

# FEDERAL COMMUNICATIONS COMMISSION

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OCT 07 2009

Gregg P. Skall, Esq.  
Womble, Carlyle Sandridge & Rice  
1401 Eye Street, NW  
Washington, DC 20005

Re: Throw Fire Project  
KYES(AM), Rockville, MN  
Facility Identification Number: 136921  
Construction Permit: BNP-20020508AAN as  
Modified by BMP-20080220ABE  
License Application: BMML-20090527AIB

Dear Mr. Skall:

This is in reference to the above-captioned method of moments license application.

After initial review of the subject license application, the staff cannot verify that the night antenna pattern is properly adjusted as set forth in Section 73.151(c) of the Commission's rules. With the nighttime array driven with the voltages shown on Page 18, we do not find that the tower current distributions, integrated and normalized to the reference tower, agree with the theoretical parameters as specified in Section 73.151(c)(2)(i) of the rules.

In addition, the engineering statement reflects an apparent misunderstanding of the relationship between the operating parameters determined by the moment method, and the antenna monitor parameters shown in Section III, FCC 302-AM.<sup>1</sup> The form should show the same antenna monitor parameters that were determined by the moment method. The tolerance of +/- 3 degrees in phase and +/- 5 percent for the field ratio which is cited in Section 73.151(c)(2)(ii) simply refers to the standard operating tolerance for an AM directional antenna. We do not apply this tolerance twice: once in selecting parameters to appear on the license and again when comparing a set of operating parameters to the licensed values.

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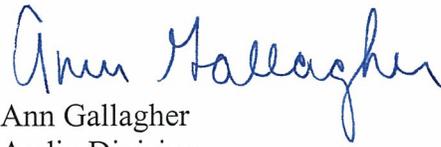
<sup>1</sup> The operating parameters on the FCC Form 302 are the actual parameters after toroid replacement.

We note that different heights were used for tower 2 in the nighttime array model (page 18 of the May engineering statement) and in the individual tower impedance calculations (pages 6 through 12).

Finally, the engineering statement does not include measurements of the sampling system at or near carrier frequency with the sampling device connected, as Section 73.151(c)(2)(i) requires.

Further action on the subject license application will be withheld until the applicant submits an amendment addressing the deficiencies described above. Failure to respond within 60 days from the date of this letter may result in dismissal of the application pursuant to 47 CFR 73.3568(a)(1).

Sincerely,

A handwritten signature in blue ink that reads "Ann Gallagher". The signature is written in a cursive style with a large initial "A".

Ann Gallagher  
Audio Division  
Media Bureau

cc: Throw Fire Project  
B. Benjamin Evans