

Before the
Federal Communications Commission
Washington, D.C. 20554

In re Application of)	
)	
NELL G. JOHNSON)	File No. 22556-CD-P/L-95
)	
for Authorization to Construct and)	
Operate New Transmitting Facilities)	
in the Paging and Radiotelephone Service)	
on 931.4875 MHz at a Location in)	
Allentown, Pennsylvania)	

ORDER

Adopted: December 6, 1996

Released: December 6, 1996

By the Chief, Commercial Wireless Division, Wireless Telecommunications Bureau:

1. On January 6, 1995, Tri-State Radio Corporation ("Tri-State") filed a Petition to Dismiss or Deny Nell G. Johnson's ("Johnson") application requesting a paging facility on the 931.4875 MHz frequency in Allentown, Pennsylvania. Tri-State asserts that the location site Johnson requests would cause substantial harmful electrical interference to four of Tri-State's PLMS one-way paging facilities that are located within 70 miles of Johnson's proposed site.¹ Upon review of the pleadings and the Commission's records, we conclude that the 931.4875 MHz frequency cannot be assigned to Johnson because Johnson's proposed site does not comply with the Commission's minimum separation requirements in the 931 MHz band.²

2. Accordingly, IT IS ORDERED that pursuant to authority delegated by Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. §154(i), the Petition to Dismiss or Deny filed by Tri-State on January 6, 1995 IS GRANTED.

FEDERAL COMMUNICATIONS COMMISSION

David L. Furth
Chief, Commercial Wireless Division
Wireless Telecommunications Bureau

¹ See 47 C.F.R. § 22.503(d) (1994). This section is now codified in 47 C.F.R. § 22.537.

² 47 C.F.R. § 22.537.