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In re: K216BH, Greybull, WY
BPFT-20090323ABJ
Facility ID No. 18323

Dear Applicant:

This letter refers to the above-captioned application for K216BH, Greybull, Wyoming.

An engineering study of the application reveals that it is in violation of 47 C.F.R. § 74.1235(j). K216BH is a licensed facility with an effective radiated power ("ERP") of 84 watts using a directional antenna. The application proposes a facility with 84 watts using a non-directional antenna. Section 74.1235(j) states that translators that have been authorized before June 1, 1991, with radials that do not comply with the effective radiated power ("ERP") limitations may continue to operate provided no interference occurs.

The licensed facility of K216BH has six radials along the azimuths of 150° to 300° that do not comply with the ERP limitations. However, the application proposes to increase both the ERP in these directions beyond the "grandfathered" values, and the number of radials that exceed the limits set forth in § 74.1235. Section 74.1235(b)(2) states that the maximum allowable effective radiated power with an antenna height above average terrain (HAAT) greater than 541 meters is 10 watts. Our study reveals that the 330° azimuth, which previously complied with the ERP limits of June 1, 1991, has a HAAT of 818.4 meters. The study further reveals similar violations along the azimuths of 0° to 90°. The application failed to discuss these violations. Accordingly, we will dismiss the application.

In light of the above, the application BPFT-20090323ABJ 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,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Gray Frierson Haertig, Engr.