



Federal Communications Commission
Washington, D.C. 20554

June 10, 2008

DA 08-1375

In Reply Refer to:

1800B3-MJW

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Robert T. Hesse
General Manager
Western Inspirational Broadcasters, Inc.
6363 Highway 50 East
Carson City, NV 89701

Gene Wisniewski
Consulting Engineer to Union Valley Baptist Church, Inc.
c/o World Radio Link, Inc.
PO Box 5429
Twin Falls, ID 83303

Re: Union Valley Baptist Church, Inc.
Facility ID 177037
Kirby, Wyoming
File No. BNPED-20071022BNE

**Application for a New NCE FM Station
Petition to Deny**

Dear Messrs. Hesse and Wisniewski:

We have before us a Petition to Deny ("Petition") filed by Western Inspirational Broadcasters, Inc. ("Western"). The Petition seeks the denial of the referenced application (the "Application") of Union Valley Baptist Church, Inc. ("Union") for a new NCE FM station in Kirby, Wyoming. Also before us is an Opposition to Petition to Deny ("Opposition") filed by Union.¹

Western claims that Union lacks reasonable assurance of site availability because Western is the "party of record holding Antenna Structure Registration Number ("ASR") 1226816" – the ASR number specified in the Application. Western states that it has not given Union permission to use the structure associated with that ASR number. Union claims, however, that specifying "ASR 1226816" was a clerical error, based on its misreading of an illegible document.² It asserts that the correct ASR is "ASR 1211839." Union notes that the Application disclosed that the proposed station would be collocated with KUWT(FM), Thermopolis, Wyoming, and specified the KUWT(FM) site coordinates in the Application.

We deny the Petition. Union has demonstrated that specifying "ASR 1226816" in its Application was an inadvertent error. The Application has been amended to correct the error.

¹ Western did not file a reply to Union's Opposition. *See* 47 C.F.R. § 1.939(f).

² Union's Opposition includes a copy of its agreement for access to the site associated with ASR number 1211839. The ASR number thereon is, in part, illegible.

Accordingly, IT IS ORDERED that the Petition to Deny filed by Western Inspirational Broadcasters, Inc. IS DENIED. IT IS FURTHER ORDERED that the Application of Union Valley Baptist Church, Inc. (File No. BNPED-20071022BNE) as amended IS GRANTED.

Sincerely,

Peter H. Doyle
Chief, Audio Division
Media Bureau

cc: Union Valley Baptist Church, Inc.