

# BOOTH, FRERET, IMLAY & TEPPER, P.C.

ATTORNEYS AT LAW

ROBERT M. BOOTH, JR. (1911-1981)  
JULIAN P. FRERET (1918-1999)  
CHRISTOPHER D. IMLAY  
CARY S. TEPPER

BETHESDA OFFICE:  
7900 WISCONSIN AVENUE, SUITE 304  
BETHESDA, MD 20814-3628

TELEPHONE: (301) 718-1818  
FACSIMILE: (301) 718-1820  
TEPPERLAW@AOL.COM

SILVER SPRING OFFICE:  
14356 CAPE MAY ROAD  
SILVER SPRING, MD 20904-6011

TELEPHONE: (301) 384-5525  
FACSIMILE: (301) 384-6384  
BFITPC@AOL.COM

October 1, 2009

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.E.; Room TWD-204  
Washington, D.C. 20554

FILED/ACCEPTED

OCT - 1 2009

Federal Communications Commission  
Office of the Secretary

Re: **W231BC (Facility ID No. 140353)**  
**Christiansburg, VA**

**CHANGE IN PRIMARY SERVICE STATION DESIGNATION**  
**(Pursuant to "Report and Order" FCC 09-59, MB Docket 07-172,**  
**74 FR 45126)**

Dear Ms. Dortch:

On behalf of **Positive Alternative Radio, Inc. ("PAR")**, Licensee of FM Translator Station W231BC at Christiansburg, Virginia, we hereby advise the Commission that, pursuant to the FCC's recent "Report and Order" in MB Docket 07-172, effective October 1, 2009, the official Primary Station Designation for W231BC is now Radio Station WKEX(AM) at Blacksburg, Virginia. Radio Station WKEX(AM) is owned and operated by an affiliate of PAR. The method in which the Primary Station feeds W231BC is a direct off-air pickup.

PAR submits that this Primary Service Station Designation complies with the FCC's new service and eligibility rules for FM Broadcast Translator Stations with regard to the rebroadcast of an AM Radio Station in that WKEX (AM) has nominal (62 watts) nighttime operating authority and cannot provide service to most of its community of license during the nighttime hours. The 1 mV/m contour of W231BC is fully encompassed within the daytime 2 mV/m contour of WKEX(AM), as was demonstrated in the previously authorized Special Temporary Authority BSTA-20080508ABB. Accordingly, the rebroadcast of WKEX(AM) by FM Translator Station W231BC complies with the FCC's new policy.

Accordingly, please revise your records to reflect that WKEX(AM) is the Primary Station for FM Translator Station W231BC via a direct off-air pickup.

Should any questions arise concerning this matter, please contact the undersigned.

Sincerely,



Cary S. Tepper

cc of [unclear] 012  
[unclear]

cc via email: Robert Gates (FCC)