

TECHNICAL STATEMENT  
CONCERNING THE AM SPECIAL CONDITION  
JACKSONVILLE, FLORIDA

Technical Statement

This Technical Statement was prepared on behalf of several FM and TV stations authorized on a new tower located at Jacksonville, Florida. These stations are WTEV-DT on Channel 19, WAWS(TV) on Channel 30, WAWS-DT on Channel 32, WFKS(FM) on Channel 250C2, WQIK-FM on Channel 256C0 and WROO(FM) on Channel 297C1. All of these stations, with the exception of WFKS(FM), are assigned to Jacksonville, Florida. WFKS(FM) is assigned to Neptune Beach, Florida.

On all the aforementioned stations, a special condition was inserted on their construction permits. The special condition relates to the potential to adversely affect the radiation pattern on WIOJ(AM), located 2.3 kilometers from the replacement tower. WIOJ(AM) operates on 1010 kilohertz with 10 kilowatts daytime and 0.14 kilowatt nighttime, using the same directional pattern developed with two towers.

The aforementioned TV and FM stations did not perform the partial proof measurements as stated in the special condition contained within the construction permits. The stations had three reasons for not performing the partial proof measurements. First, the stations did not believe that construction of this new structure and dismantlement of the former adjacent structure would adversely impact WIOJ(AM)'s radiation pattern. Second, the station's construction permits, notifying the applicant of this special condition, were issued approximately the same time the tower owner began construction at the replacement tower site. Since the stations did not control the commencement date of the tower, they did not have the time to perform the "before" partial proof measurements. Third, WIOJ(AM) is presently operating with an STA with parameters at variance due to an unrelated event and hence, no meaningful field strength measurements could be obtained anyway.

This TV and FM tower (Tower Registration Number 1235223) actually replaced an existing slightly lower height tower (Tower Registration Number 1031886).<sup>1</sup> The new tower is 331.3 meters (1087 feet) above ground level compared to the previous 313.5 meters (1029 feet) above ground level tower.<sup>2</sup> The replacement tower is located within 1 geographic second of the original tower. Since the vertical and horizontal differences between the towers are less than 60 feet, the new replacement tower can be

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<sup>1</sup> The tower owner is not the licensee of the co-located FM and TV stations - the replacement tower is owned by TC Florida Towers II, L.L.C.

<sup>2</sup> Please note that the tower registration referenced in the stations' construction permits is the ASRN for the old tower, now removed, and should be corrected in the license to reflect the registration for the new tower -- ASRN 1235223.

essentially considered as an equivalent structure. The original tower has already been dismantled.<sup>3</sup>

The replacement tower is located within the Jacksonville antenna farm, where 6 towers with overall heights exceeding 304 meters (998 feet) are located within 2.5 kilometers of the WIOJ(AM) transmitter site. Figure 1 is a topographic map showing the location of the WIOJ(AM) transmitter site and the cluster of the nearby 6 tall towers.

Even though the stations do not believe any radiation pattern impact will occur to the AM station, on January 13, 2003 the stations attempted to measure WIOJ(AM)'s monitoring points after construction of the replacement tower was completed. The measured monitor point values were atypical, which resulted in contact with WIOJ(AM) to determine if the station was operating properly. After contact with WIOJ(AM)'s counsel, it was reported that WIOJ(AM) had a recent lightning strike which resulted in damage to the station's sampling system, and hence, the station is operating in non-directional mode. Therefore, no meaningful field strength measurements could be performed. Soon after, a request for *Special Temporary Authority* to operate with parameters at variance was requested by WIOJ(AM).<sup>4</sup>

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<sup>3</sup> It is noted that the original tower had no de-tuning apparatus, further in evidence that the original tower did not adversely impact the WIOJ(AM) radiation pattern.

<sup>4</sup> See Request for Special Temporary Authority filed by WIOJ(AM) on January 24, 2003.

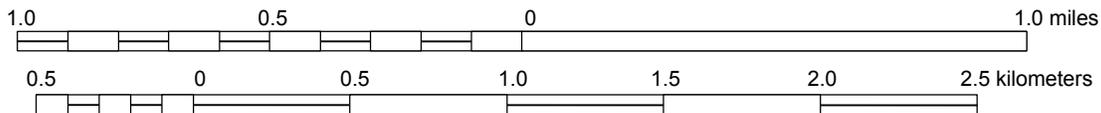
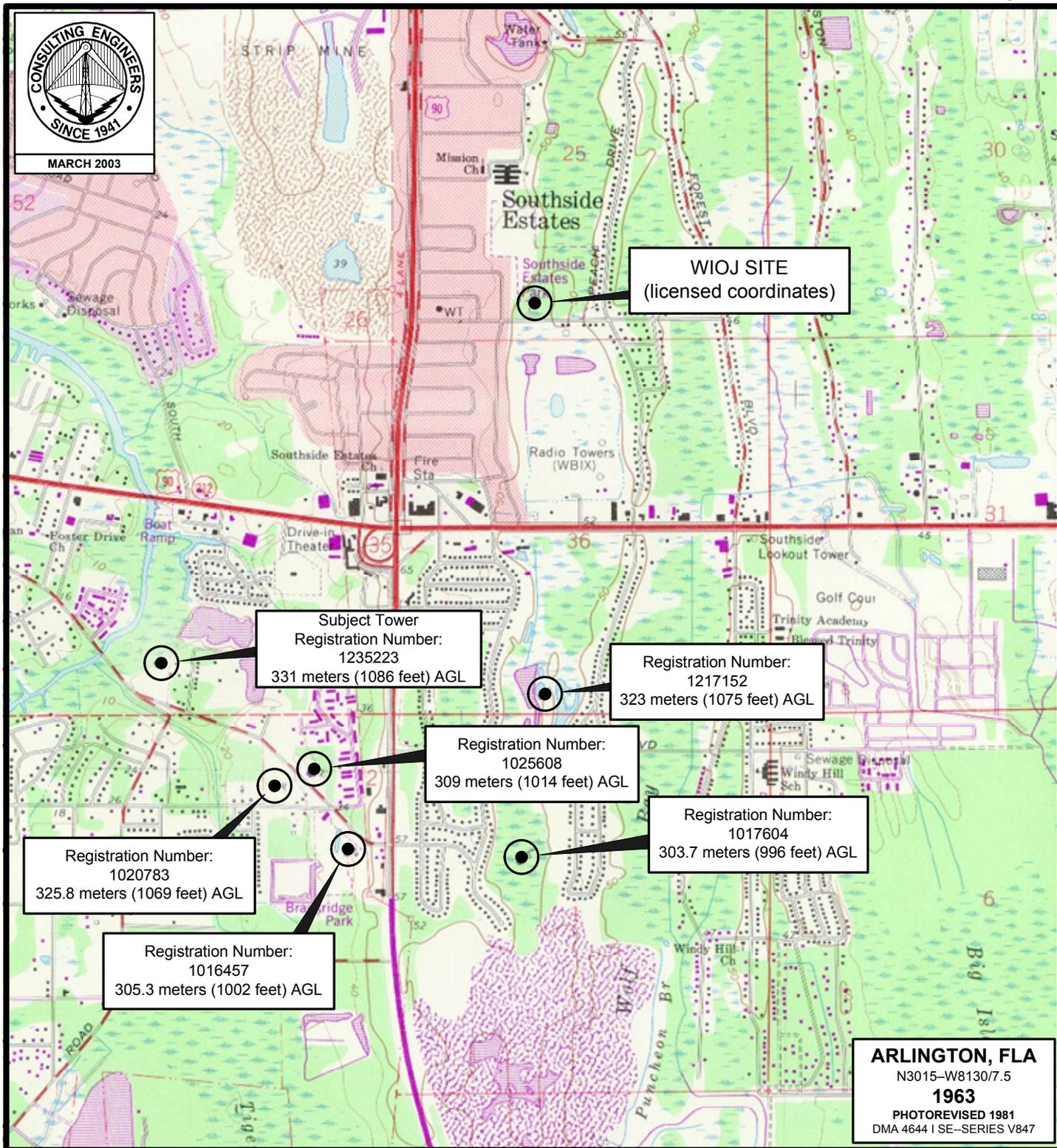
It is also observed that other television stations nearby to WIOJ(AM) have been constructing digital facilities via a Special Temporary Authority and without concern to the WIOJ(AM) radiation pattern. WJWB-DT on Channel 34 and WTLV-DT on Channel 13, are all located within 2.5 kilometers of WIOJ(AM) on other towers and were granted Special Temporary Authority without consideration to any impact to WIOJ(AM).

It can be concluded that WIOJ(AM) did not have issues relating to the erection of the replacement tower, since no operational variances were reported prior to the lightning strike, which occurred shortly before January 24, 2003, notwithstanding the tower construction, tower dismantlement, and the addition of numerous digital television antennas in the months before. Also, the present WIOJ(AM) operation with parameters at variance are precluding any meaningful field strength measurements from being taken. Therefore, the aforementioned TV and FM stations are requesting that the special condition be removed from their permits and deleted as a requirement for licensing.

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### TALL TOWERS IN THE VICINITY OF WIOJ(AM)