



**Federal Communications Commission
Washington, D.C. 20554**

**DA 10-1162
Released: June 25, 2010**

Mr. George S. Sebastian, President
Global Educational Development, Inc.
10335 Dunbar Street NW
Albuquerque, NM 87114

Re: Application of Global Educational Development
Inc. for a Construction Permit for a New
Noncommercial Educational Broadcast Station at
Tulsa, Oklahoma,
File No. BPET-19960917KE

Dear Applicant:

We have before us a petition for reconsideration filed on April 4, 2007 by Global Educational Development, Inc. ("GED"). GED seeks reconsideration of the Video Division's March 23, 2007 dismissal of its above-captioned application for a construction permit for a new noncommercial educational broadcast station at Tulsa, Oklahoma.¹ For the reason stated below, we deny the petition for reconsideration.

GED was part of a larger group of applicants for a new noncommercial educational television station on channel *63, Tulsa, Oklahoma. These applicants included Oral Roberts University ("ORU"), Broadcasting for the Challenged, Inc., Faith That Pleases God Church Corporation, Family Educational Broadcasting, Inc., and Community Television Educators, Inc ("CTE"). With the impending digital transition, the applicants jointly requested, and the Video Division granted,² the substitution of DTV channel *26 for TV channel *63 at Tulsa. The *Tulsa Channel Substitution Order* required that "within 45 days of the effective date of this *Order*, the [a]pplicants shall submit to the Commission minor change applications for a construction permit (FCC Form 340) specifying DTV [c]hannel *26 in lieu of TV [c]hannel *63 at Tulsa."³ The effective date of the *Tulsa Channel Substitution Order* was January 14, 2005.⁴ Therefore, the deadline for the applicants to submit their minor change applications for a construction permit specifying DTV channel *26 in lieu of TV channel *63 at Tulsa was February 28, 2005.

Only two applicants, ORU and CTE, timely submitted minor change applications. GED untimely submitted its minor change application on March 29, 2005. Thereafter, on March 23, 2007, the Video Division dismissed GED's Tulsa application, as well as the applications of all of the other applicants who failed to timely file their minor change applications. Subsequently, on April 4, 2007, GED submitted a petition for reconsideration of the Video Division's dismissal of its application. In GED's petition, it

¹ *Letter from Clay C. Pendarvis, Associate Chief, Video Division, to GED, et al., March 23, 2007.*

² *Amendment of Section 73.606(b), Table of Allotments, Television Broadcast Stations; and Section 73.622(b), Table of Allotments Digital Broadcast Television Stations (Tulsa, Oklahoma), Report and Order, 19 FCC Rcd 71383 (2004) ("Tulsa Channel Substitution Order").*

³ *Tulsa Channel Substitution Order* at ¶6.

⁴ 69 Fed. Reg. 71385 (Dec. 9, 2004).

claims that the premise on which the Video Division dismissed its application is incorrect.⁵ GED states that on March 29, 2005, it submitted to the Commission a minor change application specifying DTV channel *26 in lieu of TV channel *63.

GED failed to timely submit to the Commission its minor change application for a construction permit specifying DTV channel *26 in lieu of TV channel *63 at Tulsa. The *Tulsa Channel Substitution Order* required that applicants file their minor change applications within 45 days of the effective date of that Order.⁶ The effective date of the *Tulsa Channel Substitution Order* was January 14, 2005, and therefore, February 28, 2005, was the applicants' deadline to submit their the minor change applications to the Commission.⁷ It is uncontroverted that GED did not submit its minor change application to the Commission until March 29, 2005. GED has proffered no further facts or arguments that the staff erred in dismissing its March 29th application. The GED minor change application was untimely and, therefore, was not entitled to comparative consideration with the timely-filed minor change applications.

ACCORDINGLY, IT IS ORDERED That, the petition for reconsideration, filed by Global Educational Development, Inc., IS DENIED.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau

⁵ Petition at 1-2 (April 3, 2007).

⁶ *Tulsa Channel Substitution Order* at ¶6.

⁷ 69 Fed. Reg. at 71385.