



# PUBLIC NOTICE

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## MEDIA BUREAU IDENTIFIES GROUPS OF MUTUALLY EXCLUSIVE APPLICATIONS SUBMITTED IN THE OCTOBER 2007 FILING WINDOW FOR NONCOMMERCIAL EDUCATIONAL FM STATIONS

**By: Chief, Media Bureau**

In October 2007, the Media Bureau (“Bureau”) received approximately 3,600 applications to construct new noncommercial educational (“NCE”) FM stations.<sup>1</sup> The Bureau has processed all of the approximately 950 applications that fall into the following categories: singletons, those that could be accepted for filing, and those that needed to be dismissed pursuant to settlements or as in excess of the ten-application cap. On March 7, 2008, the Bureau released a Public Notice that included most groups containing four or fewer applications.<sup>2</sup> Most of the remaining applications are mutually exclusive with at least three other proposals.<sup>3</sup> As required by Section 73.3573(e)(4)<sup>4</sup> of the Commission’s Rules, the Bureau announces that it has identified the following groups of mutually exclusive applications listed in Attachment A. At this time, the Bureau is announcing groups consisting of thirteen or fewer applicants. To promote settlement discussions and ease work loads on applicants and their consulting engineers and attorneys, the Bureau will issue periodically additional public notices identifying the **remaining** mutually exclusive groups. **An applicant that believes that an application has been either erroneously included or erroneously excluded from any of the mutually exclusive groups listed in Attachment A should bring this matter to the attention of the Audio Division within 30 days.**

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<sup>1</sup> See *Media Bureau Announces NCE FM New Station and Major Change Filing Procedures*, Public Notice, 22 FCC Rcd. 15050 (2007).

<sup>2</sup> See *Media Bureau Identifies Groups of Mutually Exclusive Applications Submitted in the October 2007 Filing Window for Noncommercial Educational FM Stations*, Public Notice, 23 FCC Rcd. 3914 (MB 2008).

<sup>3</sup> Also pending are some singleton applications that seek various waivers. The staff will address those waiver requests separately.

<sup>4</sup> 47 C.F.R. § 73.3573(e)(4).

If applicants in a mutually exclusive group identified in Attachment A are negotiating a settlement or share time arrangement, they should advise the Audio Division to withhold further processing of the pertinent applications pursuant to Section 73.7004(d) of the Commission's Rules.<sup>5</sup> Otherwise, the Bureau will begin comparative analyses immediately following the expiration of this 30-day comment period.<sup>6</sup>

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<sup>5</sup> 47 C.F.R. § 73.7004(d).

<sup>6</sup> *See id at §§ 73.7002 and 73.7003.*