
San Francisco Community Radio, Inc.  
672 Toland Place  
San Francisco, CA 94124

Ms. Lila Lahood  
The San Francisco Public Press  
44 Page Street, Suite 504  
San Francisco, CA 94102

In re: NEW-LP, San Francisco, CA  
Facility ID No. 192498  
San Francisco Community Radio, Inc.  
BNPL-20131114AQD

NEW-LP, San Francisco, CA  
Facility ID No. 195885  
The San Francisco Public Press  
BNPL-20131113BRJ

Dear Applicants:

This is in reference to the above-captioned mutually exclusive applications for new Low Power FM (LPFM) stations. The Commission has determined that these applications are the sole remaining tentative selectees of LPFM MX Group 37.<sup>1</sup>

Unless an acceptable voluntary timeshare agreement is filed, we intend to simultaneously grant the remaining tentative selectee applications, assigning an equal number of hours per week to operate the proposed station to each applicant.<sup>2</sup> We will determine the hours assigned to each applicant by first assigning hours to the applicant that has been local for the longest uninterrupted period of time<sup>3</sup>—The San Francisco Public Press—then assigning hours to the applicant that has been local for the next longest uninterrupted period of time—San Francisco Community Radio, Inc. We are now providing the applicants fifteen (15) days from the date of this letter to simultaneously and confidentially submit their preferred time slots. We will use the information provided by the applicants to assign time slots, per the rules.<sup>4</sup> Applicants that CONFIDENTIALLY submit

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<sup>1</sup> LPFM MX Group 37, Memorandum Opinion and Order, FCC 16-83 (June 24, 2016).

<sup>2</sup> 47 CFR § 73.872(d)(2); *see also* Instructions to FCC Form 318, Section IV at 9; *Creation of a Low Power Radio Service, Fifth Order on Reconsideration and Sixth Report and Order*, 27 FCC Rcd 15402, 15475 (2012).

<sup>3</sup> 47 CFR § 73.853(b), FCC Form 318, Section IV, Question 1 (requiring applicants to provide the date on which the applicant qualified as local).

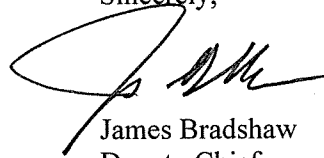
<sup>4</sup> 47 CFR § 73.872(d)(2). Because there are only two tied, grantable applications, the applicants must select between the following 12-hour time slots: 3 a.m.-2:59 p.m., or 3 p.m.-2:59 a.m. In the event an applicant neglects to

their preferred time slots MUST select one of the time slots described in note 4, above. We remind applicants that licenses granted pursuant to involuntary time-sharing are not renewable.<sup>5</sup>

Any voluntary time-share agreements must be submitted in writing, as an amendment to one or more of the applications (with a copy to the email addresses listed below), signed by each applicant, and satisfy the following requirements: (1) the agreement must include all applicants captioned on this letter; (2) the proposal must specify the proposed hours of operation of each time-share proponent; (3) the proposal must not include simultaneous operation of the time-share proponents; and (4) each time-share proponent must propose to operate for at least 10 hours per week.<sup>6</sup>

Any confidential requests for preferred time slots must be emailed to: [gary.loehrs@fcc.gov](mailto:gary.loehrs@fcc.gov) and [james.bradshaw@fcc.gov](mailto:james.bradshaw@fcc.gov).<sup>7</sup> Failure to designate a preferred time slot, or failure to designate a time slot provided by the rules, will result in the staff selecting a time slot for the applicant.

Sincerely,



James Bradshaw  
Deputy Chief  
Audio Division  
Media Bureau

cc: Peter Franck, Esq.  
Law Offices of Peter Franck  
1939 Harrison St., Suite 910  
Oakland, CA 94612

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designate its preferred time slots, staff will select a time slot for the applicant.

<sup>5</sup> 47 CFR § 73.872(d)(1).

<sup>6</sup> 47 CFR § 73.872(c)(1)(i) – (iii). The agreement can only be modified if all of the parties submit a written agreement, signed by each party, to the Commission, Attention: Audio Division, prior to the change.

<sup>7</sup> Any such email may not contain additional information that would violate the Commission's ex parte rules, §§ 1.1200 et seq.