

WPVM-LP

Mountain Area Information Network

Asheville, North Carolina

Engineering Exhibit

June 2006

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WPVM-LP
Mountain Area Information Network
Asheville, North Carolina

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Declaration

I declare, under penalty of perjury, that I am a technical consultant to broadcasting and other communications systems, that I have over twenty-five years of experience in the engineering of broadcast and other communications systems, that I am familiar with the Federal Communications Commission's Rules found in the Code of Federal Regulations Title 47, that I am a Professional Engineer registered in North Carolina, that I have prepared or supervised the preparation of the attached Engineering Exhibit for Mountain Area Information Network, and that all of the facts therein, except for facts of which the Federal Communications Commission may take official notice, are true to the best of my knowledge and belief.



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22 June 2006

Narrative

This exhibit support a request for Minor Modification for WPVM-LP. The tower on which WPVM-LP is licensed was destroyed by a tree falling across a guy wire. The minor modification proposes operation from an existing tower approximately 120 meters from the authorized tower. The tower supports WJJV-LP.

There are no changes proposed in antenna Height Above Mean Sea Level. The antenna Height Above Average Terrain, based on 8 standard radials, decreases by 1.2 meters. The variation from licensed location is de minimus.

Mountain Area Information Network has temporary permission to use the proposed tower and is exploring a permanent lease on the proposed minor modification tower or other alternatives. Mountain Area Information Network will file an application for a Construction Permit for a permanent change if the permanent site which is identified is a different site.

Allocations

Two sets of allocation tables are presented below. The first tables are based on spacings as required for LPFM allocations. The second tables are based on overlap of contours. In each case the licensed location is presented first followed by the proposed operation.

The proposed site continues to comply with LPFM spacing requirements for all licensed facilities and for all applications filed prior to the original construction permit application for WPVM-LP.

As shown in each of the tables, there are short spacings which have been created by the subsequent filing of translator applications, and the modifications of the rules for those applications. It is impossible to find an area to locate which meets all current spacings. The

short spacings were not in existence when the initial construction permit application for WPVM-LP was filed. The construction permit for the licensed WPVM-LP facilities was granted prior to the filing of the applications which now cause a short spacing for WPVM-LP.

While LPFM is licensed on separation distance, not contour overlap, the studies indicate that significant interference would be created to WPVM-LP and to the proposed subsequently filed translators in Skyland, Woodfin, and Black Mountain, North Carolina, should those translators be granted.

Waiver Request

This application requests a waiver of 47 C.F.R. §73.807(d) to acknowledge existing and proposed short spacing to the following applications:

Location	Channel – Relationship	Bearing (degrees)	File Number
Skyland, NC	276 – 2 nd adjacent	194.0°	BNPFT-20030317BGF
Woodfin, NC	277 – 1 st adjacent	325.7°	BNPFT-20030212AQO
Black Mountain, NC	278 – co-channel	64.6°	BNPFT-20030312AQW
			W251AO modification

Because the short spaced applications are in different directions, roughly Northeast, Northwest, and South, any move will be closer to one or more existing applications. The public interest will be served by allowing a minor modification for WPVM-LP to move 0.12 kilometers and to continue an existing service to the public, rather than protecting translator applications whose merits have not been reviewed and which are not currently providing service to the public. The interests of translator applicants which are protected by rules changes subsequent to the filing of their applications should not deprive the public of the existing service of WPVM-LP.

Mountain Area Information Network
Allocation Study Licensed Site

REFERENCE

35 31 39 N.

82 29 49 W.

CLASS = L1

Current Spacings

DISPLAY DATES

DATA 06-09-06

SEARCH 06-09-06

Channel 278 - 103.5 MHz

Call	Channel	Location	Azi	Dist	FCC	Margin
WPVM-L	LIC 278L1	Asheville	NC 0.0	0.00	24.0	-24.00
W251A0	APP-D 278D	Black Mountain	NC 64.9	12.75	32.0	-19.25
AP276	APP 276D	Skyland	NC 192.7	5.14	14.0	-8.86
AP277	APP 277D	Woodfin	NC 326.2	12.26	15.0	-2.74
WIMZFM	LIC 278C	Knoxville	TN 301.8	129.81	130.0	-0.19
AP277	APP 277D	Black Mountain	NC 50.4	17.70	15.0	2.70
W279AI	LIC 279D	Hendersonville	NC 184.8	24.27	21.0	3.27
AP275	APP 275D	Black Mountain	NC 50.4	17.70	8.0	9.70
AP276	APP 276D	Black Mountain	NC 50.4	17.70	8.0	9.70
AP275	APP 275D	Hendersonville	NC 184.9	24.28	14.0	10.28
AP276	APP 276D	Hendersonville	NC 184.9	24.28	14.0	10.28
WOLT	LIC 277A	Greer	SC 150.9	67.17	56.0	11.17
AP281	APP-D 281D	Flat Rock	NC 170.0	32.07	14.0	18.07
W225AZ	CP 225D	Hendersonville	NC 184.8	24.27	5.0	19.27
W237AR	APP-D 275D	Hazelwood, Etc.	NC 262.7	55.85	21.0	34.85
WIKQ	LIC 276A	Tusculum	TN 349.7	67.71	29.0	38.71
To Channel 276C3 per one-step application BPH-970304IA						
WXIS	LIC 280A	Erwin	TN 8.5	68.51	29.0	39.51
ALLO	USE 277A	Lenoir	NC 59.0	97.88	56.0	41.88
WKVS.C	CP -N 277A	Lenoir	NC 59.5	98.84	56.0	42.84
WKVS	LIC-N 277A	Lenoir	NC 59.5	98.90	56.0	42.90
ALLO	USE 276A	Tusculum	TN 347.9	74.37	29.0	45.37
WSOCFM	LIC-N 279C	Charlotte	NC 100.1	167.29	120.0	47.29
WOLIFM	LIC 280A	Easley	SC 182.0	76.41	29.0	47.41
RADD	ADD 281A	Sylva	NC 254.0	79.38	29.0	50.38
WLYT	LIC 275C1	Hickory	NC 95.8	124.81	73.0	51.81
AP276	APP 276D	Frankland	NC 253.9	79.45	21.0	58.45
W277AL	LIC 277D	Highlands	NC 230.5	85.06	21.0	64.06
WNPCFM	RSV 225C3	Newport	TN 320.9	77.33	9.0	68.33
WNPCFM	APP 225C3	Newport	TN 320.9	77.33	9.0	68.33
ALLO	USE 225A	Newport	TN 308.3	78.92	6.0	72.92

Mountain Area Information Network
Allocation Study on TV Tower

REFERENCE

35 31 39 N.

82 29 44 W.

CLASS = L1

Current Spacings

DISPLAY DATES

DATA 06-09-06

SEARCH 06-09-06

Channel 278 - 103.5 MHz

Call	Channel	Location	Azi	Dist	FCC	Margin
WPVM-L	LIC 278L1	Asheville	NC 270.0	0.12	24.0	-23.88
W251A0	APP-D 278D	Black Mountain	NC 64.6	12.64	32.0	-19.36
AP276	APP 276D	Skyland	NC 194.0	5.17	14.0	-8.83
AP277	APP 277D	Woodfin	NC 325.7	12.33	15.0	-2.67
WIMZFM	LIC 278C	Knoxville	TN 301.7	129.91	130.0	-0.09
AP277	APP 277D	Black Mountain	NC 50.1	17.60	15.0	2.60
W279AI	LIC 279D	Hendersonville	NC 185.1	24.28	21.0	3.28
AP276	APP 276D	Black Mountain	NC 50.1	17.60	8.0	9.60
AP275	APP 275D	Black Mountain	NC 50.1	17.60	8.0	9.60
AP275	APP 275D	Hendersonville	NC 185.2	24.29	14.0	10.29
AP276	APP 276D	Hendersonville	NC 185.2	24.29	14.0	10.29
WOLT	LIC 277A	Greer	SC 151.0	67.11	56.0	11.11
AP281	APP-D 281D	Flat Rock	NC 170.2	32.05	14.0	18.05
W225AZ	CP 225D	Hendersonville	NC 185.1	24.28	5.0	19.28
W237AR	APP-D 275D	Hazelwood, Etc.	NC 262.7	55.97	21.0	34.97
WIKQ	LIC 276A	Tusculum	TN 349.6	67.74	29.0	38.74
To Channel 276C3 per one-step application BPH-970304IA						
WXIS	LIC 280A	Erwin	TN 8.4	68.49	29.0	39.49
WKVS.C	CP -N 277A	Lenoir	NC 59.4	98.73	56.0	42.73
WKVS	LIC-N 277A	Lenoir	NC 59.4	98.79	56.0	42.79
WSOCFM	LIC-N 279C	Charlotte	NC 100.1	167.17	120.0	47.17
WOLIFM	LIC 280A	Easley	SC 182.1	76.41	29.0	47.41
RADD	ADD 281A	Sylva	NC 254.0	79.50	29.0	50.50
WLYT	LIC 275C1	Hickory	NC 95.8	124.69	73.0	51.69
AP276	APP 276D	Frankland	NC 254.0	79.57	21.0	58.57
W277AL	LIC 277D	Highlands	NC 230.6	85.16	21.0	64.16
WNPCFM	RSV 225C3	Newport	TN 320.8	77.41	9.0	68.41
WNPCFM	APP 225C3	Newport	TN 320.8	77.41	9.0	68.41

Mountain Area Information Network
Allocation Study Licensed Site

REFERENCE		CH# 278L1- 103.5 MHz, Pwr= 0.001 kW, HAAT=325.7M, COR= 1053 M								DISPLAY DATES	
35 31 39 N.		Average Protected F(50-50)= 5.1 km								DATA	06-09-06
82 29 49 W.		Ave. F(50-10) 40 dBu= 19.5 54 dBu= 8.1 80 dBu= .7 100 dBu= .1								SEARCH	06-09-06
CH	CALL	TYPE	AZI.	DIST	LAT.	Pwr(kW)	COR(M)	PRO(km)	*IN*	*OUT*	
CITY		STATE	<--	FILE #	LNG.	HAAT(M)	INT(km)	LICENSEE	(Overlap	in km)	
278L1	WPVM-L	LIC	0.0	0.00	35 31 39	0.100	736	5.6	-23.26*<	-22.74*<	
Asheville		NC	0.0	BLL20040126AIK	82 29 49	-62	18.6	Mountain Area Information			
278D	W251AO	APP DC	64.9	12.76	35 34 34	0.000	1179	0.8	4.94	5.01<	
Black Mountain		NC	244.9	BNPFT20030312AQW	82 22 10	312	5.5	Frank G. Mccoy			
276D	AP276	APP C	192.7	5.15	35 28 56	0.010	934	8.2	-0.35*<	-3.14*<	
Skyland		NC	12.7	BNPFT20030317BGF	82 30 34	200	0.2	Radio Training Network, In			
277D	AP277	APP C	326.2	12.26	35 37 09	0.027	679	4.0	1.07	-0.69<	
Woodfin		NC	146.1	BNPFT20030312AQO	82 34 21	-64	5.7	Frank G. Mccoy			
278C	WIMZFM^	LIC CY	301.8	129.81	36 08 06	100.000	950	94.0	-77.03<	14.30	
Knoxville		TN	121.0	BMLH19890601KB	83 43 29	657	201.5	South Central Communicatio			
277D	AP277	APP C	50.4	17.71	35 37 44	0.010	1010	8.3	1.33<	2.27<	
Black Mountain		NC	230.5	BNPFT20030317GRQ	82 20 46	203	11.7	Western North Carolina Pub			
279D	W279AI	LIC C	184.8	24.28	35 18 34	0.010	967	10.2	4.69	5.45	
Hendersonville		NC	4.8	BLFT19971204TG	82 31 10	302	14.2	Radio Training Network, In			
275D	AP275	APP C	50.4	17.71	35 37 44	0.010	1010	8.3	12.83	9.35	
Black Mountain		NC	230.5	BNPFT20030317GRN	82 20 46	203	0.2	Western North Carolina Pub			
276D	AP276	APP C	50.4	17.71	35 37 44	0.010	1010	8.3	12.83	9.35	
Black Mountain		NC	230.5	BNPFT20030317GR0	82 20 46	203	0.2	Western North Carolina Pub			
275D	AP275	APP C	184.9	24.28	35 18 34	0.010	963	10.1	18.72	14.12	
Hendersonville		NC	4.9	BNPFT20030317GVC	82 31 11	298	0.2	Western North Carolina Pub			
276D	AP276	APP C	184.9	24.28	35 18 34	0.010	963	10.1	18.72	14.12	
Hendersonville		NC	4.9	BNPFT20030317GVL	82 31 11	298	0.2	Western North Carolina Pub			
277A	WOLT<<	LIC CN	150.9	67.18	34 59 54	2.700	420	25.3	23.75	33.77	
Greer		SC	331.1	BLH19930111KA	82 08 17	116	38.3	Davidson Media Station Wol			
281D	AP281	APP DV	170.0	32.08	35 14 34	0.010	908	9.4	26.61	22.64	
Flat Rock		NC	350.0	BNPFT20030317JAL	82 26 08	257	0.2	Radio Training Network, In			
225D	W225AZ	CP C	184.8	24.28	35 18 34	0.010	973	10.2	5.0R	19.3M	
Hendersonville		NC	4.8	BNPFT20030829AYN	82 31 10	308	10.2	Tabernacle Baptist College			
275D	W237AR	APP DC	262.7	55.85	35 27 43	0.116	1852	33.4	49.79	22.35	
Hazelwood, Etc.		NC	82.3	BMJPFT20030314CI	83 06 26	908	0.8	Western North Carolina Pub			
276A	WIKQ<<	LIC CN	349.7	67.72	36 07 40	6.000	599	15.8	61.20	51.90	
Tusculum		TN	169.6	BLH19960111KY	82 37 57	-473	1.6	Radio Greeneville, Inc.			
To Channel 276C3 per one-step application BPH-970304IA											
280A	WXIS<<	LIC CX	8.5	68.51	36 08 17	5.400	897	15.3	61.87	53.13	
Erwin		TN	188.6	BLH20051101AAR	82 23 01	-60	1.5	Wemb, Incorporated			
277A	ALL0<<	USE	59.0	97.89	35 58 38	6.000	0	15.8	70.79	76.77	
Lenoir		NC	239.5		81 33 57	-380	23.5				
277A	WKVS.C<<	CP NCX	59.5	98.85	35 58 30	0.940	707	32.3	46.65	61.45	
Lenoir		NC	240.0	BPH20041116ABM	81 33 07	329	48.7	Foothills Radio Group, Llc			
277A	WKVS<<	LIC NCN	59.5	98.91	35 58 31	1.000	694	32.0	47.08	61.74	
Lenoir		NC	240.0	BLH19950928KB	81 33 05	315	48.3	Foothills Radio Group, Llc			

CH CITY	CALL	TYPE STATE	AZI. <--	DIST FILE #	LAT. LNG.	Pwr(kW) HAAT(M)	COR(M) INT(km)	PRO(km) LICENSEE	*IN* (Overlap	*OUT* in km)
279C Charlotte	WSOCFM<	LIC NC NC	100.1 281.1	167.30 BLH19990830AAS	35 15 06 80 41 12	100.000 378	613 115.8	78.1 Cbs Radio Holdings Inc.	46.91	82.17
280A Easley	WOLIFM<	LIC CN SC	182.0 2.0	76.41 BLH19860613KC	34 50 21 82 31 37	6.000 106	397 2.8	29.1 Davidson Media Station Wol	68.23	47.22
281A Sylva	RADD<	ADD NC	254.0 73.5	79.39	35 19 40 83 20 11	6.000 -754	0 1.6	15.8 Sutton Radiocasting Corp.	72.60	63.56
275C1 Hickory	WLYT<	LIC CN NC	95.8 276.6	124.82 BLH19870904KB	35 24 26 81 07 47	31.000 460	706 8.6	71.6 Capstar Tx Limited Partner	111.34	53.14
276D Frankland	AP276	APP C NC	253.9 73.4	79.45 BNPFT20030317BFX	35 19 38 83 20 13	0.009 783	1535 0.2	14.9 Radio Training Network, In	74.03	64.45
277D Highlands	W277AL	LIC C NC	230.5 50.1	85.06 BLFT20010629ACD	35 02 21 83 13 04	0.008 167	1298 10.1	7.1 Charisma Radio Corporation	69.78	69.70
225C3 Newport	WNPCFM<	RSV TN	320.9 140.6	77.34	36 03 58 83 02 24	25.000 -508	0 23.8	22.7 Harris Broadcasting, Inc.	9.0R	68.3M
225C3 Newport	WNPCFM<	APP CX TN	320.9 140.6	77.34 BPH20060321AEU	36 03 58 83 02 24	25.000 -9	499 23.8	22.7 Bristol Broadcasting Compa	9.0R	68.3M
225A Newport	ALLO<	USE TN	308.3 127.9	78.93	35 57 54 83 11 06	6.000 -494	0 15.9	15.8	6.0R	72.9M

ERP and HAAT on direct-line with reference station.

"*"affixed to 'IN' or 'Out' values = site inside protected contour.

< = Station meets FCC minimum distance spacing for its class.

"<" = Contour Overlap

^ = Power and antenna height 'Max classed' as per Sec 73.215 protection requirements

Mountain Area Information Network
Allocation Study on TV Tower

REFERENCE		CH# 278L1- 103.5 MHz, Pwr= 0.001 kW, HAAT=324.5M, COR= 1053 M								DISPLAY DATES	
35 31 39 N. 82 29 44 W.		Average Protected F(50-50)= 5.1 km								DATA	06-09-06
		Ave. F(50-10) 40 dBu= 19.5 54 dBu= 8.1 80 dBu= .7 100 dBu= .1								SEARCH	06-09-06
CH	CALL	TYPE	AZI.	DIST	LAT.	Pwr(kW)	COR(M)	PRO(km)	*IN*	*OUT*	
CITY		STATE	<--	FILE #	LNG.	HAAT(M)	INT(km)	LICENSEE	(Overlap	in km)	
278L1	WPVM-L	LIC	270.0	0.13	35 31 39	0.100	736	5.6	-23.79*<	-26.73*<	
Asheville		NC	90.0	BLL20040126AIK	82 29 49	-40	18.6	Mountain Area Information			
278D	W251AO	APP DC	64.6	12.64	35 34 34	0.000	1179	0.8	4.82	4.84<	
Black Mountain		NC	244.7	BNPFT20030312AQW	82 22 10	309	5.5	Frank G. Mccoy			
276D	AP276	APP C	194.0	5.18	35 28 56	0.010	934	8.4	-0.32*<	-3.30*<	
Skyland		NC	14.0	BNPFT20030317BGF	82 30 34	209	0.2	Radio Training Network, In			
277D	AP277	APP C	325.7	12.33	35 37 09	0.027	679	4.0	1.15	-0.61<	
Woodfin		NC	145.7	BNPFT20030312AQO	82 34 21	-64	5.7	Frank G. Mccoy			
278C	WIMZFM^	LIC CY	301.7	129.92	36 08 06	100.000	950	94.0	-76.94<	14.24	
Knoxville		TN	121.0	BMLH19890601KB	83 43 29	657	201.5	South Central Communicatio			
277D	AP277	APP C	50.1	17.61	35 37 44	0.010	1010	8.2	1.33<	2.27<	
Black Mountain		NC	230.2	BNPFT20030317GRQ	82 20 46	200	11.6	Western North Carolina Pub			
279D	W279AI	LIC C	185.1	24.29	35 18 34	0.010	967	10.2	4.69	5.43	
Hendersonville		NC	5.1	BLFT19971204TG	82 31 10	302	14.3	Radio Training Network, In			
275D	AP275	APP C	50.1	17.61	35 37 44	0.010	1010	8.2	12.75	9.32	
Black Mountain		NC	230.2	BNPFT20030317GRN	82 20 46	200	0.2	Western North Carolina Pub			
276D	AP276	APP C	50.1	17.61	35 37 44	0.010	1010	8.2	12.75	9.32	
Black Mountain		NC	230.2	BNPFT20030317GRO	82 20 46	200	0.2	Western North Carolina Pub			
275D	AP275	APP C	185.2	24.29	35 18 34	0.010	963	10.1	18.72	14.13	
Hendersonville		NC	5.2	BNPFT20030317GVC	82 31 11	298	0.2	Western North Carolina Pub			
276D	AP276	APP C	185.2	24.29	35 18 34	0.010	963	10.1	18.72	14.13	
Hendersonville		NC	5.2	BNPFT20030317GVL	82 31 11	298	0.2	Western North Carolina Pub			
277A	WOLT<<	LIC CN	151.0	67.12	34 59 54	2.700	420	25.3	23.66	33.65	
Greer		SC	331.2	BLH19930111KA	82 08 17	116	38.3	Davidson Media Station Wol			
281D	AP281	APP DV	170.2	32.06	35 14 34	0.010	908	9.4	26.59	22.63	
Flat Rock		NC	350.3	BNPFT20030317JAL	82 26 08	257	0.2	Radio Training Network, In			
225D	W225AZ	CP C	185.1	24.29	35 18 34	0.010	973	10.3	5.0R	19.3M	
Hendersonville		NC	5.1	BNPFT20030829AYN	82 31 10	308	10.3	Tabernacle Baptist College			
275D	W237AR	APP DC	262.7	55.98	35 27 43	0.116	1852	33.4	49.92	22.47	
Hazelwood, Etc.		NC	82.3	BMJPFT20030314CI	83 06 26	908	0.8	Western North Carolina Pub			
276A	WIKQ<<	LIC CN	349.6	67.74	36 07 40	6.000	599	15.8	61.24	51.92	
Tusculum		TN	169.5	BLH19960111KY	82 37 57	-472	1.6	Radio Greeneville, Inc.			
To Channel 276C3 per one-step application BPH-970304IA											
280A	WXIS<<	LIC CX	8.4	68.49	36 08 17	5.400	897	15.3	61.86	53.11	
Erwin		TN	188.5	BLH20051101AAR	82 23 01	-60	1.5	Wemb, Incorporated			
277A	WKVS.C<<	CP NCX	59.4	98.74	35 58 30	0.940	707	32.3	46.62	61.46	
Lenoir		NC	240.0	BPH20041116ABM	81 33 07	328	48.7	Foothills Radio Group, Llc			
277A	WKVS<<	LIC NCN	59.4	98.80	35 58 31	1.000	694	32.0	47.06	61.76	
Lenoir		NC	240.0	BLH19950928KB	81 33 05	315	48.3	Foothills Radio Group, Llc			

CH CITY	CALL	TYPE STATE	AZI. <--	DIST FILE #	LAT. LNG.	Pwr(kW) HAAT(M)	COR(M) INT(km)	PRO(km) LICENSEE	*IN* (Overlap	*OUT* in km)
279C Charlotte	WSOCFM<	LIC NC NC	100.1 281.1	167.17 BLH19990830AAS	35 15 06 80 41 12	100.000 378	613 115.8	78.1 Cbs Radio Holdings Inc.	46.79	82.05
280A Easley	WOLIFM<	LIC CN SC	182.1 2.1	76.42 BLH19860613KC	34 50 21 82 31 37	6.000 107	397 2.8	29.1 Davidson Media Station Wol	68.23	47.20
281A Sylva	RADD<	ADD NC	254.0 73.5	79.51	35 19 40 83 20 11	6.000 -754	0 1.6	15.8 Sutton Radiocasting Corp.	72.72	63.69
275C1 Hickory	WLYT<	LIC CN NC	95.8 276.6	124.69 BLH19870904KB	35 24 26 81 07 47	31.000 460	706 8.6	71.6 Capstar Tx Limited Partner	111.22	53.01
276D Frankland	AP276	APP C NC	254.0 73.5	79.57 BNPFT20030317BFX	35 19 38 83 20 13	0.009 784	1535 0.2	14.9 Radio Training Network, In	74.15	64.57
277D Highlands	W277AL	LIC C NC	230.6 50.2	85.16 BLFT20010629ACD	35 02 21 83 13 04	0.008 167	1298 10.1	7.1 Charisma Radio Corporation	69.87	69.78
225C3 Newport	WNPCFM<	RSV TN	320.8 140.5	77.42	36 03 58 83 02 24	25.000 -508	0 23.8	22.7 Harris Broadcasting, Inc.	9.0R	68.4M
225C3 Newport	WNPCFM<	APP CX TN	320.8 140.5	77.42 BPH20060321AEU	36 03 58 83 02 24	25.000 -9	499 23.8	22.7 Bristol Broadcasting Compa	9.0R	68.4M
225A Newport	ALLO<	USE TN	308.2 127.8	79.03	35 57 54 83 11 06	6.000 -494	0 15.9	15.8	6.0R	73.0M

ERP and HAAT on direct-line with reference station.

"*"affixed to 'IN' or 'Out' values = site inside protected contour.

< = Station meets FCC minimum distance spacing for its class.

"<" = Contour Overlap

^ = Power and antenna height 'Max classed' as per Sec 73.215 protection requirements

