

FEDERAL COMMUNICATIONS COMMISSION
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FEB 28 2019

Brian P. McGlynn
Genesee Media Corporation
195 Main Street
Dansville, New York 14437

Re: Genesee Media Corporation ("GMC")
WRSB(AM), Brockport, New York
Facility Identification Number: 15767
File Number: BP-20140124AME
Petition for Reconsideration

Dear Mr. McGlynn:

This is in reference to the March 12, 2018, Petition for Reconsideration was filed in response to our February 14, 2018, action dismissing the application,¹ and the March 12, 2018 amendment to modify the daytime and nighttime directional antenna parameters

In the amended application, GMC acknowledged the overlap to CHNR but stated that the overlap falls within the overlap area that CHNR currently receives from Canadian station CHHA, Toronto, Ontario. Pursuant to Commission's case, *Radio Gulf, Inc., 13 RR 2d 1030 (1968)* we make no exception for prohibited overlap occurring in an area already subject to overlap from existing stations ("masked" overlap). In addition, GMC claimed that it has engaged engineering support in Canada to relocate the Simcoe, Ontario allocation to 1630 kHz. It is our policy that any modification to Canadian allotments must be approved and their records must be modified by Canada before to be considered in the allocation study. Based on the foregoing, we find that that the proposed 0.025 mV/m and 0.5 mV/m daytime groundwave contours would respectively overlap to the 0.5 mV/m and 0.025 mV/m daytime groundwave contour of co-channel Canadian station CHNR, in violation of the 1984 U.S./Canadian Agreement.

Accordingly, the March 12, 2018, Petition for Reconsideration filed by GMC IS DENIED, and pursuant to the Public Notice entitled *Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications*, FCC 84-366, released August

¹ WRSB application proposed to change frequency from 1590 kHz to 1600 kHz. The application was dismissed because it caused daytime interference to Canadian station CHNR, Simcoe, Ontario, and nighttime interference to NEW Canadian station in Cornwall, Ontario.

2, 1984,² we will not entertain another petition for reconsideration.

Sincerely,



Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: James L. Oyster, Esq.

² 49 Fed. Reg. 47331 (Dec. 3, 1984).