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Before the  
**FEDERAL COMMUNICATIONS COMMISSIONS**  
Washington, D.C. 20554

FCC 91M-1709

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In re Applications of	)	MM DOCKET NO. 91-10 ✓
CHARLEY CECIL & DIANNA MAE WHITE	)	File No. BPH-891213M
d/b/a WHITE BROADCASTING PARTNERSHIP	)	
PEACHES BROADCASTING, LTD.	)	File No. BPH-891214MN
SAGE BROADCASTING CORPORATION OF	)	File No. BPH-891214MR
JUPITER, FLORIDA	)	
DOUGLAS JOHNSON	)	File No. BPH-891214MZ
NORTHEAST FLORIDA BROADCASTING CORP.	)	File No. BPH-891214NA
JEM PRODUCTIONS, LIMITED PARTNERSHIP	)	File No. BPH-891214ND
C/O JOYCE MORGAN	)	
For Construction Permit for a	)	
New FM Station on Channel 289A	)	
in Baldwin, Florida	)	

O R D E R

Issued: May 22, 1991 ; Released: May 24, 1991

Under consideration are 1) Contingent Motion for Summary Decision, filed March 13, 1991 by Peaches Broadcasting, Ltd.; 2) Mass Media Bureau's Opposition to Contingent Motion for Summary Decision, filed March 27, 1991; 3) Reply to Opposition to Contingent Motion for Summary Decision, filed April 5, 1991 by Peaches; and 4) Supplement to Reply to Opposition to Contingent Motion for Summary Decision, filed April 10, 1991 by Peaches.

Peaches seeks summary decision on the air hazard issue specified against it. It appears that the Federal Aviation Administration has found Peaches' proposal to present a potential electromagnetic interference problem at the Craig Airport and Jacksonville International Airport localizer facilities. The Mass Media Bureau has consented, in some circumstances, to grant of a construction permit notwithstanding allegations of electromagnetic interference, upon the imposition of a certain condition. In the instant case, the Bureau has spelled out the condition which it will accept and Peaches has explicitly agreed to the imposition of that condition. The motion for summary decision will be granted and the agreed - upon condition will be imposed.

IT IS ORDERED that the Motion IS GRANTED and the air hazard issue specified against Peaches IS RESOLVED in its favor, subject to the following CONDITION:

Upon receipt of notification from the Federal Communications Commission that harmful interference is being caused by the operation of the licensee's (permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take such immediate corrective action as necessary to eliminate the harmful interference. This condition expires after one year of interference-free operation.

FEDERAL COMMUNICATIONS COMMISSION

  
Edward Luton  
Administrative Law Judge