

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, SW
WASHINGTON, DC 20554

APR 18 2018

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/media/radio/audio-division

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Multi-Cultural Diversity Radio, Inc.
c/o Richard A. Helmick, Esq.
Wilkinson Barker and Knauer, LLP
1800 M Street, NW, Suite 800N
Washington, DC 20036

In re: NEW(FM), Grand Portage, MN
Facility ID No.: 191572
BNPH-20130724AAE

NEW(FM), Grand Portage, MN
Facility ID No. 191573
BNPH-20130724AAD

Dear Applicant:

The staff has under consideration the above-captioned FM Auction No. 94 applications filed by Multi-Cultural Diversity Radio, Inc. ("Multi-Cultural") for new commercial FM facilities to serve Grand Portage, MN.

Pursuant to 47 C.F.R. § 17.4(a), 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 the proposed construction or alteration. Our records indicate that the tower for the facilities proposed in the captioned applications are not registered. FCC antenna structure registration may be accomplished electronically via the internet at <http://www.fcc.gov/wtb/antenna/>.

Please note that FAA approval is necessary in order to obtain FCC antenna structure registration. Following FCC registration of the antenna structure, a curative amendment to the application, which includes the antenna structure registration number, must be submitted to the Commission so that processing of your application may be completed.

Additionally, the study disclosed that the environmental exhibits in each application do not demonstrate compliance with 47 C.F.R. Section 1.1306. The applicant must amend the application to demonstrate compliance under Section 1.1306 or provide an appropriate Environmental Assessment.

A review of these application reveal that although these two applications have been pending for almost five years, it does not appear that the applicant is any closer to achieving approval from the FAA nor completing the environmental review at the proposed site. Furthermore, the applicant has failed to amend the applications during this timeframe to propose an existing tower or any other feasible site. Thus, this inability to continue to prosecute the application to a grant status and failure to provide regular status updates of the tower registration process and environmental evaluation during this prolonged time period leaves Multi-Cultural's applications subject to dismissal.

Nevertheless, we are affording Multi-Cultural with one final opportunity to file amendments that either provide a tower registration number and certify compliance with the Environmental Protection Act at the current site or proposes to relocate to an existing site that is already registered and does not need further environmental analysis. Further action on the subject application will be withheld for a period of thirty (30) days from the date of this letter to provide an opportunity to file the requested amendments. Failure to correct all remaining grantability defects within this time period will result in the dismissal of the applications for failure to prosecute pursuant to 47 C.F.R. § 73.3568(a)(1). Please note, we will not entertain any requests for additional time as these applications have been pending for almost five years.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rodolfo F. Bonacci". The signature is stylized with a large, looped "R" and a long horizontal stroke at the end.

Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Dave J. Doherty (via email)