

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

In the Matter of	)	
	)	
Weather Alert Radio Network	)	
	)	
Application for a Construction Permit for a	)	Application File No. 231542
New Low Power FM Station at	)	Facility ID No. 782728
Riverview, Florida	)	
	)	
And 105 Other Applications for New	)	
Low Power FM Stations <sup>1</sup>	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted: September 10, 2025**

**Released: September 11, 2025**

By the Commission:

**I. INTRODUCTION**

1. We have before us an Application for Review filed by Weather Alert Radio Network (WARN) on August 28, 2024.<sup>2</sup> WARN seeks Commission review of a letter decision on reconsideration issued by the Audio Division, Media Bureau (Bureau) on July 30, 2024.<sup>3</sup> The *Reconsideration Letter* upheld the February 23, 2024, dismissal<sup>4</sup> of 105 of WARN's applications for new low power FM (LPFM) stations in communities located in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, Virginia, and the U.S. Virgin Islands (Applications).<sup>5</sup> For the reasons stated below, we dismiss and, on alternative and independent grounds, deny the Application for Review.

**II. BACKGROUND**

2. WARN filed the Applications during the 2023 LPFM filing window.<sup>6</sup> In each of the Applications, WARN certified that it "proposes a public safety radio service and has jurisdiction within

<sup>1</sup> A list of application file and facility ID numbers is attached in the Appendix hereto.

<sup>2</sup> Pleading File No. 252455.

<sup>3</sup> *Weather Alert Radio Network*, Letter Decision, DA 24-735, Application File Nos. 231542 *et al.* (MB July 30, 2024) (*Reconsideration Letter*).

<sup>4</sup> *Weather Alert Radio Network*, Letter Decision, 39 FCC Rcd 1361 (MB 2024) (*Dismissal Letter*).

<sup>5</sup> See Appendix for a list of Applications. While the Commission generally prohibits an entity from holding an attributable interest in more than one LPFM station, WARN sought to rely on an exception to the general prohibition which allows "not-for-profit organizations and governmental entities with a public safety purpose [to] be granted multiple licenses if: (1) one of the multiple applications is submitted as a priority application; and (2) the remaining non-priority applications do not face a mutually exclusive challenge. See 47 CFR § 73.855.

<sup>6</sup> See generally, *Media Bureau Announces Filing Procedures and Requirements for November 1 – November 8, 2023, Low Power FM Filing Window*, Public Notice, 38 FCC Rcd 6660 (MB 2023). Based on a request from LPFM advocates, the Bureau subsequently delayed the window until December 6, 2023. *Media Bureau Announces Revised Dates for LPFM New Station Application Filing Window*, Public Notice, 38 FCC Rcd 9589 (MB 2023). The Bureau subsequently extended the close of the window until December 15, 2023. *Media Bureau Announces Extension of LPFM New Station Application Filing Window*, Public Notice, 38 FCC Rcd 11882 (MB 2023).

the service area of the proposed LPFM station.”<sup>7</sup> In support of these certifications, WARN attached exhibits to the Applications explaining that it would use the new LPFM stations to “provide current local weather information, preparedness information and local resource information 24 hours per day and 7 days per week.”<sup>8</sup> WARN also stated that it had been in contact with various public safety organizations, “each of whom holds jurisdiction as a local, county, state or national government entity” and that these organizations “have agreed to work with [WARN] and have received information and correspondence regarding the programming and proposed application plans of [WARN’s] proposed LPFM stations.”<sup>9</sup> WARN did not provide any supporting documentation regarding its communications with governmental entities other than listing the names or types of organizations it had contacted, specifically, the National Weather Service, Federal Emergency Management Agency, state and county emergency management departments, and local fire departments.<sup>10</sup>

3. On February 23, 2024, the Bureau dismissed the Applications, finding that WARN did not propose to provide a “public safety radio service” under section 73.853(a)(2) and did not meet the requirements for a “local organization” under section 73.853(b)(3).<sup>11</sup> The Bureau also noted that WARN had not sought waiver of these requirements.<sup>12</sup> Therefore, the Bureau dismissed the Applications as defective pursuant to section 73.3566 of the rules.<sup>13</sup> WARN petitioned for reconsideration of the dismissal of its Applications, arguing that its proposed operations would be in the public interest and requesting waiver of the public safety radio service and local organization requirements.<sup>14</sup>

4. On July 30, 2024, the Bureau issued the *Reconsideration Letter*, denying WARN’s waiver requests and affirming that WARN is not a “local organization” within the meaning of section 73.853(b)(3).<sup>15</sup> The Bureau noted that, for an applicant proposing a public safety radio service to be considered a local organization, it must demonstrate that it has jurisdiction within its proposed service area.<sup>16</sup> For a non-governmental entity to have such jurisdiction, the Bureau explained, it must provide written evidence that a governmental entity has contracted with it, designated it, or otherwise authorized it to provide public safety radio services and that the governmental entity has jurisdiction in the service area

---

<sup>7</sup> Applications, Legal Certifications, Community-Based Criteria.

<sup>8</sup> Applications, Attachments entitled “[State] Exhibit in Support of LPFM Application - Public Safety Radio Program” (Exhibits) at 1.

<sup>9</sup> Exhibits at 2.

<sup>10</sup> *Id.*

<sup>11</sup> *Dismissal Letter*, 39 FCC Rcd at 1361-62 (citing 47 U.S.C. § 309(j)(2)(A) (providing that competitive bidding will not apply to public safety radio services, including private internal radio services used by state and local governments and non-government entities and including emergency road services provided by not-for-profit organizations, that: (i) are used to protect the safety of life, health, or property; and (ii) are not made commercially available to the public), 47 CFR § 73.853(a)(2), (b)(3)); *see also Creation of Low Power Radio Service*, Report and Order, MM Docket No. 99-25, 15 FCC Rcd 2205, 2215, para. 23 (2000) (*2000 LPFM Order*) (stating that “public safety radio services used by state or local governments or not-for-profit organizations, as defined in 47 U.S.C. § 309(j)(2)(A), will be eligible for LPFM licenses”).

<sup>12</sup> *Dismissal Letter*, 39 FCC Rcd at 1364.

<sup>13</sup> *See* 47 CFR § 73.3566(a).

<sup>14</sup> Petition for Reconsideration at 2-9. Pleading file numbers for the Petition for Reconsideration with respect to each Application are included in the Appendix.

<sup>15</sup> *Reconsideration Letter* at 3-4. Because it affirmed its finding that WARN had not demonstrated that it was a local organization, the Bureau found that it did not have to reach the issue of whether WARN would be providing a “public safety radio service.” *Reconsideration Letter* at 8.

<sup>16</sup> *Reconsideration Letter* at 3.

of the proposed LPFM station.<sup>17</sup> Because WARN had not established that a public safety organization had officially authorized it to provide a public safety radio service on its behalf in the relevant proposed service area, the Bureau affirmed that WARN lacked jurisdiction in those areas and therefore did not qualify as a local organization.<sup>18</sup> The Bureau explained that—although the governmental entity need not have ceded jurisdiction or transferred its authority to the non-governmental applicant—“a [mere] willingness to work or cooperate with WARN is not enough to satisfy the jurisdiction requirement,” and that “[t]o find that these types of information sharing relationships satisfy the jurisdiction requirement set forth in section 73.853(b)(3) of the Rules would essentially nullify that requirement.”<sup>19</sup>

5. On August 28, 2024, WARN filed the Application for Review. In the Application for Review, WARN argues that, because the Commission had not previously defined “jurisdiction” in a publicly-available rule, regulation, or policy, “the Bureau’s position on the question of jurisdiction is not based on any controlling precedent but, rather, is based on an unlawful attempt by the Bureau to *ad hoc* impose an interpretation which is beyond its authorization.”<sup>20</sup> WARN contends that by requiring a non-governmental applicant to provide evidence of authority deriving from a governmental source in order to satisfy the jurisdictional requirement, the Bureau had: (1) “effectively adopted new regulatory provisions” in violation of the Administrative Procedures Act (APA);<sup>21</sup> (2) exceeded its delegated authority by promulgating new rules and deciding novel questions of fact, law, or policy;<sup>22</sup> and (3) unlawfully imposed retroactive obligations and restrictions on WARN.<sup>23</sup>

### III. DISCUSSION

6. We dismiss and, as a separate and independent ground for disposal, deny the Application for Review. An application for review of a final action taken on delegated authority will be granted when, *inter alia*, such action: conflicts with statute, regulation, precedent or established Commission policy; involves a question of law or policy which has not previously been resolved by the Commission; involves application of a precedent or policy that should be overturned; or makes an erroneous finding as to an important or material factual question.<sup>24</sup> The Commission’s rules do not permit the grant of an application for review “if it relies on questions of fact or law upon which the designated authority has

---

<sup>17</sup> *Id.* at 4-5.

<sup>18</sup> *Id.* at 4.

<sup>19</sup> *Id.* at 4-5. The Bureau went on to analyze WARN’s waiver requests, concluding that they did not meet the waiver standard set out in *WAIT Radio* and *NetworkIP*. *Reconsideration Letter* at 5 (citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1157-58 (D.C. Cir. 1969), *aff’d*, 459 F.2d 1203 (1972), *cert. denied*, 93 S. Ct. 461 (1972); *NetworkIP, LLC v. FCC*, 548 F.3d 116, 127 (D.C. Cir. 2008)).

<sup>20</sup> Application for Review at 7. WARN also argues that “weather” is a permitted public safety service to local communities. *Id.* at 5. The Bureau did not address the issue of whether WARN would be providing a public safety radio service on reconsideration because the Bureau affirmed its “finding that WARN was not eligible to be an LPFM licensee on other grounds, (*i.e.*, WARN’s failure to demonstrate that it has jurisdiction in each of the service areas of the LPFM stations proposed in the Applications).” *Reconsideration Letter* at 8; *see also, supra*, note 15 and *infra*, note 26.

<sup>21</sup> *See* 5 U.S.C. § 533(b)-(c) (requiring that new rules must be adopted through notice-and-comment rulemaking procedures, except for interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice, or when the agency finds good cause that such procedures are impracticable, unnecessary, or contrary to the public interest).

<sup>22</sup> *See* 47 CFR § 0.283(c) (requiring that the Bureau refer to the Commission “[m]atters that present novel questions of law, fact or policy that cannot be resolved under existing precedents and guidelines”).

<sup>23</sup> Application for Review at 9 (citing *Brown v. Georgetown University Hospital*, 488 U.S. 204, 208 (1988)).

<sup>24</sup> 47 CFR § 1.115(b)(2).

been afforded no opportunity to pass.”<sup>25</sup> We first analyze the relevant rule and the Bureau’s application of the rule to the facts presented, and then address each of WARN’s arguments separately.

7. For the reasons set forth herein, we affirm the Bureau’s conclusion in the *Reconsideration Letter* that WARN failed to demonstrate that it meets the jurisdictional requirement necessary for the new LPFM stations proposed in its applications.<sup>26</sup> At issue here is the requirement set out in section 73.853(b)(3) that a non-governmental entity applicant proposing an LPFM public safety radio service must have “jurisdiction within the service area of the proposed LPFM station.”<sup>27</sup> The Commission restricts the types of entities that may hold LPFM authorizations and the types of service those entities may provide.<sup>28</sup> Among the entities eligible to hold LPFM authorizations are “[s]tate and local governments and non-government entities that will provide noncommercial public safety radio services.”<sup>29</sup> The Commission requires that all entities receiving LPFM authorizations be local (i.e., based in the community their proposed LPFM stations will serve).<sup>30</sup> According to the Commission, the benefits gained by a community-based requirement is that it “maximiz[es] the likelihood that LPFM stations are operated by entities grounded in the communities they serve” and thus will “respond to the highly local interests that are not necessarily being met by full-power stations.”<sup>31</sup> In the case of a state or local government or non-governmental entity proposing a noncommercial public safety radio service, the Commission considers the entity to be local if it “has jurisdiction within the service area of the proposed LPFM station.”<sup>32</sup> When it adopted this jurisdictional requirement in 2000, the Commission explained that “[a]n organization providing public safety radio services will be considered community-based in the area over which it has jurisdiction,” for example, “a Virginia TIS [travelers’ information station] entity would be eligible to apply for an LPFM license anywhere in the state of Virginia but not in any other state.”<sup>33</sup>

8. Neither section 73.853(b)(3) nor the *2000 LPFM Order* contains a definition of the term “jurisdiction.” We thus give the term its ordinary, common meaning by looking to the definition at the time the rule was promulgated.<sup>34</sup> The term “jurisdiction” is defined to mean “a geographic area within

<sup>25</sup> 47 CFR § 1.115(c).

<sup>26</sup> *Reconsideration Letter* at 3-4. To the extent that the Application for Review questions the Bureau’s prior finding that WARN’s proposed service is not a public safety radio service, *see* Application for Review at 4-6, we need not resolve that issue here. As the Bureau explained in the *Reconsideration Letter*, because WARN is not eligible to be an LPFM licensee for failure to establish that it has jurisdiction within the service area of its proposed stations, as discussed herein, we need not reach WARN’s other arguments concerning eligibility. *See Reconsideration Letter* at 8; *see also supra* notes 15, 20.

<sup>27</sup> 47 CFR § 73.853(b)(3) (“In the case of any applicant proposing a public safety radio service, the applicant has jurisdiction within the service area of the proposed LPFM station.”).

<sup>28</sup> 47 CFR § 73.853(a).

<sup>29</sup> 47 CFR § 73.853(a)(2). The other eligible entities and services are: (1) nonprofit educational organizations that will use their LPFM stations to advance an educational program; and (2) Tribal applicants that will provide noncommercial radio services. *Id.* § 73.853(a)(1),(3).

<sup>30</sup> 47 CFR § 73.853(b).

<sup>31</sup> *2000 LPFM Order*, 15 FCC Rcd at 2219, para. 33.

<sup>32</sup> 47 CFR § 73.853(b)(3).

<sup>33</sup> *2000 LPFM Order*, 15 FCC at 2219, para. 33 and n.65. Travelers’ Information Stations or TIS (also called Highway Advisory Radio) was created in 1977 for the purpose of disseminating information by broadcast radio to travelers and is available only to governmental entities and park districts and authorities, but not to individuals or groups. *See* <https://www.fcc.gov/media/radio/travelers-information-stations-search>; *see also* 47 CFR § 90.242.

<sup>34</sup> “It is fixed law that words of statutes or regulations must be given their ‘ordinary, contemporary, common meaning.’” *FTC v. Tarriff*, 584 F.3d 1088, 1090 (D.C. Cir. 2009) (citation omitted). We thus consult the dictionary definition at the time the rule was adopted to determine the meaning of the term in its ordinary sense. *See, e.g., Johnson v. Aljian*, 490 F.3d 778, 780 (9<sup>th</sup> Cir. 2007) (“[W]e follow the common practice of consulting dictionary definitions to clarify their ordinary meaning [ ] and look to how the terms were defined at the time [the statute] was

(continued....)

which political or judicial authority may be exercised” and “the territorial range of authority.”<sup>35</sup> The 2000 *LPFM Order* emphasized the need for LPFM public safety radio service applicants (government or otherwise) to demonstrate their “jurisdiction” in the station’s proposed service area, citing an example of when a Virginia TIS would (and would not) meet the eligibility requirements to apply for an LPFM license.<sup>36</sup> We thus reject WARN’s argument that the “Bureau’s position on the question of jurisdiction is not based on controlling precedent” and is an “*ad hoc* ... interpretation which is beyond its authority.”<sup>37</sup> To the contrary, the Bureau’s determination is supported by the language of the rule itself and consistent with the ordinary meaning of the term “jurisdiction.” That is, the Bureau properly found that the rule requires “any applicant proposing a public safety radio service”—including a non-governmental entity such as WARN—to satisfy the jurisdictional requirement.<sup>38</sup> And, based on the ordinary meaning of the term “jurisdiction,” the Bureau properly found that WARN must demonstrate either that it, itself, has the power to exercise authority within the service areas of the proposed LPFM stations or that WARN had established a relationship with a governmental body that would confer such status upon it.<sup>39</sup> Indeed, this is consistent with how the Bureau analyzed other non-governmental LPFM applicants in the 2023 filing window that claimed eligibility based on the provision of a public safety radio service.<sup>40</sup>

9. We reject WARN’s argument that dismissal of WARN’s application as defective was “an improper utilization of power by the Commission.”<sup>41</sup> The *Reconsideration Letter* explained that after reviewing the Applications and Exhibits, the Bureau was unpersuaded and gave no weight to WARN’s unsubstantiated assertions that “a mountain of communication, implied contracts, verbal agreements, authorizations and communications by public safety agencies” establishes WARN’s “jurisdiction” in the proposed service areas.<sup>42</sup> WARN did not submit any of the supporting materials to the Commission with

(Continued from previous page) \_\_\_\_\_

adopted”). Accordingly, there is no merit to WARN’s complaints about the term “jurisdiction” not being defined in the rule. See Application for Review at 7. Our construction is consistent with commonly accepted interpretive tools. See, e.g., *Tarriff; Aljian*.

<sup>35</sup> See, e.g., *Black’s Law Dictionary* 855 (7<sup>th</sup> ed. 1999) (defining “jurisdiction” as “a government’s general power to exercise authority over all persons and things within its territory”; “A geographic area within which political or judicial authority may be exercised”); see also *Webster’s New World College Dictionary* 777 (4<sup>th</sup> ed. 1999), available at [https://archive.org/details/webstersnewworld00agne\\_0/page/776/mode/2up](https://archive.org/details/webstersnewworld00agne_0/page/776/mode/2up) (defining “jurisdiction” as “(1) the administration of justice; authority or legal power to hear and decide cases; (2) authority or power in general; (3) a sphere of authority; (4) the territorial range of authority”). Both sources separately list the jurisdiction of a court of law, which is not at issue here.

<sup>36</sup> 2000 *LPFM Order*, 15 FCC Rcd at 2219, n.65; see also *supra* note 32 (describing TIS).

<sup>37</sup> See Application for Review at 7.

<sup>38</sup> 47 CFR § 73.853(b)(3) (emphasis added).

<sup>39</sup> *Reconsideration Letter* at 2-3.

<sup>40</sup> See, e.g., *Portsonic Communications, LLC*, Letter Decision, 2024 WL 1137977 (MB 2024) (finding that non-governmental entity failed to demonstrate either that it had jurisdiction in its proposed service area or had been authorized “by any of the traditional public safety organizations that do hold jurisdiction in its service area”); *EMC Squared Communications, Inc.*, Letter Decision, 2024 WL 2954005 (MB 2024) (finding that a non-governmental entity had not been authorized by a “traditional public safety organization”); Application File Nos. 233048, 233049, 233050, 233051, 233053, 233054, 233055, 233056. See also *Actions*, Public Notice, Report No. PN-2-240613-01, at 2, 3, 4, 9 (MB June 13, 2024) (granting eight Trinity County Information Service, Inc. LPFM applications that demonstrated jurisdiction by submitting a letter from a local governmental public safety entity designating the LPFM applicant as a “non-governmental public safety information entity”).

<sup>41</sup> See Application for Review, note 1.

<sup>42</sup> *Reconsideration Letter* at 4. According to WARN, in “a phone call prior to the window, FCC staff requested that WARN send their proposed exhibit regarding its contacts/contracts with the various public safety agencies, which it did” and that it “believed its example list of contacts and relationships with various public safety agencies provided

(continued....)

the Applications.<sup>43</sup> Moreover, despite the fact that the *Dismissal Letter* denounced WARN's failure to offer evidence substantiating its jurisdictional claim, WARN did not seek to cure this defect and/or submit any of the supporting materials with its Petition for Reconsideration.<sup>44</sup> Rather it simply repeated its offer to provide the materials to the Commission if requested to do so.<sup>45</sup> We uphold the Bureau's determination that WARN's unsubstantiated assertions of jurisdiction in the proposed service areas deserved no weight.<sup>46</sup> Accordingly, we find that the Bureau's dismissal of the Applications as defective and denial of the Petition for Reconsideration was proper on these grounds.

10. WARN further argues that the Bureau's actions constitute APA violations and retroactive rulemaking because the Bureau "effectively adopted new regulatory provisions that were not in effect" when WARN's applications were filed.<sup>47</sup> We disagree. At the outset we note that WARN did not present these arguments to the Bureau, although it had the opportunity to do so. Therefore, we dismiss these arguments on procedural grounds.<sup>48</sup> As separate and independent grounds, we also deny these arguments on the merits. In evaluating whether an applicant meets the eligibility requirements for a new LPFM station, Commission staff must examine the Application and supporting documentation to determine compliance with regulatory requirements. That is precisely what the Bureau did here. That is, the Bureau examined whether WARN, a non-governmental entity, satisfied the jurisdictional requirement in section 73.853(b)(3) for new LPFM stations used for public safety purposes. The Bureau found that the information WARN provided fell short because all it indicated was that "various public safety organizations are willing to work with it" and described a relationship in which "all these public safety organizations appear to be doing is providing WARN with access to information that is available to all members of the public through other sources."<sup>49</sup> The Bureau explained that public safety organizations' "willingness to work or cooperate with WARN is not enough to satisfy the jurisdiction requirement."<sup>50</sup> This assessment does not amount to impermissible rulemaking as WARN contends, but rather was a relevant factor and inquiry in analyzing whether WARN's relationship with its various governmental contacts was of a nature that satisfied the jurisdiction requirement of the rule. We also agree with the Bureau that expanding the meaning of "jurisdiction" to include the type of informal information-sharing

(Continued from previous page)

to staff via email" would "suffice" since it did not receive a further response. Application for Review at 4. The *Reconsideration Letter* disposed of this argument, explaining that WARN acknowledged that informal staff advice is not binding and that WARN mischaracterized its interactions with staff. *Reconsideration Letter* at 5-6. The Application for Review does not challenge the Bureau's findings on this point.

<sup>43</sup> *Reconsideration Letter* at 4 (citing Applications, at Exhibits). According to WARN, the Exhibits to its Applications "had certified that 'it proposed a public safety radio service and has jurisdiction in the service area of the proposed LPFM stations'"; that WARN "has been in contact with Florida public safety organizations, each of which has jurisdiction as a local county, state or national government entity"; and that the "organizations 'have agreed to work with [WARN] and have received information and correspondence regarding the programming and proposed application plans of [WARN's] proposed LPFM stations' in that state.'" Application for Review at 2.

<sup>44</sup> *Reconsideration Letter* at 4.

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> Application for Review at 7-9. We need not address WARN's contention that the Bureau had engaged in *ultra vires* actions because it lacked the delegated authority to promulgate or amend rules. *See id.* Our decision here resolves this question because, as explained herein, the Bureau's actions did not amount to impermissible rulemaking. *See also Murray Energy Corp. v. FERC*, 629 F.3d 231, 236 (D.C. Cir. 2011) (agency's ratification of staff decision resolved any potential problems with staff's exercise of delegated authority).

<sup>48</sup> 47 CFR § 1.115(c).

<sup>49</sup> *Reconsideration Letter* at 4.

<sup>50</sup> *Id.*

arrangement at issue here would not only strain the meaning of the word “jurisdiction” beyond the term’s ordinary meaning<sup>51</sup> but, from a practical standpoint, would essentially nullify the requirement.<sup>52</sup>

11. We also affirm the examples provided by the Bureau of ways in which non-governmental entities such as WARN could satisfy the jurisdictional requirement in section 73.853(b)(3). Specifically, a non-government entity proposing to use an LPFM station to provide a public safety radio service could provide documentation demonstrating that a governmental entity with jurisdiction in the relevant area has contracted with, designated, delegated, or otherwise formally authorized the applicant to provide public safety radio services on its behalf.<sup>53</sup> Moreover, we do not preclude other ways in which a non-governmental entity can satisfy the jurisdiction requirement, which will be assessed on a case-by-case basis.

12. *Conclusion.* For the foregoing reasons, we dismiss, and, as a separate and independent basis for disposal, deny the Application for Review.

#### IV. ORDERING CLAUSES

13. IT IS ORDERED that, pursuant to Section 5(c)(5) of the Communications Act of 1934, as amended,<sup>54</sup> and Section 1.115(g) of the Commission’s Rules,<sup>55</sup> the Application for Review filed by Weather Alert Radio Network on August 28, 2024, (Pleading File No. 252455) IS DISMISSED and, as a separate and independent basis for disposal, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

---

<sup>51</sup> See *supra* para. 8.

<sup>52</sup> *Reconsideration Letter* at 4.

<sup>53</sup> *Id.*

<sup>54</sup> 47 U.S.C. § 155(c)(5).

<sup>55</sup> 47 CFR § 1.115(g).

## APPENDIX

Facility ID No.	Application File No.	City	State	PFR Pleading File No.	AFR Pleading File No.
782960	231543	Dauphin Island	AL	241879	N/A
782952	231834	Foley	AL	241878	N/A
778100	231833	Robertsdale	AL	241880	N/A
777979	231857	Seminole	AL	241877	N/A
778102	231544	Spanish Fort	AL	241875	N/A
778105	231521	Theodore	AL	241876	N/A
782827	231573	Alma	FL	241916	N/A
781918	231634	Baker	FL	241902, 241928	N/A
782831	231568	Big Pine Key	FL	241917	N/A
778145	231553	Brooksville	FL	241892	N/A
781979	231641	Cantonment	FL	241908	N/A
781974	231647	Chiefland	FL	241907	N/A
778164	231565	Chipley	FL	241897	N/A
782849	231594	Cocoa	FL	241920	N/A
782838	231570	Crestview	FL	241918	N/A
781986	231650	Crystal River	FL	241910	N/A
781969	231869	Daytona Beach	FL	241904	N/A
782845	231580	DeFuniak Springs	FL	241919	N/A
778146	231870	Dunnellon	FL	241891	N/A
782822	231581	Everglades City	FL	241915	N/A
782729	231583	Everglades National Park	FL	241913	N/A
778131	231586	Fernandina Beach	FL	241882	N/A
778141	231883	Fort Pierce	FL	241888	N/A
778147	231901	Homosassa	FL	241893	N/A
778137	231879	Inglis	FL	241883	N/A
778179	231663	Key Lar[go]	FL	241894	N/A
778155	231657	Key West	FL	241884	N/A
778218	231905	Labelle	FL	241899	N/A
778178	231891	Lecanto	FL	241898	N/A
782852	231659	Marathon	FL	241921	N/A
782882	231903	Marco Island	FL	241922	N/A
778229	231910	Middleburg	FL	241900	N/A
782734	231942	Ochopee	FL	241914	N/A
782728	231542	Riverview	FL	241912	252455
781963	231927	Santa Rosa Beach	FL	241903	N/A
781985	231935	Sopchoppy	FL	241909	N/A
778160	231861	Sugarloaf Key	FL	241885	N/A
778118	231876	Tavernier	FL	241887	N/A
778163	231961	Trenton	FL	241901	N/A
781991	231937	Venice	FL	241911	N/A



<b>Facility ID No.</b>	<b>Application File No.</b>	<b>City</b>	<b>State</b>	<b>PFR Pleading File No.</b>	<b>AFR Pleading File No.</b>
778153	231887	Vero Beach	FL	241890	N/A
778113	231888	Wabasso	FL	241881	N/A
778162	231959	Westville	FL	241895	N/A
781678	231601	Darien	GA	241930	N/A
781470	231620	Hinesville	GA	241927	N/A
782883	231911	Midway	GA	241931	N/A
781669	231605	Saint Simons Island	GA	241929	N/A
778257	231859	Shellman Bluff	GA	241923	N/A
778269	231841	St Marys	GA	241924	N/A
778150	231610	Townsend	GA	241925	N/A
781468	231614	Woodbine	GA	241926	N/A
778215	231498	Abbeville	LA	241859	N/A
778230	231545	Bell City	LA	241857	N/A
778211	231564	Chauvin	LA	241862	N/A
778213	231567	Covington	LA	241860	N/A
778116	231845	Houma	LA	241861	N/A
778055	231532	New Iberia	LA	241856	N/A
778093	231629	Thibodaux	LA	241858	N/A
778138	231551	Biloxi	MS	241874	N/A
778095	231866	Diamondhead	MS	241868	N/A
778182	231846	Pascaula	MS	241872	N/A
778096	231627	Pass Christian	MS	241871	N/A
778183	231645	Poplarville	MS	241873	N/A
778099	231524	Saucier	MS	241870	N/A
778050	231527	Vancleave	MS	241869	N/A
783155	231837	Barco	NC	241976	N/A
778061	231503	Bath	NC	241939	N/A
782021	231596	Beaufort	NC	241954	N/A
782034	231636	Bolivia	NC	241956	N/A
783029	231557	Buxton	NC	241967	N/A
783109	231561	Cedar Island	NC	241972	N/A
782088	231830	Havelock	NC	241957	N/A
783158	231899	Holly Ridge	NC	241978	N/A
783018	231904	Jacksonville	NC	241963	N/A
783012	231513	Kitty Hawk	NC	241960	N/A
778016	231906	Leland	NC	241941	N/A
783117	231516	Manteo	NC	241974	N/A
782092	231925	New Bern	NC	241958	N/A
783108	231917	Ocracoke	NC	241969	N/A
778224	231850	Supply	NC	241953	N/A
778060	231955	Washington	NC	241940	N/A
778254	231957	Wilmington	NC	241955	N/A

Facility ID No.	Application File No.	City	State	PFR Pleading File No.	AFR Pleading File No.
778255	231956	Wrightsville Beach	NC	241938	N/A
778260	231855	Bluffton	SC	241934	N/A
778259	231897	Hilton Head Island	SC	241935	N/A
781875	231907	Longs	SC	241937	N/A
778258	231858	Mount Pleasant	SC	241932	N/A
781871	231940	Murrells Inlet	SC	241936	N/A
778223	231941	Ridgeland	SC	241933	N/A
778010	231505	Bay City	TX	241840	N/A
778019	231507	Beaumont	TX	241842	N/A
783193	231854	Bishop	TX	241855	N/A
778014	231536	Deweyville	TX	241841	N/A
778017	231831	Orange	TX	241844	N/A
778149	231609	Port Aransas	TX	241847	N/A
778227	231839	Port Arthur	TX	241843	N/A
783189	231938	Port Lavaca	TX	241853	N/A
783167	231947	Refugio	TX	241849	N/A
778126	231606	Rockport	TX	241846	N/A
783187	231954	San Perlita	TX	241852	N/A
783171	231965	Santa Rosa	TX	241851	N/A
783192	231945	Sarita	TX	241854	N/A
783169	231519	Stowell	TX	241850	N/A
778125	231840	Sweeny	TX	241845	N/A
778007	231873	Victoria	TX	241848	N/A

Listed on Exhibit A to Application for Review but not subjects of *Reconsideration Letter*: Application File Nos. 231571 (Cudjoe Key, FL), 231894 (Hatteras, NC), 231920 (Suffolk, VA), 231644 (Folkston, GA).