

FEDERAL COMMUNICATIONS COMMISSION
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April 7, 2009

Michigan Community Radio
3302 N. Van Dyke Road
Imlay City, Michigan 48444

Northland Community Broadcasters
3302 N. Van Dyke Road
Imlay City, Michigan 48444

Re: WSFP(FM), Rust Township, Michigan
Michigan Community Radio
Facility ID No. 121959
File No. BPED-20071114AGT

WJOJ(FM), Harrisville, Michigan
Northland Community Broadcasters
Facility ID No. 88667
File No. BMPED-20071115AAA

Dear Applicants:

The staff has under consideration the above-captioned, contingently related minor change applications. In application BPED-20071114AGT, Michigan Community Radio ("MCR"), licensee of noncommercial educational ("NCE") FM station WSFP(FM),¹ proposes to change the licensed facilities of WSFP(FM) from Channel 203A at Rust Township, Michigan, to Channel 201C3 at Harrisville, Michigan. In application BMPED-20071115AAA, Northland Community Broadcasters ("NCB"), licensee of NCE FM station WJOJ(FM)² proposes to change the licensed facilities of WJOJ(FM) from Channel 209C2 at Harrisville, Michigan, to Channel 209C2 at Rust Township, Michigan. For the reasons set forth below, we dismiss the contingently related WSFP(FM) and WJOJ(FM) minor change applications.

Our engineering review of MCR application BPED-20071114AGT reveals that the proposed facility fails to comply with Section 73.3573(g)(2) of the Commission's Rules.³ Pursuant to this section, the facilities specified by the applicant at the proposed community of license must be mutually exclusive,

¹ File No. BLED-20060710ADK.

² File No. BLED-20010517ABE.

³ 47 C.F.R. § 73.3573(g)(2).

as defined in Section 73.509,⁴ with the applicant's current facilities. In this instance, in order to be mutually exclusive, the WFSP(FM) proposed protected 60 dB μ F(50,50) contour must overlap the WSFP(FM) licensed interfering 100 dB μ F(50,10) contour of the licensed facility. Alternatively, the WSFP(FM) licensed protected 60 dB μ F(50,50) contour must overlap the WSFP(FM) proposed interfering 100 dB μ F(50,10) contour. In either case, the proposed WSFP(FM) contours do not overlap the corresponding licensed WSFP(FM) contours. Thus, the proposed WSFP(FM) facilities on Channel 201C3 at Harrisville, Michigan, are not mutually exclusive with the licensed WSFP(FM) facilities on Channel 203A at Rust Township, Michigan, and the proposal violates Section 73.3573(g)(2) of the Commission's Rules.⁵

In light of the above, MCR application BPED-20071114AGT is unacceptable for filing pursuant to Section 73.3566(a) of the Commission's Rules⁶ and IS HEREBY DISMISSED. Pursuant to Section 73.3517(e) of the Commission's Rules,⁷ dismissal of any application that is part of a group of contingently related applications as unacceptable will result in the dismissal of all the related applications. Therefore, contingently related NCB application BMPED-20071115AAA IS HEREBY DISMISSED. These actions are taken pursuant to Section 0.283 of the Commission's Rules.⁸

Sincerely,



Susan N. Crawford
Assistant Chief
Audio Division
Media Bureau

⁴ 47 C.F.R. § 73.509.

⁵ 47 C.F.R. § 73.3573(g)(2).

⁶ 47 C.F.R. § 73.3566(a).

⁷ 47 C.F.R. § 73.3517(e).

⁸ 47 C.F.R. § 0.283.