

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

In the Matter of)	
)	
New Jersey Public Broadcasting Authority)	NCE MX Group No. 980911
)	
Application for a New NCE FM Station at Bernardsville, New Jersey)	File No. BPED-19990716MB Facility I.D. No. 93886
)	
and)	
)	
World Revivals, Inc.)	
)	
Application for a New NCE FM Station at Chatham, New Jersey)	File No. BPED-19980923MB Facility ID No. 91708

MEMORANDUM OPINION AND ORDER

Adopted: June 9, 2014

Released: June 10, 2014

By the Commission:

1. The Commission has before it the Application for Review (“AFR”) filed by World Revivals, Inc. (“WRI”), on October 13, 2011. In the AFR, WRI seeks review of a September 30, 2011, Media Bureau (“Bureau”) decision¹ that affirmed a prior decision² that: 1) denied WRI’s Petition to Deny (“Petition”) the application of New Jersey Public Broadcasting Authority (“NJPBA”) for a new noncommercial educational FM station at Bernardsville, New Jersey (“NJPBA Application”); 2) granted the NJPBA Application; and 3) dismissed WRI’s competing application for a new station at Chatham, New Jersey. In the AFR, WRI again argues that Bureau erred in finding that NJPBA had reasonable assurance of site availability at the time it filed its application.³ WRI argues that the NJPBA Application should be denied and its own application granted.

2. Upon review of the AFR and the entire record, we conclude that WRI has failed to demonstrate that the Bureau erred. We thus uphold the Bureau’s decisions for the reasons stated in the *Staff Decision* and the *Reconsideration Decision*.⁴

¹ *NCE MX Group 980911*, Letter, Ref. 1800B3-SS (MB Sept. 30, 2011) (“*Reconsideration Decision*”). See also *Broadcast Actions*, Report No. 47368 (MB Nov. 23, 2010).

² *NCE MX Group 980911*, Letter, 24 FCC Rcd 2835 (MB 2009) (“*Staff Decision*”).

³ The Bureau rejected WRI’s argument based on the declaration of Charles W. Loughery, NJPBA’s System Manager, and the accompanying supporting documents, which outline the steps NJPBA took to obtain permission to use the tower site identified in the NJPBA Application. *Staff Decision*, 25 FCC Rcd at 2840; *Reconsideration Decision* at 3-4.

⁴ As noted in the *Staff Decision* and the *Reconsideration Decision*, the sworn declaration of Mr. Loughery as to reasonable assurance for the tower site proposed in the NJPBA Application was partially corroborated by other evidence in the record, whereas WRI failed to provide any probative evidence to counter Mr. Loughery’s declaration. See *Staff Decision*, 24 FCC Rcd at 2890; *Reconsideration Decision* at 3 nn.21- 22. The subsequent change in circumstances by which NJPBA lost its reasonable assurance for the site in 2010, a year after the NJPBA

(continued....)

3. ACCORDINGLY, IT IS ORDERED that, pursuant to Section 5(c)(5) of the Communications Act of 1934, as amended,⁵ and Section 1.115(g) of the Commission's Rules,⁶ the Application for Review filed by World Revivals, Inc., IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

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Application was granted, does not present a question as to the propriety of that grant. *See Reconsideration Decision* at 3-4.

⁵ 47 U.S.C. § 155(c)(5).

⁶ 47 C.F.R. § 1.115(g).