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June 4, 2014

Honorable Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
Washington, DC 20554

Attention: Mr. Khoa Tran
Audio Division, Media Bureau

RE: St. Joseph Radio, Inc.
New LPFM, Lewistown, Montana
Facility ID No. 193007
File No. BNPL-20131112AWK

Response to May 15, 2014 Letter

Dear Madame Secretary:

On behalf of our client St. Joseph Radio, Inc., applicant for a construction permit for a new Low Power FM Station at Lewistown, Montana, this is to respond to the Commission's letter of May 15, 2014. This is being filed on the twentieth day subsequent to May 15, and therefore it is timely filed.

Although we have electronically filed with the Federal Aviation Administration a request for a determination of no hazard (ASR Study No. 2014-ANM-362-OE), on May 7, 2014 the FAA issued the attached "Notice of Presumed Hazard", and afforded us a 60 day period to obtain a "1A certified survey" of the proposed transmitter site to overcome the FAA's issues with respect to the transmitter site.

On May 21, 2014 Arrow Creek Survey Company of Geyser, Montana issued a certification as to the ground elevation at the applicant's transmitter site (also attached). It turns out that the ground elevation is 4,013.4 feet above mean sea level, thereby allowing a tower as tall as 150 feet above ground level to be erected at the transmitter site, and be lower than the FAA's height limit of 4,166 feet above mean sea level.

We have contacted the FAA staff member who is in charge of our case there to determine the best way to proceed to obtain the determination of no hazard to air navigation that is needed in order to obtain an FCC antenna structure registration number. It is hoped that we can obtain said number within the next thirty days.

We thank the Commission in advance for its understanding and courtesy in this matter.

Should additional information be desired in connection with the above matter, kindly communicate with this office.

Very truly yours,

Dennis J. Kelly

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2014-ANM-362-OE

Issued Date: 05/07/2014

Dennis J. Kelly
St. Joseph Radio, Inc.
Post Office Box 41177
Washington, DC 20018-0577

**** NOTICE OF PRESUMED HAZARD ****

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:	Tower Lewistown MT LPFM Radio
Location:	Lewistown, MT
Latitude:	47-03-23.40N NAD 83
Longitude:	109-26-16.13W
Heights:	4045 feet site elevation (SE)
	164 feet above ground level (AGL)
	4209 feet above mean sea level (AMSL)

Initial findings of this study indicate that the structure as described exceeds obstruction standards and/or would have an adverse physical or electromagnetic interference effect upon navigable airspace or air navigation facilities. Pending resolution of the issues described below, the structure is presumed to be a hazard to air navigation.

If the structure were reduced in height so as not to exceed 121 feet above ground level (4166 feet above mean sea level), and a 1A certified survey is provided, it would not have a significant adverse impact and a favorable determination could subsequently be issued. The survey we require must be developed by a registered surveying firm in the state the survey is performed. Survey data must be based on the North American Datum of 1983, provided in geographic latitude and longitude coordinates (degrees, minutes, seconds to the hundredth of a second). The site elevation must be based on North American Vertical Datum of 1988. The survey letter must certify accuracy of at least plus or minus 20 feet for horizontal and 3 feet for vertical data.

See Attachment for Additional information.

NOTE: PENDING RESOLUTION OF THE ISSUE(S) DESCRIBED ABOVE, THE STRUCTURE IS PRESUMED TO BE A HAZARD TO AIR NAVIGATION. THIS LETTER DOES NOT AUTHORIZE CONSTRUCTION OF THE STRUCTURE EVEN AT A REDUCED HEIGHT. ANY RESOLUTION OF THE ISSUE(S) DESCRIBED ABOVE MUST BE COMMUNICATED TO THE FAA SO THAT A FAVORABLE DETERMINATION CAN SUBSEQUENTLY BE ISSUED.

IF MORE THAN 60 DAYS FROM THE DATE OF THIS LETTER HAS ELAPSED WITHOUT ATTEMPTED RESOLUTION, IT WILL BE NECESSARY FOR YOU TO REACTIVATE THE STUDY BY FILING A NEW FAA FORM 7460-1, NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION.

If we can be of further assistance, please contact our office at (425) 227-2791. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-ANM-362-OE.

Signature Control No: 207108787-217290329 (NPH)
Daniel Shoemaker
Specialist

Attachment(s)
Additional Information
Map(s)

ASN 2014-ANM-362-OE

Our study has disclosed that this proposed 164-foot above ground level (AGL), 4209-foot above mean sea level (MSL), antenna tower would penetrate 14 CFR Part 77 protected airspace surfaces at Lewistown Municipal Airport (LWT) in Lewistown, MT. The LWT airport elevation is 1335 feet MSL.

The proposed antenna tower would exceed the following Part 77 surface:

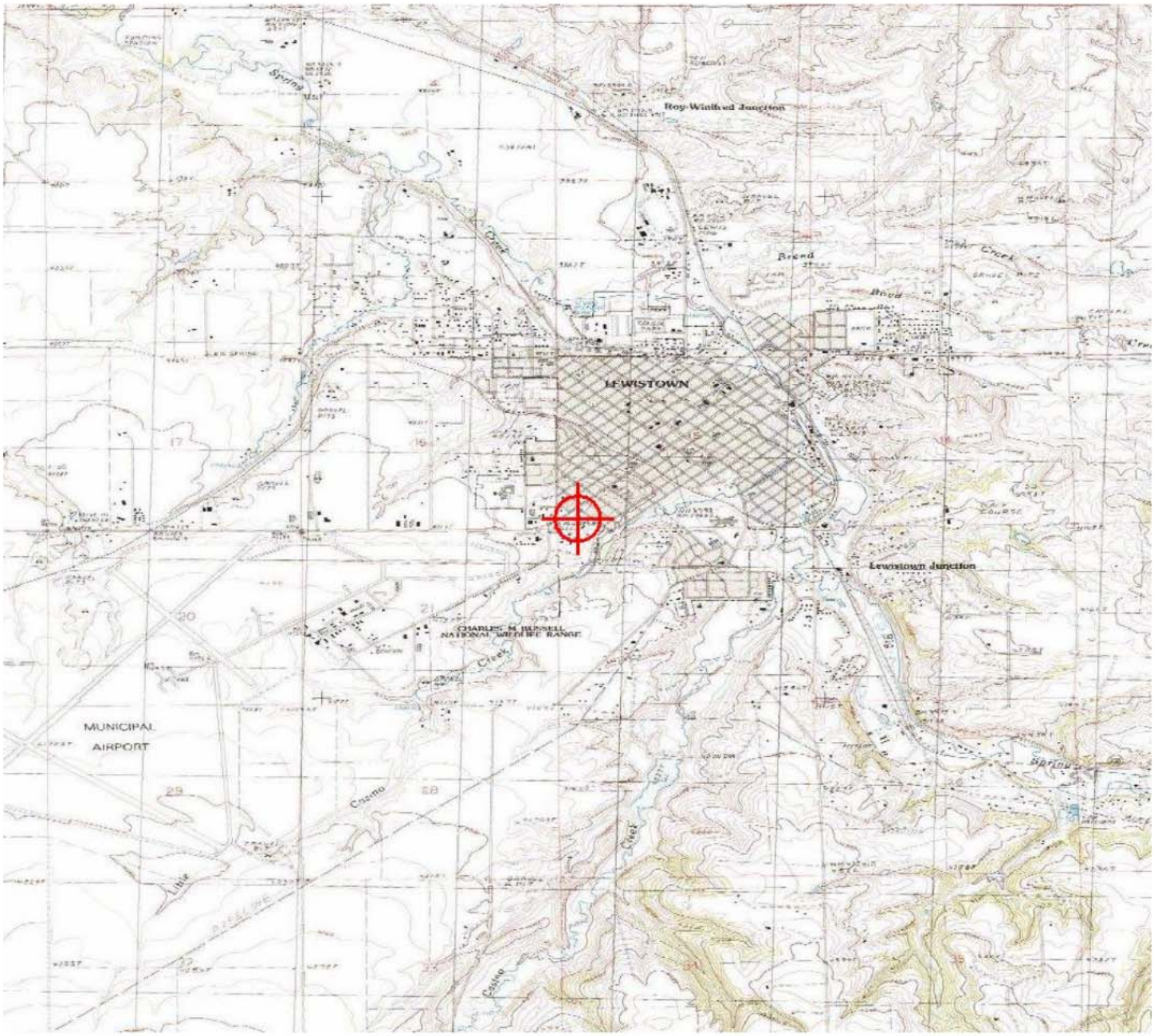
Section 77.17.(a)(3): A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance. The antenna tower would have the following adverse effects on IFR operations at LWT:

RNAV (GPS) RWY 26: Increases the LNAV/VNAV decision altitude (DA) from 4377 feet MSL to 4427 feet MSL. The not-to-exceed height to avoid this IFR effect is 4166 feet MSL (121 feet AGL). There is no effect on IFR procedures with the submission of a site survey report certifying that the site coordinates are accurate to within +/-20 feet, and that the site elevation is accurate to within +/-3 feet (FAA 1A accuracy standard).

If you agree to provide a site survey report certifying that the site coordinates are accurate to within +/-20 feet, and that the site elevation is accurate to within +/-3 feet (FAA 1A accuracy), the FAA will withdraw its objection to the utility pole. The 1A survey report must bear the letterhead of a licensed surveyor, his signature, and the inked or embossed stamp of the state in which he is certified.

Please email me at Dan.Shoemaker@faa.gov with your intentions and any questions you might have regarding this aeronautical study.

TOPO Map for ASN 2014-ANM-362-OE



FAA TOWER CERTIFICATION

Date: May 21, 2014

Re: Tower Lewistown MT LPFM Radio, **(Proposed) (GUYED SUPPORTING TOWER).**
Lewistown, Fergus County, Montana

I hereby certify that the following Latitude and Longitude values for the center of the above-referenced **(Proposed)** tower are accurate to within +/- 15 feet horizontally; and that the following tower site elevation is accurate to within +/- 3 feet vertically.

NAD 83
Latitude: 47° 03' 23.40" N.
Longitude: 109° 26' 16.13" W.

Ground Elevation at Base of **(Proposed)** Tower:
4013.4' Feet NAVD, 1988

Arrow Creek Survey Co.
PO Box 81
Geyser, MT 59447

Jeremy T. Milburn, PLS
Montana Professional Land Surveyor
Certificate of Registration No. 14537 LS

Geyser:
406-735-4100

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