

FEDERAL COMMUNICATIONS COMMISSION
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August 2, 2016

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4000 Albemarle Street, NW
Suite 100
Washington, DC 20016

Re: KZJZ(FM), St. Regis, Montana
Anderson Radio Broadcasting, Inc.
Facility ID No. 164303
File No. BPH-20160711AAA

Dear Counsel:

This letter is in reference to minor change application BPH-20160711AAA (Application), submitted by Anderson Radio Broadcasting, Inc. (ARBI), licensee of FM broadcast station KZJZ(FM), St. Regis, Montana, requesting modification of the licensed KZJZ(FM) facilities.¹ ARBI requests modification of the licensed KZJZ(FM) channel, ERP, antenna height, antenna polarization, and transmitter site location.

In the Application, ARBI proposes KZJZ(FM) operation on channel 257C2 (99.3 MHz) at St. Regis, Montana, using a nondirectional, horizontally polarized antenna, 14.6 kW ERP, and 277 meters antenna radiation center HAAT, at a transmitter site described by geographic coordinates 47° 01' 45" North Latitude, 114° 41' 18" West Longitude, referenced to NAD 27. ARBI states in the Application that the proposed KZJZ(FM) channel 257C2 transmitter site is "fully spaced to all full power authorizations and vacant allotments," but nonetheless specifies a channel 257C2 assignment site² that differs from the proposed transmitter site.³

Our engineering review reveals that the facilities proposed in the Application violate the minimum distance separation requirements of Section 73.207 of the Commission's rules.⁴ Specifically, both the KZJZ(FM) channel 257C2 transmitter site and assignment site specified in the Application are short-spaced to an existing

¹ File No. BLH-20091204ADQ. KZJZ(FM) is currently licensed to operate on channel 256C2 (99.1 megahertz (MHz)) at St. Regis, Montana, using a nondirectional, circularly polarized antenna, 0.93 kilowatts (kW) effective radiated power (ERP), and 867 meters antenna radiation center height above average terrain (HAAT), at a transmitter site described by geographic coordinates 47° 22' 20" North Latitude, 114° 51' 28" West Longitude, referenced to 1927 North American Datum (NAD 27).

² The geographic coordinates for the specified assignment site are 47° 15' 58" North Latitude, 114° 51' 29" West Longitude, referenced to NAD 27 and rounded to the nearest second.

³ According to the Note to Section 73.203 of the Commission's rules, an applicant requesting a channel change in a minor change application is not required to specify an assignment site unless the transmitter site specified in the application does not meet the minimum distance separation requirements of Section 73.207 of the Commission's rules.


⁴ 47 CFR § 73.207 (Section 73.207).

channel 258C FM allotment at Pullman, Washington, reserved for use by station KZZL-FM.⁵ Section 73.207(b) requires a minimum distance separation of 188 kilometers between the proposed KZJZ(FM) channel 257C2 facilities and the first adjacent channel, reserved, channel 258C, Pullman, Washington, allotment. The proposed KZJZ(FM) channel 257C2 transmitter site is 172.2 kilometers from the channel 258C, Pullman, Washington, allotment. The specified KZJZ(FM) channel 257C2 assignment site is 167.7 kilometers from the channel 258C, Pullman, Washington, allotment. The Application must be amended to eliminate this rule violation.

Pursuant to Section 73.3522 of the Commission's rules,⁶ "...an applicant whose application is found to meet minimum filing requirements, but nevertheless is not complete and acceptable, shall have the opportunity during the period specified in the FCC staff's deficiency letter to correct all deficiencies in the tenderability and acceptability of the underlying application, including any deficiency not specifically identified by the staff." Additionally, Section 73.3564 of the Commission's rules⁷ states that, "[a]pplications with uncorrected tender and/or acceptance defects remaining after the opportunity for corrective amendment will be dismissed with no further opportunity for amendment." See Appendix B in the Report and Order in MM Docket No. 91-347. This letter constitutes the applicant's opportunity for corrective amendment pursuant to Section 73.3522.

Further action on the Application will be withheld for a period of 30 days from the date of this letter to provide ARBI an opportunity to amend the Application. Failure to correct all tender and acceptance defects within the 30 day period from the date of this letter will result in the dismissal of the Application with no further opportunity for corrective amendment pursuant to Section 73.3564.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Crawford", is written over a horizontal line.

Susan N. Crawford
Audio Division
Media Bureau

cc: Anderson Radio Broadcasting, Inc.
Gene Wisniewski (via email)

⁵ KZZL-FM, Facility ID No. 26412, is currently licensed (File No. BMLH-20020920AAD) to operate on channel 258C1 (99.5 MHz) at Pullman, Washington. The geographic coordinates of the channel 258C, Pullman, Washington, allotment reserved for KZZL-FM use are 46° 40' 49" North Latitude, 116° 53' 18" West Longitude, referenced to NAD 27.

⁶ 47 CFR § 73.3522 (Section 73.3522).

⁷ 47 CFR § 73.3564 (Section 73.3564).