



Federal Communications Commission
Washington, D.C. 20554

February 6, 2006

DA 06-249
In Reply Refer to:
1800B3-SNC

Dan J. Alpert, Esq.
2120 N. 21st Rd.
Arlington, VA 22201

In re: New AM, Uncasville, Connecticut
Facility ID No. 161009
The Ridgefield Broadcasting Corp.
File No. BNP-20041029AJN

Dear Counsel:

We have before us a Petition for Reconsideration (“Petition”), filed on behalf of The Ridgefield Broadcasting Corp. (“Ridgefield”), seeking reconsideration of the December 1, 2005, staff letter in which the Media Bureau (“Bureau”) dismissed Ridgefield’s captioned application for a new AM station at Uncasville, Connecticut. The application is a singleton in AM Auction No. 84, filed pursuant to the August 26, 2004, public notice.¹ For the reasons set forth below, the Petition is denied.

The staff’s initial deficiency letter on February 8, 2005, stated that Ridgefield’s proposed facility failed to protect other stations in violation of Section 73.182 of the Commission’s rules, and that a curative amendment was required.² In response to several requests for additional time, a second staff letter granted Ridgefield a period of 180 days from the date of the original deficiency letter to bring the application into “substantial compliance” with the Commission’s technical rules for AM facilities.³ The second staff letter stated that “[t]he proposed Uncasville facilities must protect other stations and applications as the rules require, and must provide the required principal community service.”

Ridgefield amended the Uncasville application on August 8, 2005. The amendment changed the frequency of the proposal from 1520 kHz to 1490 kHz, and supplied field strength measurements for WACM, West Springfield, Massachusetts. The staff’s study of the amended proposal indicated that the Uncasville facility would both cause and receive prohibited contour overlap with WACM in violation of Section 73.37 of the Commission’s rules. Because the amended proposal did not comply with the Commission’s rules, the staff dismissed Ridgefield’s application.⁴

In order to eliminate prohibited contour overlap with WACM, with its Petition, Ridgefield supplied a technical amendment reducing the antenna efficiency of the proposed Uncasville station, increasing the power, and asserting that the staff’s interpretation of the provisions of 73.37(a) concerning Class C AM stations was incorrect. Upon review of the amended application, we find that despite the

¹ See Public Notice “AM Auction No. 84 Singleton Applications,” Attachment A-1, 19 FCC Rcd 16655 (2004).

² Letter to The Ridgefield Broadcasting Corp., Ref. 1800B3 (MB Feb. 8, 2005).

³ Letter to The Ridgefield Broadcasting Corp., Ref. 1800B3 (MB May 3, 2005).

⁴ Letter to The Ridgefield Broadcasting Corp., Ref. 1800B3 (MB Dec. 1, 2005).

applicant's repeated attempts to cure the application's multiple deficiencies, the amended proposal fails to provide the minimum principal community coverage at night required by Section 73.24(i). Uncasville is an unincorporated community, the boundaries of which are not available through the U.S. Census Bureau. However, the boundaries of Uncasville shown in Ridgefield's amended application were supplied by the applicant's technical consultant, and were the basis for our evaluation. The applicant's map entitled "5 mV/m and 25.46 mV/m Principal Community Contours," which was prepared by Mueller Broadcast Design, shows clearly that the proposed 25.46 mV/m nighttime interference-free coverage contour does not encompass at least 80 percent of Uncasville, as required by Section 73.24(i).⁵ Consequently, Ridgefield's application, as amended, still fails to comply with the Commission's rules.

Accordingly, Ridgefield's Petition for Reconsideration IS DENIED.

Sincerely,

Peter H. Doyle
Chief, Audio Division
Media Bureau

⁵ A compensating polar planimeter measurement using the applicant's map indicates that the proposed nighttime interference-free contour encompasses only 62 percent of the principal community of Uncasville.