EXHIBIT 44
ENVIRONMENTAL STATEMENT
KOTI-DT 9 KW 659 M HAAT CH. 13
KLAMATH FALLS, OREGON

The applicant, California Oregon Broadcasting, Inc., requests authority to modify its outstanding construction permit for digital television (DTV) station KOTI-DT, Channel 13, Klamath Falls, Oregon, BPCDT-20001206ADD, for a reduction in effective radiated power (ERP). The instant request for minor modification of construction permit is categorically excluded from environmental processing by Section 1.1306 of the Commission's rules since the specified antenna structure (ASRN 1034934) is an existing tower and the safety standards for human exposure to radio-frequency (RF) energy in Section 1.1307(b) will not be exceeded as described below.

The DTV Channel 13 operation for KOTI-DT will not result in RF contributions exceeding the *RF Radiation Exposure Limits* specified in Section 1.1310 of the Commission's rules. Specifically, the proposal involves a horizontally polarized Hi-VHF antenna, an effective radiated power (ERP) of 9 kW and an antenna height of 35 meters above ground. The antenna location is an established mountaintop communications site where numerous primary and secondary FM and TV broadcast facilities are located. This site offers complete isolation from the general population due to its remote location and mountainous terrain. Standard techniques for controlling access are also in practice at the site, which includes the use of warning signs. Since the antenna location is sufficiently isolated from the general population, there is no need to establish compliance with the uncontrolled exposure guidelines. However, the Channel 13 facility specified for KOTI-DT was evaluated for compliance with the occupational maximum permissible exposure (MPE) limit for controlled environments. Compliance with this limit was established based on a "worst case" estimation of ground-level power density using the EPA prediction method adopted by the Commission.

The "worst case" contribution for the DTV Channel 13 facility as modified by this application is calculated to be less than 25 μW/cm^2 at any location 2 meters above ground level. Maximum permissible exposure (MPE) for VHF frequencies is limited in Section 1.1310 to 1,000 μW/cm^2 with regard to occupational (controlled) exposure. Compliance with this limit is established based on the above "worst case" estimation of ground level power density, which was calculated using the EPA prediction methodology adopted by the Commission. Elevation relative field values for a typical Hi-VHF panel radiator are generally less than 30% at all angles greater than 20° below the horizontal and therefore a conservative antenna relative field value of 0.3 was assumed in evaluating ground level exposure based on the Channel 13 modification. Since this estimated level is less than 5% of the guideline for controlled exposure, the applicant is not required to further evaluate the antenna location with respect to other RF contributors.

It has been demonstrated that the proposal complies with the occupational exposure guideline at any ground-level location. At higher elevations on the antenna structure, however, workers will be protected from excessive exposure to RF fields in accordance with the methods recommended in *OET Bulletin No. 65, Version 97-01.* The applicant has adopted a work policy designed in coordination with other users at the site to avoid harmful exposure when work is being done at higher elevations on the tower. Preventive steps to avoid excessive exposure shall include a work schedule for planned durations of reduced power operation or when the facility is shut down.

Prepared by

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