

FEDERAL COMMUNICATIONS COMMISSION
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AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
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Tri-State Public Communications, Inc.
c/o WHDD-FM
67 Main Street
Sharon, CT 06069

In re: Tri-State Public Communications, Inc.
WHDD-FM, Sharon, CT
Facility I.D. No.: 173310
BPED-20100308ACK

Dear Applicant:

The staff has under consideration the above-captioned non-commercial educational minor change application filed to modify the broadcast facilities of WHDD-FM. The application proposes an increase in the effective radiated power and the antenna height above average terrain at the licensed transmitter site.

An engineering study of the application reveals that the proposed directional antenna violates 47 C.F.R. Section 73.510(a). Section 73.510(a) states that noncommercial educational stations must comply with 47 C.F.R. Section 73.316(b). Specifically, Section 73.316(b)(2) states that “[d]irectional antennas used to protect short-spaced stations pursuant Section 73.213 or Section 73.215 of the rules, that have a radiation pattern which varies more 2 dB per 10° of azimuth will not be authorized.” It has been the Commission’s longstanding policy to apply the 2 dB/10° limitation to non-commercial educational stations protected under the analogous contour overlap section, 47 C.F.R. Section 73.509. The proposal violates this requirement. The proposed radiation varies by as much as 2.12 dB per 10 degrees between the azimuths of 260° T and 270° T. It is necessary to note that these azimuths are in the direction of a station where a directional antenna is necessary to prevent any prohibited overlap.

In addition, an engineering study reveals that the application is also in violation 47 C.F.R. Section 73.509, with respect to a co-channel Class A construction permit (BNPED-20071022BGZ) for WDMY(FM), Stockbridge, MA. The application’s proposed 40 dBu interfering contour will cause overlap to the 60 dBu protected contour of WDMY’s construction permit, by as much as 1.1 kilometers along the 14° T azimuth. This constitutes an acceptance defect.

In light of the above, Application BPED-20100308ACK is unacceptable for filing pursuant to 47 C.F.R. Section 73.3566(a) and is HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. Section 0.283.

Sincerely,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Joseph Dipietro, P.E.