

**FEDERAL COMMUNICATIONS COMMISSION**  
445 12<sup>th</sup> Street SW  
WASHINGTON DC 20554

APR 17 2002

MASS MEDIA BUREAU  
AUDIO SERVICES DIVISION  
TECHNICAL PROCESSING GROUP  
APPLICATION STATUS: (202) 418-2730  
HOME PAGE: WWW.FCC.GOV/MB/AUDIO/

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Cumulus Licensing Corp.  
3535 Piedmont Road  
Building 14, 14<sup>TH</sup> Floor  
Atlanta, GA 30305

In re: WFSF(FM), Marion, SC  
Cumulus Licensing Corp.  
Facility ID #11653  
BPH-20010807AAJ

Dear Applicant:

This letter refers to the above-captioned minor change application to change antenna height, effective radiated power, and location.

An engineering study reveals that the facility specified in the application fails to meet the minimum spacing requirement of 47 C.F.R. § 73.207. Specifically, the facility is short-spaced by 4 kilometers to the co-channel Class C licensed facility (BMLH-19930820KC) and application (BPH-20011226AAQ) of WSSL(FM), Gray Court, South Carolina. WFSF recognizes this short-spacing and requests processing pursuant to 47 C.F.R. § 73.215. However, the proposed protected contour (60 dBu) would receive prohibited overlap from the interfering contour (40 dBu) of WSSL by as much as 2.0 kilometers between the azimuths from 248°T to 303°T (see Exhibit 1). The prohibited overlap occurs when WSSL is considered as a maximum Class C facility operating with 100 kilowatts ERP at 600 meters HAAT, as required by 47 C.F.R. § 73.215(b)(2)(ii). This overlap constitutes an acceptance defect. Therefore, the application must be amended to demonstrate compliance with § 73.215 with respect to WSSL's license BMLH-19930820KC and application BPH-20011226AAQ.<sup>1</sup>

Pursuant to 47 C.F.R. § 73.3522, "...an applicant whose application is found to meet the minimum filing requirements but nevertheless is not complete and acceptable shall have the opportunity in the 30-day period specified in the FCC staff's deficiency letter to correct all deficiencies in the tenderability and acceptability of the underlying application, including any

<sup>1</sup> An engineering analysis indicates that if the effective radiated power were reduced to 15.5 kilowatts, the application would be in compliance with § 73.215.

deficiency not specifically identified by the staff." Additionally, 47 C.F.R. § 73.3564 states that, "[a]pplications with uncorrected tender and/or acceptance defects remaining after the opportunity for corrective amendment will be dismissed with no further opportunity for corrective amendment." See Appendix B in the Report and Order in MM Docket No. 91-347. This letter constitutes your opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3522.

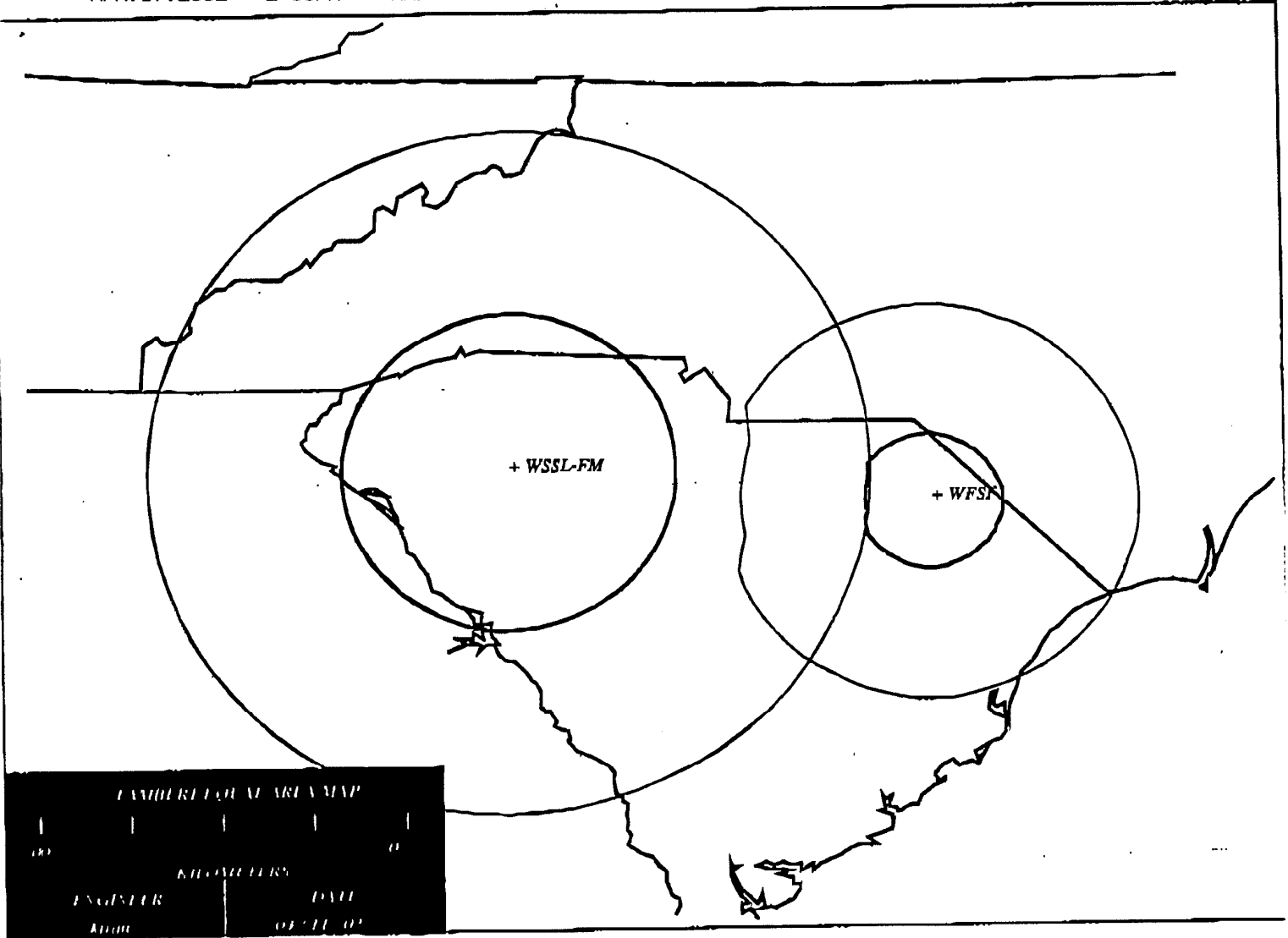
Further action on the subject application will be withheld for a period of thirty days from the date of this letter to provide WFSF an opportunity to respond. Failure to correct all tender and acceptance defects within thirty days from the date of this letter will result in dismissal of the application with no further opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3564. Please note that any amendment must be submitted in triplicate and signed in the same manner as the original application.

Sincerely,



Rodolfo F. Bonacci  
Supervisory Engineer  
Audio Division  
Office of Broadcast License Policy  
Media Bureau

cc: John Griffith Johnson, Jr.



THE FOLLOWING IS A LIST OF THE DATA WHICH APPEARS ON THE ABOVE MAP

BOTTOM LATITUDE: 32.17 TOP LATITUDE: 36.96 LEFT LONGITUDE: -84.47 RIGHT LONGITUDE: -78.15

MAP: ENLARGED CONUS MAP PROJECTION: Lambert Equal-area CENTER LAT: 34.56 LONG: -81.31 GRID SPACING: 0.50

KILOMETERS / INCH = 87.28

PLOT MADE ON: 11 April, 2002 15:28 HOURS

call	serv	city, state	application no.	contour	chan	erp	haat	rcamsl	coverage area	A1	A7
WFSF	FM	MARION, SC	BPH-20010807AAJ	60.0 dBu (50,50)	263C3	25.000	100.0	122.0	4704.6 sq km	0	0
WFSF	FM	MARION, SC	BPH-20010807AAJ	40.0 dBu (50,10)	263C3	25.000	100.0	122.0	39801.6 sq km	0	0
WSSL-F	FM	GRAY COURT, SC	BMLH-19930820KC	60.0 dBu (50,50)	263C	100.000	600.0	806.0	26415.6 sq km	0	0
WSSL-F	FM	GRAY COURT, SC	BMLH-19930820KC	40.0 dBu (50,10)	263C	100.000	600.0	806.0	122630.5 sq km	0	0
WSSL-F	FM	GRAY COURT, SC	BPH-20011226AAQ	60.0 dBu (50,50)	263C	100.000	600.0	808.0	26459.0 sq km	0	0
WSSL-F	FM	GRAY COURT, SC	BPH-20011226AAQ	40.0 dBu (50,10)	263C	100.000	600.0	808.0	122791.0 sq km	0	0

A1 - Number of radials where free space equation was used for field strength calculations.

A7 - Number of radials where a HAAT less than 30 meters was adjusted to 30 meters.