

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

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

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MAR 18 2014

Green Peter Eclectic Tunz
4610 HWY 20 #13B
Sweet Home, OR 97386

Re: NEW-LP, Kailua-Kona, HI
Facility ID No. 195600
Green Peter Eclectic Tunz
File No. BNPL-20131112CDY

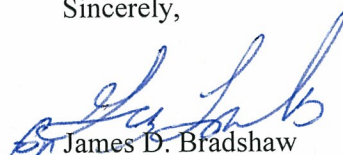
Dear Applicant:

On November 12, 2013, we received your FCC Form 318 application for a low power FM ("LPFM") construction permit.

According to the Commission's rules (the "Rules"), an applicant for an LPFM station must certify its eligibility to own and operate an LPFM station at the time it files its application. Section 73.853 of the Rules¹ states that an LPFM station must have its local chapter or branch physically headquartered or have a campus or have 75% of its board members within 20 miles of the transmitting antenna. The application indicates that these locations are in Oregon. Since the proposed station is located in Hawaii, these local licensing requirements cannot be met.

Accordingly, in light of the above, application BNPL-20131112CDY is unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a)² 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

¹ 47 C.F.R. §73.853(b).

² Under the Public Notice entitled "Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications," FCC 84-366, released August 2, 1984, the Commission indicated that it would reinstate applications *nunc pro tunc* where the original application was dismissed and where a minor curative amendment was filed within thirty days. Please note that any amendment submitted for this purpose must be received within 30 days of the Public Notice of the dismissal of the application and must correct ALL acceptance defects with the application. This includes any defects that may not have been identified in the dismissal letter.