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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

JUN 3 0 1995

IN REPLY REFER TO:
1800B3-LR

Ms. Margarita Pelleya, President
Bascomb Memorial Broadcasting
Foundation
P.O. Box 558636
Miami, FL 33255

Mr. Howard F. Jaeckel
CBS Inc.
51 West 52 Street
New York, NY 10019

In re: WDNA(FM), Miami, FL
Bascomb Memorial Broadcasting
Foundation
BPED-930104IA

Dear Ms. Pelleya and Mr. Jaeckel:

We have under consideration a Petition for Reconsideration ("petition") of the October 25, 1994 grant of the above-captioned major change application. The petition was filed on November 21, 1994 by CBS Inc. ("CBS"), licensee of TV Channel 6 station WCIX(TV), Miami, FL.[1] As set forth below, CBS' petition is denied.

CBS alleges that the staff denied its petition to deny and granted the application without considering CBS' census block map and supplemental engineering statement filed on September 30, 1993. The staff in its ruling indicated that such a map had not been filed. See Footnote 2 of the Letter to Bascomb Memorial Broadcasting and CBS Inc. from Larry Eads, Chief, Audio Services Division, dated October 25, 1994. A search of our files indicates that CBS is correct in its assertion that an engineering exhibit had been filed. Having now examined the map and engineering statement, we still cannot verify CBS' allegation that the 3,000 person limit within the TV Channel 6 interference area would be exceeded. Specifically, the map does not contain a listing of (1) which blocks are fully enclosed within the interference area, (2) which blocks are partially enclosed and the percentage to which they are enclosed, or (3) the population associated with each block. The burden of proof lies on the petitioner to establish that WDNA's population count is less accurate than that calculated by CBS.

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[1] On December 2, 1994, WDNA filed an opposition to CBS' petition.

Accordingly, the Petition for Reconsideration filed by CBS Inc. IS HEREBY DENIED.

Sincerely,

for Larry D. Eads, Chief
Audio Services Division
Mass Media Bureau

cc: Haley, Bader & Potts
Raymond M. Ball, Jr.