FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, SW
WASHINGTON, DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: WWW.FCC.GOV/MB/AUDIO

OCT 21 2010

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True North Community Outreach
503 Main Ave N
Roseau MN 56751

In re: NEW(FM), Hayward, WI
Facility ID No.: 185047
True North Community Outreach
BNPED-20100226AFY

Dear Applicant:

This letter refers to the above-captioned application for a new non-commercial educational FM facility to serve Hayward, WI.

Pursuant to 47 C.F.R. § 17.4(a), any proposed construction of a new antenna structure or proposed alteration of an existing antenna structure that requires notification to the Federal Aviation Administration (FAA) requires registration with the Commission prior to the proposed construction or alteration. Our records indicate that the tower for the facility proposed in the captioned application is not registered. FCC antenna structure registration may be accomplished electronically via the internet at http://www.fcc.gov/wtb/antenna/.

Please note that FAA approval is necessary in order to obtain FCC antenna structure registration. Following FCC registration of the antenna structure, a curative amendment to the application, which includes the antenna structure registration number, must be submitted to the Commission so that processing of your application may be completed.

Additionally, the study disclosed that the applicant failed to certify compliance with the Environmental Protection Act. Specifically, a review of the environmental exhibit indicates that the applicant has not demonstrated compliance with the Nationwide Programmatic Agreement and Section 106 of the National Historic Preservation Act (See Report and Order, FCC 04-222, released October 5, 2004).[1] The applicant must amend the application to certify compliance with the Environmental Protection Act and demonstrate the completion of the Section 106 Review Process in accordance with Sections 1.1306 and 1.1307 of the Commission's Rules.[2]

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[1] The Agreement is incorporated as Appendix C to Part 1 of the Commission's Rules.

[2] *See* 47 C.F.R. § 1.1306 and § 1.1307.

Further action on the subject application will be withheld for a period of thirty (30) days from the date of this letter to provide an opportunity to submit the requested information. If the antenna structure cannot be registered or if the applicant cannot demonstrate compliance with the Environmental Protection Act within 30 days of the date of this letter, the Audio Division (AD) must be notified in writing, concerning the delay.[3] In the event that further delays occur, the applicant must provide the Audio Division with written updates every 60 days thereafter.[4] Failure to respond within this time period or to provide the written updates every 60 days will result in the dismissal of the application for failure to prosecute pursuant to 47 C.F.R. § 73.3568(a)(1).

Sincerely,

FOR Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Mark N. Lipp, Esq.

[3] If this cannot be accomplished within the initial 30 day period, the first response to this letter shall be filed in triplicate with the Secretary of the Commission and shall contain a specific narrative of the actions taken to accomplish these two requirements. The response shall include copies of all correspondence with the FAA and all local environmental offices.

[4] Each 60 day update shall be filed in triplicate with the Secretary of the Commission and shall report specific actions taken since the previous report toward securing FAA approval and environmental compliance.