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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FCC 95M-42

In re Applications of)	MM DOCKET NO. 94-88	50801
)		
COMMUNITY EDUCATIONAL ASSOCIATION)	File No. BPED-930316MF	
Holly Hill, Florida)		
)		
For a Construction Permit for a New)		
Noncommercial Educational FM)		
Station on Channel 212A)		

MEMORANDUM OPINION AND ORDER

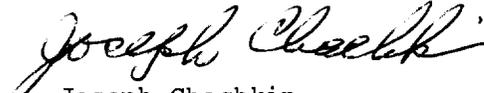
Issued: February 7, 1995 ; Released: February 9, 1995

1. On January 18, 1995, Community Educational Association (CEA) filed a "Petition To Reopen The Record And For Leave To Amend" its application. In its petition, CEA reports that it has received a determination from the Federal Aviation Administration (FAA) that its tower will not be a hazard to air navigation provided that its tower height does not exceed 114 feet AGL. CEA seeks a reopening of the record, grant of its petition for leave to amend, and acceptance of its proffered amendment.

2. Based on an analysis of the CEA amendment by its engineering staff, the Bureau has determined that CEA's amendment is in compliance with all relevant provisions of the Commission's Rules. Moreover, CEA's amendment satisfies the good cause criteria. Therefore, CEA's petition for leave to amend is granted and CEA's amendment is accepted. In addition, in lieu of reopening the record, the Presiding Judge, on his own motion will summarily resolve the air hazard issue in favor of CEA.

Accordingly, IT IS ORDERED, That the "Petition To Reopen The Record And For Leave To Amend" filed January 18, 1995 by Community Educational Association IS GRANTED in part; that CEA's petition for leave to amend IS GRANTED, its amendment IS ACCEPTED, and the request to reopen the record IS DISMISSED as moot; and that the air hazard issue designated by the Commission IS summarily RESOLVED in favor of Community Educational Association.

FEDERAL COMMUNICATIONS COMMISSION



Joseph Chachkin
Administrative Law Judge