



# PUBLIC NOTICE

Federal Communications Commission  
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DA 09-2293

Released: October 23, 2009

## Filing Window for Vacant FM Allotments Reserved for Noncommercial Educational Use Rescheduled to February 19-26, 2010; Associated Minor Change Freeze to Commence on February 6, 2010

On October 16, 2009, the Media Bureau (“Bureau”) released a Public Notice announcing a filing window for applications for noncommercial educational (“NCE”) FM new station construction permits.<sup>1</sup> The window is available for existing, vacant FM allotments on Channels 221 through 300 (the “Non-reserved FM Band”) that have been reserved for NCE use.<sup>2</sup> The Bureau announced that the window was to open on Friday, December 11, 2009, and close on Friday, December 18, 2009. By a separate and simultaneously released Public Notice, the Bureau announced an immediately effective freeze on the filing of applications to modify the reference coordinates of any of the 67 vacant non-reserved FM Band allotments available for application in the window, or petitions and counterproposals that propose a change in channel, class, community, or reference coordinates for any of the 67 vacant non-reserved FM Band allotments.<sup>3</sup> The Bureau also announced a freeze on the filing of FM commercial and NCE minor change applications, stating that it would not accept minor change applications after 11:59 p.m., November 25, 2009.

On October 22, 2009, the Bureau received a request for a two-month delay in the opening of the filing window, supported by National Federation of Community Broadcasters, Native Public Media, Station Resource Group, Pacifica Foundation, Common Frequency, Community Media Assistance Project, Future of Music Coalition, Prometheus Radio Project, and Public Radio Capital (collectively, the “Supporters”). The Supporters contend that the announced filing timeframe is inadequate for many NCE applicants that typically apply for reserved frequencies – applicants such as nonprofit entities governed by boards that only meet on a monthly basis, or educational institutions that will be recessing for the holidays. The Supporters also claim that a two-month delay in the opening of the filing window would better “serve the public interest by producing better applications from a wider range of qualified applicants.”

We find that the public interest would be served by delaying the opening of the window, as proposed by the Supporters. Therefore, the NCE reserved FM allotment window will open on **February 19, 2010**, and close on **February 26, 2010**. The associated freeze on FM commercial and NCE minor

<sup>1</sup> *Media Bureau Announces Filing Window for Vacant FM Allotments Reserved for Noncommercial Educational Use -- Notice and Filing Procedures for December 11-December 18, 2009, NCE Reserved FM Allotment Filing Window*, Public Notice, DA 09-2222 (MB rel. Oct. 16, 2009) (“*NCE Reserved Allotment Window Public Notice*”).

<sup>2</sup> Attachment A to the *NCE Reserved Allotment Window Public Notice* identified the 67 pertinent vacant reserved FM channels available for application in the window.

<sup>3</sup> *Media Bureau Announces Freeze for FM Minor Change Applications and Certain Rulemaking Filings*, DA 09-2221 (MB rel. Oct. 16, 2009) (“*Freeze Public Notice*”).

change applications will commence at 11:59 p.m., February 5, 2010. The minor change freeze will continue in effect until the close of the window. The freeze on the filing of applications proposing to modify the reference coordinates of any of the vacant reserved FM allotments listed in Attachment A to the *NCE Reserved Allotment Window Public Notice*, and petitions and counterproposals that propose a change in channel, class, community, or reference coordinates for any of the reserved FM allotments listed in Attachment A, as announced in the October 16, 2009, *Freeze Public Notice*, will continue to remain in effect and will automatically terminate the day after the close of the filing window, as extended. Applicants must comply with all other procedures and filing requirements announced in the *NCE Reserved Allotment Window Public Notice*.

For additional information, contact:

Assistance with FRN numbers and passwords: FRN Help Desk 1-(877) 480-3201, Option 4

Electronic filing assistance: Konrad Herling or David Trout, (202) 418-2662

Legal inquiries: Peter H. Doyle, (202) 418-2700

Engineering inquiries: James Bradshaw or Rudy Bonacci, (202) 418-2700

By: Chief, Media Bureau

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