

CLERKED

OCT 18 2007

FEDERAL COMMUNICATIONS COMMISSION
Experimental Licensing Branch
445 12th Street, S.W., Room 7A-321
Washington, D.C. 20554

October 15, 2007

Attn: CARTER, ROBERT W
Mid-Atlantic Engineering Service
70 Prospect Ave
Ilion, NY 13357

DISMISSED-WITHOUT PREJUDICE

Dear CARTER, ROBERT W,

This refers to application, File No. 0238-EX-PL-2007, for an experimental authorization.

You are advised that the Commission is unable to grant your application for the facilities requested. The application was dismissed for the following reasons:

- Purpose of application is an experimental low power AM broadcast station. As such, the experimental application must be filed with the Media Bureau pursuant to Part 74 of the Commission's rules, not with OET pursuant to Part 5 of the Commission's rules.

- In compliance with the Commission's action in Alexander Broadcasting, Inc., Memorandum Opinion and Order, 21 FCC Rcd 9968 (2006), between October 1, 2007, and October 5, 2007, the Media Bureau and the Wireless Telecommunications Bureau opened a limited, supplemental AM Auction No. 84 filing window for new and major change construction permit applications for a Model 1 (10 kW daytime, 1 kW nighttime, ND) 1700 kHz AM station in Rockland County, New York. Herkimer is located only roughly 200 kilometers from Rockland County, NY.

- The AM service is a very mature service, and the propagation characteristics of the AM band are proven and well known. Based on existing data, the effect of a 20-watt AM station on the AM band can be reliably predicted without experimentation

Responses to this correspondence must contain the Reference number : 5663

Sincerely,



James R. Burtle
Chief
Experimental Licensing Branch