FEDERAL COMMUNICATIONS COMMISSION
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Plymouth Gathering Inc.
21491 WCR 64
Greeley, CO 80631

Re: KELS-LP; Greeley, CO
Facility ID No. 131356
Plymouth Gathering Inc.
File No. BPL-20090326ACU

Dear Applicant:

This letter refers to the above-captioned application for a minor change to a licensed facility construction permit.

An engineering study has revealed that the proposed transmitter site specified in the application fails to meet the minimum spacing requirements of Section 73.807 of the Commission's Rules[1] in relation to intermediate-frequency translator station application, BNPFT-20030312AWW, Greeley, CO. The required separation is 5 kilometers, whereas the separation proposed is 1 kilometer.

LPFM modification applications must either meet the distance separation requirements or, if short spaced, not lessen the spacing to subsequently authorized stations. The instant application lessens the spacing to application BNPFT-20030312AWW from 3 kilometers to 1 kilometer.

The analysis also reveals a discrepancy with the tower location proposed in the application compared to that on the tower registration record. The application proposes to use a tower located at 40° 23' **07**" N.L., 104° 44' **14**" W.L. (NAD 27). However, the tower registration record (#1062786) specifies the coordinates 40° 23' **05**" N.L., 104° 44' **11**" W.L. (NAD 27). Therefore, if the coordinates 40° 23' 07" N.L., 104° 44' 14" W.L. are correct, then the tower registration record must be amended. Correction of registered antenna structure coordinates must be done by the structure's owner and will usually require an FAA Hazard to Air Navigation study. If the coordinates are actually 40° 23' 05" N.L., 104° 44' 11" W.L. then any future application using the tower registered under #1062786 must use the correct coordinates.

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[1] 47 C.F.R. § 73.807.

Accordingly, in light of the above, application BPL-20090326ACU is unacceptable for filing and IS HEREBY DISMISSED. This action is taken pursuant to Section 0.283 of the Commission's Rules.[2]

Sincerely,

Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

[2] 47 C.F.R. § 0.283.