



(REFERENCE COPY - Not for submission)
 Minor Modification of Licensed AM Station Application (301-AM)

File Number: **BP-20210210AAC** | Submit Date: **02/10/2021** | Lead Call Sign: **WXKX** | FRN: **0003748704**

Service: **Full Power AM** | Purpose: **Minor Modification** | Status: **Granted** | Status Date: **04/16/2021** | Filing Status:
Inactive

General Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	

Fees, Waivers, and Exemptions

Section	Question	Response
Fees	Is the applicant exempt from FCC application Fees?	No
	Indicate reason for fee exemption:	
	Is the applicant exempt from FCC regulatory Fees?	
Waivers	Does this filing request a waiver of the Commission's rule (s)?	
	Total number of rule sections involved in this waiver request:	

Applicant Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
BURBACH OF DE, LLC Applicant Doing Business As: BURBACH OF DE, LLC	1370 WASHINGTON PIKE SUITE 406 BRIDGEVILLE, PA 15017 United States	+1 (412) 221-1629	NAGALLI1@MSN.COM	Company

Contact Representatives (2)

Contact Name	Address	Phone	Email	Contact Type
CYNTHIA M JACOBSON, P.E. <i>CONSULTING ENGINEER</i>	CARL T. JONES CORP. 7901 YARNWOOD CT. SPRINGFIELD, VA 22153-2899 United States	+1 (703) 569-7704	CJACOB@CTJC.COM	Technical Representative
BURBACH OF DE, LLC	1370 WASHINGTON PIKE SUITE 406 BRIDGEVILLE, PA 15017 United States	+1 (412) 221-1629	NAGALLI1@MSN.COM	Legal Representative

Attributable Interest

Section	Question	Response
Multiple Ownership	Is the applicant or any party to the application the holder of an attributable radio joint sales agreement or an attributable radio time brokerage agreement in the same market as the station subject to this application?	No
	Applicant certifies that the proposed facility complies with the Commission's multiple ownership rules.	Yes
	Applicant certifies that the proposed facility: <ul style="list-style-type: none"> (a) does not present an issue under the Commission's policies relating to media interests of immediate family members; (b) complies with the Commission's policies relating to future ownership interests; (c) complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors 	Yes
	Does the Applicant claim status as an "eligible entity," that is, an entity that qualifies as a small business under the Small Business Administration's size standards for its industry grouping (as set forth in 13 C.F.R. § 121-201), and holds: <ul style="list-style-type: none"> (a) 30 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet; or (b) 15 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet, provided that no other person or entity owns or controls more than 25 percent of the outstanding stock or partnership interests; or (c) more than 50 percent of the voting power of the corporation that will own the media outlet (if such corporation is a publicly traded company)? 	No

Legal Certifications

Section	Question	Response
Character Issues	Applicant certifies that neither applicant nor any party to the application has or had any interest in, or connection with: <ul style="list-style-type: none"> (a) any broadcast application in any proceeding where character issues were left in unresolved or were resolved adversely against the applicant or party to the application; or (b) any pending broadcast application in which character issues have been raised. 	Yes
Adverse Findings	Applicant certifies that, with respect to the applicant and any party to the application, and any non-party equity owner in the applicant, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	Yes
Local Public Notice	Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	Yes

Frequency and Facility Information

Section	Question	Response
Proposed Community of License	State	West Virginia
	City	Clarksburg
Facility Information	Frequency	1340
	Service Type	Main
	Facility Type	Commercial
	Class	C
Modes/Hour of Operation	Modes/Hour of Operation	Daytime, NightTime

Antenna Summary Data

Non-Directional Antenna Data - Daytime

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1035677
	Nominal Power	0.760
Coordinates (NAD83)	Latitude	39° 17` 21.3N
	Longitude	80° 18` 54.3W
Parameters	Theoretical RMS	441
	Overall height above ground (including obstruction lighting)	141.7
	Height of radiator above base insulator, or above base, if grounded	140.8
	Electrical height of radiator	225.1
	Is the tower top loaded, sectionalized, or neither?	Neither
	Tower Parameters	

Non-Directional Antenna Data - Nighttime

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1035677
	Nominal Power	0.760
Coordinates (NAD83)	Latitude	39° 17` 21.3N
	Longitude	80° 18` 54.3W
Parameters	Theoretical RMS	441
	Overall height above ground (including obstruction lighting)	141.7
	Height of radiator above base insulator, or above base, if grounded	140.8
	Electrical height of radiator	225.1

Is the tower top loaded, sectionalized, or neither?	Neither
Tower Parameters	

Technical Certifications

Section	Question	Response
Environmental Effect	By checking "Yes", the applicant certifies that the facility will not have a significant environmental impact and complies with the maximum permissible electromagnetic exposure limits for controlled and uncontrolled environments (see 47 C.F.R. Section 1.1306). Unless the applicant can determine compliance through the use of the RF worksheets found on the FCC website (https://www.fcc.gov/sites/default/files/lms-radiofrequency-exposure-compliance-worksheets-radio-broadcast-stations.pdf), an Exhibit is required.	Yes
Broadcast Facility	Does the proposed facility comply with the applicable engineering standards and assignment requirements of 47 C.F.R. Sections 73.23, 73.24, 73.33, 73.37, 73.45, 73.150, 73.152, 73.160, 73.182, 73.186, 73.187, 73.189, and 73.1650?	
Community of License Change - Section 307(b)	Is the application being submitted to change the facility's community of license? If 'Yes', an exhibit is required containing information demonstrating that the proposed community of license change constitutes a preferential arrangement of assignments under Section 307(b) of the Communications Act of 1934, as amended (47 U.S.C. Section 307(b))?	

Certification

Section	Question	Response
General Certification Statements	The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).	
	The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification § 1.2002(c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.	

Authorized Party to Sign	<p>FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID</p> <p>Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application.</p> <p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND /OR FORFEITURE (U.S. Code, Title 47, §503).</p>	
	I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.	NICHOLAS A. GALLI

Attachments

File Name	Uploaded By	Attachment Type	Description	Upload Status
1816315_1577922.txt	Applicant	All Purpose	WXKX MULTIPLE OWNERSHIP EXHIBIT	Done with Virus Scan and /or Conversion
1816315_1577923.txt	Applicant	All Purpose	CITY COVERAGE	Done with Virus Scan and /or Conversion
1816315_1577924.txt	Applicant	All Purpose	DAYTIME ALLOCATION	Done with Virus Scan and /or Conversion
1816315_1577925.txt	Applicant	All Purpose	NIGHTTIME ALLOCATION	Done with Virus Scan and /or Conversion
1816315_1577926.txt	Applicant	All Purpose	RFR COMPLIANCE	Done with Virus Scan and /or Conversion
1816315_46608945.pdf	Applicant	All Purpose	Engineering Packet	Done with Virus Scan and /or Conversion
1816315_46611067.pdf	Applicant	All Purpose	WXKX Multiple Ownership Exhibit	Done with Virus Scan and /or Conversion
D:\data\prod\cdbs\letters\97A-1816315_F-67102_L-97970-BP-20210210AAC.pdf	Internal	All Purpose	imported letter	Done with Virus Scan and /or Conversion