

**FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

APR 24 2002

MEDIA BUREAU  
OFFICE OF BROADCAST LICENSE POLICY  
AUDIO DIVISION  
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Ashtabula Broadcasting Corp., Inc.  
P.O. Box 738  
Ashtabula, OH 44004

In re: NEW(FM), Ashtabula, OH  
Facility ID No.: 87818  
Ashtabula Broadcasting Corp., Inc.  
BPH-19970723MR

Dear Applicant:

This letter is in reference to the above-captioned application for a new commercial FM station serving Ashtabula, Ohio on Channel 252A.

An engineering study of the new proposed directional antenna reveals that it is in violation of 47 C.F.R. § 73.316. Specifically, between the azimuths of 200° T and 210° T, the proposed radiation pattern varies by 2.1 dB. It is necessary to note that these azimuths are in the direction of a short-spaced station and a directional antenna is necessary to prevent any prohibited overlap. Pursuant to 47 C.F.R. § 73.316(c)(2), directional antennas used to protect short-spaced stations that have a radiation pattern which varies more than 2 dB per 10 degrees of azimuth will not be authorized.

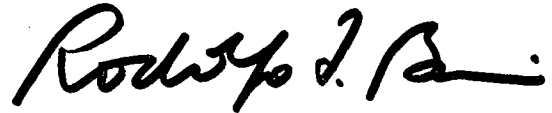
Pursuant to 47 C.F.R. § 73.3522, "...an applicant whose application is found to meet the minimum filing requirements but nevertheless is not complete and acceptable shall have the opportunity in the 30-day period specified in the FCC staff's deficiency letter to correct all deficiencies in the tenderability and acceptability of the underlying application, including any deficiency not specifically identified by the staff." Additionally, 47 C.F.R. § 73.3564 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 corrective amendment." See Appendix B in the Report and Order in MM Docket No. 91-347. This letter constitutes your opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3522.

In addition, an engineering study has revealed a discrepancy with the tower height above ground level proposed in the application compared to that on the tower registration record. The application indicates a tower height above ground level (HAGL) of 151 meters. However, the tower registration record (#1013831) specifies a tower HAGL of 149 meters. This discrepancy must be eliminated. Therefore, if the HAGL is 151 meters, the applicant must amend the tower registration record. If the tower HAGL is 149 meters, the applicant must amend all pertinent parts of the application to indicate the correct tower HAGL.

We further note that the engineering study of the application has revealed that Ashtabula Broadcasting Corporation ("Ashtabula") proposes to side-mount its FM antenna on the same tower on which the existing directional antenna of W219CP, translator for WPCS(FM), Pensacola, FL. There is a possibility that the proposed antenna and transmission line will disrupt W219CP's directional antenna pattern. Accordingly, Ashtabula must submit an exhibit including a statement from the manufacturer of W219CP's directional antenna stating that Ashtabula's proposed antenna will have no adverse effect on the directional antenna pattern.

Further action on the subject application will be withheld for a period of thirty days from the date of this letter to provide Ashtabula an opportunity to respond. Failure to correct all tender and acceptance defects within thirty days from the date of this letter will result in dismissal of the application with no further opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3564(a). Please note that any amendment must be submitted in the same manner as the original application.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodolfo F. Bonacci". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rodolfo F. Bonacci  
Supervisory Engineer  
Audio Division  
Office of Broadcast License Policy  
Media Bureau

cc: Arthur V. Belendiuuk, Esq.  
Jerome J. Manarchuck