

FEDERAL COMMUNICATIONS COMMISSION

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MEDIA BUREAU

AUDIO DIVISION

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St. Paul Bible College
2719 D.W. Ranch Road
Kingman, Arizona 86401

In re: NEW(FM), Prescott, AZ
St. Paul Bible College
Facility ID# 173032
BNPED-20071022BMB
Petition to Deny
Informal Objection

Dear Applicant:

This letter refers to: (1) the above-captioned noncommercial educational application filed by St. Paul Bible College ("SPBC"), as amended, for a new FM station to serve the community of Prescott, Arizona; (2) the December 13, 2007 Petition to Deny filed by Northern Arizona University ("NAU"); (3) the December 11, 2007 Informal Objection filed by Family Life Broadcasting, Inc. ("FLB"), licensee of KFLR-FM, Phoenix, AZ; and (4) all other related pleadings.¹ For the reasons stated below, the petition to deny and informal objection will be dismissed as moot and the application granted.

Informal Objection/Petition to Deny. On December 11, 2007, FLB filed an Informal Objection and on December 13, 2007, NAU filed a Petition to Deny against SPBC's application. Both objections state that SPBC's application is in violation of the contour overlap provisions of 47 CFR Section 73.509 with respect to the first-adjacent channel license (BLED-20070912ABQ) of KFLR-FM, and the first-adjacent channel license (BLED-20080801AVL) of KJTA(FM), Flagstaff, AZ. Specifically, they claim that this overlap results from a site elevation above mean sea level ("AMSL") discrepancy in SPBC's application. In addition, NAU claims that SPBC's application is legally defective. Specifically, NAU states that SPBC incorrectly claims two headquarters for its local applicant credentials. Accordingly, both objectors conclude that the application is unacceptable for filing and should be dismissed.

Discussion. SPBC addressed the objectors' concerns in its December 28, 2007 amendment. This amendment corrected the AMSL discrepancy and eliminated any contour overlap with KFLR and KJTA. Therefore, SPBC's application as amended complies with Section 73.509. With regard to the NAU's legal objection, SPBC's application is not mutually exclusive and thus, does not invoke the comparative standards. Therefore, the December 11, 2007 Informal Objection filed by FLB and the December 13, 2007 Petition to Deny filed by NAU will be dismissed as moot.

¹ St. Paul Bible College filed an opposition to the Northern Arizona University petition to deny on December 28, 2007 and on December 28, 2007, filed an opposition to Family Life Broadcasting, Inc.'s December 11, 2007 Informal Objection.

Conclusion. In light of the above, the December 13, 2007 Petition to Deny filed by Northern Arizona University and the December 11, 2007 Informal Objection filed by Family Life Broadcasting, Inc., ARE HEREBY DISMISSED AS MOOT. In addition, St. Paul Bible College's application BNPED-20071022BMB IS HEREBY GRANTED. These actions are taken pursuant to 47 C.F.R. Section 0.283 of the Commission's Rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodolfo F. Bonacci". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Northern Arizona University
Family Life Broadcasting, Inc.