

### Interference

This technical statement supports this application for a new low-power television station on channel 51 in Cherry Valley, CA. FCC File No. BNPTTL-20000831BDL.

This instant application is a part of mutual exclusive group M143, as included in Attachment A to FCC Public Notice Low Power Television Auction No. 81 Mutual Exclusive Proposals Subject to Auction (DA 01-1289).

The proposed channel 51 facilities were studied using the RadioSoft ComStudy program version 2.2 and the results are attached hereto. The study performed a contour study in accordance with FCC rules 74.705, 74.706 and 74.707 and is summarized in Attachment A. The program lists in a column labeled “Clearance” the separation in kilometers between the proposed interfering contour and the protected contours of pertinent stations. In cases where either the contour protection or distance separation requirements are not met, the “Clearance” is a negative number. The “Total Pop” and “Old Pop” reflect the existing station’s coverage without this proposed station. The “New Pop%” and “New Pop” show the effect of this proposal on the studied station. Interference is shown even if one person is affected. In Attachment B, the coverage contours of applicable stations along with non-interfered coverage, as calculated by Longley-Rice are in green, and interfered coverage, as calculated by Longley-Rice are in red.

### **TV Broadcast Analog System Protection**

The following is a summary of the calculated interference caused by the proposed Cherry Valley operation to pertinent surrounding analog television allotments and assignments. Interference to these stations was studied by the Comstudy 2.2 program using a Longley-Rice routine. The factors applied follow OET 69 with a 1 km block size.

<u>Facility/ Call Sign</u>	<u>Location</u>	<u>Channel</u>	<u>Service Population</u>	<u>Interference Population</u>
KMIR-TV (License)	Palm Springs	36	228,450	0 (0.0%)
KUSI-TV (License)	San Diego	51	2,132,685	4,425 (0.2%)

As demonstrated, the proposed operation causes less than 0.5% interference to surrounding analog assignments and allotments (i.e., “*de minimis*”). It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards. If necessary, a waiver of the FCC rules is respectfully requested for this analog allocation study based on use of the OET-69 procedures.

### **Digital TV Station Protection**

The following is a summary of the calculated interference caused by the proposed Cherry Valley operation to pertinent surrounding digital television (“DTV”) allotments and assignments. Interference to these stations was studied by the Comstudy 2.2 program using a Longley-Rice routine. The factors applied follow OET 69 with a 1 km block size.

<u>Facility/ Call Sign</u>	<u>Location</u>	<u>Channel</u>	<u>Service Population</u>	<u>Interference Population</u>
KRPA (Application)	Rancho	51	13,477,008	346 (0.0%)
KESQ-DT (Application)	Palm Springs	52	1,235,037	0 (0.0%)
KESQ-TV (Used allotments)	Palm Springs	52	1,188,957	0 (0.0%)
KRPA (Used allotments)	Rancho	51	9,048,961	0 (0.0%)

As demonstrated, the proposed operation causes less than 0.5% interference to surrounding DTV assignments and allotments (i.e., “*de minimis*”). It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards. If necessary, a waiver of the FCC rules is respectfully requested for this DTV allocation study based on use of the OET-69 procedures.

**Low Power TV and TV Translator Station Protection**

The following is a summary of the calculated interference caused by the proposed Cherry Valley operation to pertinent surrounding low-power television (“LPTV”) allotments and assignments. Interference to these stations was studied by the Comstudy 2.2 program using a Longley-Rice routine. The factors applied follow OET 69 with a 1 km block size.

<u>Facility/ Call Sign</u>	<u>Location</u>	<u>Channel</u>	<u>Service Population</u>	<u>Interference Population</u>
Louis Martinez File No. BNPTTL-20000831BJZ Facility ID 128855	Hemet	51	407,370	118 (0.0%)
Venture Technologies Group, LLC File No. BNPTTL-2000831CGK Facility ID 130878	Banning	51	217	0 (0.0%)

Therefore, the proposed operation causes less than 0.5% interference to the relevant, surrounding LPTV assignments and allotments (i.e., “*de minimis*”). It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards. If necessary, a waiver of the FCC rules is respectfully requested for the LPTV allocation study based on use of the OET-69 procedures.

This application does not cause any predicted interference to any of the other proposals included within M143.

Because the predicted level of interference caused by any of the other proposed facilities within M143 is *de minimus* in nature, the applicant hereby accepts interference at the levels currently proposed by the other applicants within M143 in the event that they are granted stations pursuant to their proposals.

The applicant requests a waiver of Section 74.705, 74.706 and 74.707 and other applicable parts of the Rules and Regulations of the Federal Communications Commission in order to allow for the grant of this instant application.

Therefore, the applicant requests that the instant application be pulled from the mutual exclusive group M143 and be placed on a “singleton” grant list and that the construction permit for this station be granted with a condition of acceptance of interference as defined herein.