

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

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Central Broadcasting, Inc.
122 West Myrtle
Independence, KS 67301

In re: KIND-FM, Independence, KS
Facility ID # 9793
Central Broadcasting, Inc. ("CB")
BPH-20060825ABM

Dear Applicant:

This letter is in reference to the above-captioned minor change application to modify antenna height, location, class, and channel.

Pursuant to Section 17.4(a) of the Commission's Rules¹, any proposed construction of a new antenna structure or proposed alteration of an existing antenna structure that requires notification to the Federal Aviation Administration (FAA) requires registration with the Commission prior to construction or alteration. The application indicates that notification has been filed with the FAA, but there has been no showing of status or an amendment supplying the required registration number. A further inquiry to the FAA notification system indicates that the proposed structure has not yet received a determination of no hazard to air navigation.

To date, over two years have passed since the application stated that notification has been filed with the FAA. In addition, based on updates from the contact representative, the applicant has failed to receive an FAA determination of no hazard. Furthermore, CB has not provided status of their efforts to resolve the situation.

Therefore, in light of the above, application BPH-20060825ABM is unacceptable for filing pursuant to 47 C.F.R. § 73.3568(a)(1) and is HEREBY DISMISSED for failure to prosecute. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Michelle A. McClure, Esq.

¹ 47 CFR § 17.4(a).