

FEDERAL COMMUNICATIONS COMMISSION
445 12th Street, S.W.
WASHINGTON DC 20554

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

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Educational Media Foundation
5700 West Oaks, Blvd.
Rocklin, CA 95765

AUG 15 2016

In re: W290AS, Bainbridge, GA
BMPFT-20160728AFT
Facility ID No. 139418

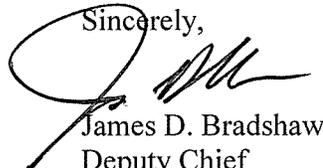
Dear Applicant:

This letter refers to the above-captioned application for W290AS, Bainbridge, Georgia.

An engineering review of the application reveals that the proposal violates the one-per-AM station limitation.¹ Per the December 23, 2015 Public Notice announcing the windows for certain FM translator modification applications, the Media Bureau indicated that it would only permit the filing of one Modification Window application that proposes to rebroadcast a specific AM primary station. It further stated that we will "...dismiss any Modification Window application that proposes to rebroadcast an AM station that has already been listed in a prior Modification Window application as the primary station." We note that Educational Media Foundation ("EMF") filed a Modification Window application on January 29, 2016 (BPFT-20160129AVQ), proposing to relocate the station approximately 323 kilometers to Channel 227. Staff granted that application on March 22, 2016. EMF now seeks to modify the granted construction permit by moving the station approximately 28 kilometers to the northwest and by changing to Channel 223. We note that both the proposed 60 dB μ service area fails to provide service to some portion of its 60 dB μ authorized service area, (BPFT-20160129AVQ), and that the channel change is a major change, per Section 74.1233(b)(1) of the Commission's Rules.² Therefore we must treat this application as a second Modification Window application. EMF fails to address this deficiency. Therefore, we will dismiss the application.

In light of the above, the application BMPFT-20160728AFT filed by Educational Media Foundation, is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a) and IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Kevin J. Youngers
Mary O'Connor

¹ Media Bureau Announces Filing Dates and Procedures for AM Station Filing Window for FM Translator Modifications and Availability of FM Translator Technical Tools, Public Notice, 30 FCC Rcd. 14690 (2015). (Window PN)

² 47 C.F.R. Section 74.1233(b)(1).