FEDERAL COMMUNICATIONS COMMISSION
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Red Zebra Broadcasting Licensee, LLC
1801 Rockville Pike, Suite 405
Rockville, MD 20852

In re: WWXX(FM), Buckland, VA
Facility ID #16819
Red Zebra Broadcasting Licensee, LLC
BPH-20090416ACO

Dear Applicant:

This letter refers to the above-captioned minor change application to modify the community of license from Warrenton, VA to Buckland, VA.

An engineering study reveals that the proposal violates 47 CFR § 73.3573(g)(4). Specifically, the application must demonstrate the existence of a suitable assignment site that fully complies with § 73.207. The proposed assignment site is short-spaced by 1 kilometer to the 2nd-adjacent Class B licensed facility (BLH-19931215KC) for WTGB-FM, Bethesda, MD. The required spacing pursuant to § 73.207 is 69 kilometers while the actual spacing proposed in the application is 68 kilometers. This deficiency constitutes an acceptance defect. Therefore, the application must be amended.

Pursuant to 47 C.F.R. § 73.3522, "... an applicant whose application is found to meet the minimum filing requirements but nevertheless is not complete and acceptable shall have the opportunity in the 30-day period specified in the FCC staff's deficiency letter to correct all deficiencies in the tenderability and acceptability of the underlying application, including any deficiency not specifically identified by the staff." Additionally, 47 C.F.R. § 73.3564 states that "[a]pplications with uncorrected tender and/or acceptance defects remaining after the opportunity for corrective amendment will be dismissed with no further opportunity for amendment." See Appendix B in the Report and Order in MM Docket No. 91-347. This letter constitutes your opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3522.

Further action on the subject application will be withheld for a period of thirty days from the date of this letter to provide the WWXX opportunity to respond. Failure to correct all tender and acceptance defects within the thirty days from the date of this letter will result in the dismissal of the application with no further opportunity for corrective amendment pursuant to 47 C.F.R. § 73.3564. Please note, any amendment must be submitted in the same manner as the original application.

Sincerely,

Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Jack N. Goodman, Esq.
Edward P. De La Hunt, Engr.