

#### Federal Communications Commission

# (REFERENCE COPY - Not for submission) Amendment to a Low Power FM Station Construction Permit Application

 File Number:
 BNPL-20131114BQW
 Submit Date:
 11/14/2013
 Lead Call Sign:
 WRHB-LP
 Facility ID:
 194585

 FRN:
 0023063407
 Service:
 Low Power FM
 Purpose:
 Construction Permit Amendment
 Status:
 Granted
 Status Date:
 02/12/2014

 Filing Status:
 Inactive
 Filing Status:
 Inactive
 Status Date:
 02/12/2014

General Information	Section	Question	Response
	Attachments	Are attachments (other than associated schedules) being filed with this application?	
Fees, Waivers, and Exemptions	Section	Question	Response
	Waivers	Does this filing request a waiver of the Commission's rule	

Applicant
Information

#### Applicant Name, Type, and Contact Information

(s)?

Applicant	Address	Phone	Email	Applicant Type
MIFFLIINVILLE COMMUNITY BROADCASTING, INC. Applicant Doing Business As: MIFFLIINVILLE COMMUNITY BROADCASTING, INC.	BOX 289 W 7TH ST. MIFFLINVILLE, PA 18631 United States	+1 (579) 262- 6200		ОТН

Total number of rule sections involved in this waiver request:

Contact Information (2)	Contact Name	Address	Phone	Email	Contact Type
	GARRETT G. LYSIAK, P.E. CONSULTING ENGINEER	OWL ENGINEERING, INC 5844 HAMLINE AVE N SHOREVIEW, MN 55126 United States	+1 (651) 784- 7445	GGL@OWLENG.COM	Technical Representative
	<b>JERROLD MILLER, ESQ.</b> MILLER AND NEELY, PC	United States	+1 (301) 933- 6304	MANDNLAW@GMAIL. COM	Legal Representative
Parties to the Application (2)	Party Name		Address	s Phone En	nail Positional Interest

JON YOUNG, BOX 289, 216 W 7TH ST., MIFFLINVILLE, PA	BOX 289 W 7TH ST. MIFFLINVILLE, PA 18631 United States	+1 (579) 262-6200	Positional Interest: OFFICER, DIRECTOR Citizenship: United States Percentage of Votes: 100% Percentage of Total Assets: 0%
MIFFLINVILLE COMMUNITY BROADCASTING, INC. PO BOX 289 W 7TH ST., MIFFLINVILLE, PA	BOX 289 W 7TH ST. MIFFLINVILLE, PA 18631 United States	+1 (579) 262-6200	Positional Interest: APPLICANT Citizenship: Panama Percentage of Votes: 0% Percentage of Total Assets: 100%

Attributable Interest	Section	Question	Response		
	Equity and Financial Interests	Applicant certifies that equity and financial interests not listed in the Parties to the Application section are non- attributable pursuant to the notes to 47 C.F.R. Section 73.3555.	No		
Alien Ownership	Question		Response		
	1) Is the applicant a foreign gov Section 310(a) of the Commu	ernment or the representative of any foreign government as spe unications Act?	cified in		
	2) Is the applicant an alien or th	e representative of an alien? (Section 310(b)(1))			
	3) Is the applicant a corporation, or non-corporate entity, that is organized under the laws of any foreign government? (Section 310(b)(2))				
	4) Is the applicant an entity of which more than one-fifth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any entity organized under the laws of a foreign country? (Section 310(b)(3))				
	5) Is the applicant directly or indirectly controlled by any other entity of which more than one-fourth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any entity organized under the laws of a foreign country? (Section 310(b)(4))				
	6) Has the applicant received a declaratory ruling(s) under Section 310(b)(4) of the Communications Act?				
	<b>6a)</b> Enter the citation of the applicable declaratory ruling by DA/FCC number or the FCC Record citation, release date, or any other identifying information.				
	7) Has there been any change in the applicant's foreign ownership since issuance of the declaratory ruling(s) cited in response to Question 6?				
	7a) Enter the File or Docket Number of the Petition for Declaratory Ruling that the applicant has filed for its foreign ownership in connection with this application pursuant to Section 310(b)(4) of the Communications Act.				
	8) Does the applicant certify that it is in compliance with the terms and conditions of the foreign ownership declaratory ruling(s) cited in response to Question 6?				

**9)** In connection with this application, is the applicant filing a foreign ownership Petition for Declaratory Ruling pursuant to Section 310(b)(4) of the Communications Act?

Legal Certifications	Section	Question	Response
	Eligibility Certifications	The applicant certifies that it is a:	
		If the answer is "Yes" and the applicant is submitting multiple applications, is this application the "priority" application? See Creation of a Low Power Radio Service, Memorandum Opinion and Order on Reconsideration, 15 FCC Rcd 19208, 19239-40, 79-80, paras. 79-80 (2000).	
	Community-Based Criteria	Applicants must certify that they are local to be eligible for LPF applicant must select "yes" to at least one of the certifications I LPFM license. The applicant certifies that:	
		It is a nonprofit educational institution or organization that is physically headquartered or has a campus within 16.1 kilometers (10 miles), if applicant is in the top 50 urban markets, or 32.1 kilometers (20 miles) if applicant is outside the top 50 urban markets, of the proposed transmitting antenna site set forth in this application	Yes
		It is a nonprofit educational institution or organization that has 75 percent of its board members residing within 16.1 kilometers (10 miles), if applicant is in the top 50 urban markets, or 32.1 kilometers (20 miles) if applicant is outside the top 50 urban markets, of the proposed transmitting antenna site set forth in this application	Yes
		It is a Tribe and its Tribal Lands, as that term is defined in Section 73.7000 of the Commission's rules, are within the service area of the proposed LPFM station; or it is a Tribal organization owned or controlled by a Tribe (or Tribes) and such Tribe's (or Tribes') Tribal Lands, as that term is defined in Section 73.7000 of the Commission's rules, are within the service area of the proposed LPFM station. See 47 C.F.R. Sections 73.853(c) and 73.7000.	
		It proposes a public safety radio service and has jurisdiction within the service area of the proposed LPFM station.	No
	Ownership	The applicant certifies that:	
		no party to this application has an attributable interest in any low power FM broadcast station	
		No party to this application has an attributable interest in any non-LPFM broadcast station, including any full power AM or FM station, FM translator station, full or low power television station, or any other media subject to the Commission's broadcast ownership restrictions	
		No party to this application has pending an application for a low power FM, full power AM or FM station, FM translator station, or full or low power television station;	
		The applicant is in compliance with the Commission's policies relating to media interests of immediate family members; and	Yes
		The applicant is in compliance with the Commission's policies relating to investor insulation and the non-participation of non-party investors and creditors.	Yes

Character Issues	Applicant certifies that neither the applicant nor any party to the application has or had any interest in, or connection with:	Yes
	<ul> <li>(a) any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or</li> <li>(b) any pending broadcast application in which character issues have been raised.</li> </ul>	
Adverse Findings	Applicant certifies that, with respect to the applicant and any party to the application, 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 laws related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	Yes
Unlicensed Operation	The applicant certifies, under penalty of perjury, that neither the applicant nor any party to the application has engaged in any manner, individually or with other persons, groups, organizations, or other entities, in the unlicensed operation of any station in violation of Section 301 of the Communications Act of 1934, as amended, 47 U.S.C. Section 301.	

# Point System Factors

New station and major change LPFM applicants must complete the following questions. Point system factors are used only for selection among mutually exclusive applications for new LPFM stations and major modifications of authorized LPFM stations. Mutually exclusive applicants will be awarded one point for each of the following:

Section	Question	Response
Established Community Presence	The applicant certifies that it is a:	
Local Program Origination	The applicant pledges to originate locally at least eight hours of programming per day.	
Main Studio	The applicant pledges to maintain a publicly accessible main studio that has local program origination capability, is reachable by telephone, is staffed at least 20 hours per week between 7 a.m. and 10 p.m., and is located within 16.1 kilometers (10 miles) of the proposed site for the transmitting antenna for applicants in the top 50 urban markets and 32.1 kilometers (20 miles) for applicants outside the top 50 urban markets.	Yes
	An applicant claiming a point under the main studio criterion must provide the proposed address and telephone number for the main studio. Address Line 1:	
	Address Line 1:	
	City:	
	State:	
	Zip Code:	
	Phone:	
Local Program Origination and Main Studio	The applicant certifies that it qualifies for a point under both the local program origination and the main studio criteria.	Yes
Diversity of Ownership	The applicant certifies that neither it nor any party to the application holds an attributable interest in any other broadcast station.	Yes

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Tribes or Tribal	The applicant certifies it is a Tribe proposing to locate its	No
Organizations	transmitting antenna site on its Tribal Lands, or a Tribal	
	organization proposing to locate its transmitting antenna site	
	on the Tribal Lands of the Tribe or Tribes that own or control	
	more than 51 percent of the organization.	

#### **Involuntary Time-Share Information**

New station and major change applicants must complete the following questions.

This information will be used only for selection among mutually exclusive applications for the new LPFM stations and major modification of authorized LPFM stations and only in the event that two or more applications are tied after the point system analysis. See 47 C.F.R. Section 73.872

Section	Question	Response
Established Community Presence	Provide the date on which the applicant qualified as local. See 47 C.F.R. Section 73.853(b).	05/09/1994
	Applicant certifies that it has remained local at all times since this date.	Yes

Channel and Facility Information	Section	Question	Response
	Proposed Community of License	State	Pennsylvania
		City	MIFFLINVILLE
		Channel	290
		Frequency	105.9

### Antenna Location Data

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	No
	ASR Number	
Coordinates (NAD83)	Latitude	41° 01' 32.3" N+
	Longitude	076° 25' 34.7" W-
	Structure Type	
	Overall Structure Height	16 meters
	Support Structure Height	
	Ground Elevation (AMSL)	210 meters
Antenna Data	Height of Radiation Center Above Ground Level	Horizontal:15 meters Vertical:
	Height of Radiation Center Above Mean Sea Level	Horizontal:225 meters Vertical:0 meters
	Minimum Effective Radiated Power	Horizontal: 50.0 W Vertical: 50.0 W
	Maximum Effective Radiated Power	Horizontal: 100.0 W Vertical: 100.0 W

Antenna Technical Data	Section	Question	Response
	Antenna Type	Antenna Type	Non-Directional

#### **Directional Antenna Relative Field Value**

Degree	Value	Degree	Value	Degree	Value	Degree	Value
Additional	Azimutha						

#### Additional Azimuths

Degree

Value

# Technical Certifications

Section	Question	Response
Environmental Effect	Would a Commission grant of Authorization for this location be an action which may have a significant environmental effect? (See 47 C.F.R. Section 1.1306)	Yes
Interference	Does the applicant certify that the proposed facility complies with the engineering requirements of 47 CFR Section 73.807 (a) through (g), and 73.825?	
Reasonable Site Assurance	Applicant certifies that it has reasonable assurance in good faith that the site or proposed structure at the location of its transmitting antenna will be available to the applicant for the applicant's intended purpose.	
	If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.	
	Name of the person contacted	
	Phone number of the person contacted	
	Person contacted is	

# 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	FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE	
	OF ANY FEES PAID	
	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.	
	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).	
	I declare, under penalty of perjury, that I am an authorized	JON YOUNG
	representative of the above-named applicant for the	
	Authorization(s) specified above.	

## Attachments

File Name	Uploaded By	Attachment Type	Description	Upload Status
<u>1585024_13612715.</u> pdf	Applicant	All Purpose	ENGINEERING STATEMENT	Done with Virus Scan and/or Conversion
<u>1585024 13622256.</u> pdf	Applicant	All Purpose	localism statement	Done with Virus Scan and/or Conversion
<u>1585024 13622372.</u> pdf	Applicant	All Purpose	localism statement	Done with Virus Scan and/or Conversion
<u>1585024_13624273.</u> pdf	Applicant	All Purpose	articles of incorporation	Done with Virus Scan and/or Conversion
<u>1585024_13636563.</u> pdf	Applicant	All Purpose	by laws	Done with Virus Scan and/or Conversion
<u>1624550 1221655.</u> <u>txt</u>	Applicant	All Purpose	AMENDED QUESTION	Done with Virus Scan and/or Conversion
<u>1624550_1221656.</u> <u>txt</u>	Applicant	All Purpose	EDUCATIONAL PROGRAM	Done with Virus Scan and/or Conversion
<u>1624550 1221657.</u> <u>txt</u>	Applicant	All Purpose	LOCAL ENTITY	Done with Virus Scan and/or Conversion
<u>1624550 1221658.</u> <u>txt</u>	Applicant	All Purpose	CLARIFICATION	Done with Virus Scan and/or Conversion
<u>1624550 1221659.</u> <u>txt</u>	Applicant	All Purpose	EXHIBIT	Done with Virus Scan and/or Conversion