

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, SW
WASHINGTON, DC 20554

OCT 01 2008

MEDIA BUREAU
AUDIO DIVISION
TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: GARY A. LOEHRS
TELEPHONE: (202) 418-0289
FACSIMILE: (202) 418-1410/1411
MAIL STOP: 1800B3
INTERNET ADDRESS: Gary.Loehrs@fcc.gov

St. Rose of Lima Education Association
439 South Third Street
Santa Rosa, NM 88435

Re: St. Rosa of Lima Educational Assoc.
NEW-LP; Santa Rosa, NM
Facility ID No. 135559
BMPL-20080912ABU

Dear Applicant:

The above-captioned application for a minor modification to a construction permit proposes to relocate the transmitter 109 kilometers away from that currently authorized. The *Second Report & Order* in MM Docket 99-25 established the definition of a "minor change" as it applies to LPFM applications.¹ The Commission stated that minor change applications would be limited to those specifying changes in site location of 5.6 kilometers or less. Thus, the application specifying a 109 kilometer change in site location violates Section 73.870 of the Commission's Rules.²

Additionally, the site elevation specified is 1402 meters whereas the topographic data base indicates the site elevation should be 1885 meters.

Please note that the applicant should request that a call sign be assigned to the new station expeditiously following the grant of the original construction permit. See Section 73.3550 of the Commission's Rules.³ The station may not commence operations until a call sign has been assigned.

In light of the above location change violation, application BMPL-20080912ABU IS HEREBY DISMISSED. This action is taken pursuant to Section 0.283 of the Commission's Rules.⁴

Sincerely,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Andrew Disterhaft

¹ See *In the Matter of Creation of a Low Power Radio Service*, Second Order on Reconsideration and Further Notice of Proposed Rulemaking, FCC 05-75, (rel. March 17, 2005).

² 47 C.F.R. § 73.870.

³ 47 C.F.R. § 73.3550.

⁴ 47 C.F.R. § 0.283.