



**STATEMENT OF WILLIAM J. GETZ
IN SUPPORT OF AN
APPLICATION FOR CONSTRUCTION PERMIT
KKLA-FM, LOS ANGELES, CALIFORNIA
CHANNEL 258B, 10.0 kW ERP, 902 m HAAT
FACILITY ID NUMBER: 48453**

Licensee: New Inspiration Broadcasting Co., Inc.

I am a Radio Engineer in the firm of Carl T. Jones Corporation with offices located in Springfield, Virginia. My education and experience are a matter of record with the Federal Communications Commission (FCC).

This office has been authorized by New Inspiration Broadcasting Co., Inc. ("New Inspiration"), licensee of KKLA-FM, Los Angeles, California, to prepare this statement and FCC Form 301 Section III-B in support of an Application for Construction Permit. Radio station KKLA-FM is presently licensed to operate on FM Channel 258B with an Effective Radiated Power ("ERP") of 10 kW (DA-MAX) at an antenna Height Above Average Terrain ("HAAT") of 902 meters. This application proposes to operate KKLA-FM on a nondirectional basis. No further changes are proposed herein.

Contingent Application

Pursuant to Section 73.3517(e) of the FCC Rules, this application is contingent with a concurrently filed application for a minor change for cochannel Class A station KMRJ(FM), Rancho Mirage, California. A copy of the agreement to undertake coordinated

facility modifications is included elsewhere in this application. No white or gray areas (areas that will receive service from none or one aural service, respectively) will be created as a result of the coordinated facility changes.

KKLA-FM became short-spaced to cochannel Class A station KMRJ(FM), Rancho Mirage, CA, as a result of the Commission's revision of the minimum distance spacing requirements for Class A facilities (See Second Report and Order, MM Docket 88-375, 4 FCC Rcd 6375 (1989)). Class A station KMRJ (licensed to operate with 3 kW ERP at 100 meters HAAT) is pursuing an upgrade to a 6 kW Class A facility pursuant to Section 73.213(c)(2) of the FCC Rules by means of a concurrently filed contingent application. New Inspiration has given its consent to the upgrade at KMRJ conditioned upon the grant of the instant proposal for KKLA-FM. This KKLA-FM application requests a change from a directional antenna to a nondirectional antenna which will ensure that any new predicted interference caused by the KMRJ upgrade will only occur outside the present KKLA-FM protected contour. No further changes are proposed herein.

Processing of the KKLA-FM Application - Allocation History

Radio station KKLA-FM was previously licensed (FCC File No. BLH-19851030KG) to operate from the Flint Peak transmitter site in Los Angeles, CA (34-09-50 N.L. & 118-11-46 W.L.). On March 23, 1987, the cochannel Rancho Mirage Class A allocation (33-44-23 N.L. & 116-24-43 W.L.) became effective at a distance of 171.5 kilometers from the existing KKLA-FM transmitter site. Therefore, KKLA-FM and the Rancho Mirage Class A allocation

were fully-spaced.¹ On April 22, 1987, the filing window for the Rancho Mirage allocation closed and 8 applicants filed for the vacant allocation. On October 2, 1989, the FCC revised the Class A spacing requirements (MM Docket 88-375) and KKLA-FM became short-spaced to both the Rancho Mirage allocation and six of the eight Rancho Mirage applications.²

Due to well-documented problems with the Flint Peak transmitter site, KKLA-FM joined the movement of other Flint Peak Class B stations and submitted a minor change application to relocate to the Mt. Wilson antenna farm (FCC File No. BPH-911107IG). As originally filed, the KKLA-FM, Mt. Wilson application followed precedent from the previous Flint Peak-to-Mt. Wilson applications and requested a waiver of Section 73.213 of the Rules to accomplish the proposed site move. Because KKLA-FM was fully-spaced to all other pertinent allotments, assignments and applications, the requested waiver of Section 73.213 applied only to the KKLA-FM short-spacing to the Rancho Mirage allocation and applications.

On July 10, 1992, representatives from KKLA-FM met with Audio Services Division ("ASD") staff regarding the technical aspects of the KKLA-FM application. In that meeting, the ASD agreed to grant the KKLA-FM application only if the KKLA-FM application was

¹ The distance between the two sites is 171.5 kilometers. At the time, Section 73.207 minimum distance spacing for cochannel related Class A and Class B stations was 163 kilometers.

² On October 2, 1989, the Section 73.207 minimum distance spacing for cochannel related Class A and Class B stations was increased to 178 kilometers.

amended to request processing under Section 73.215 of the FCC Rules with respect to Rancho Mirage rather than a request for waiver of Section 73.213 of the FCC Rules. The ASD suggested that the KKLA-FM application request Section 73.215 processing even though there was a large amount of existing 73.215 contour overlap between KKLA-FM and the worst-case Rancho Mirage application.

On July 30, 1992, KKLA-FM amended its application as advised by the ASD, and the KKLA-FM application was granted, as amended, on November 20, 1992. Consequently, KKLA-FM is presently categorized as a "Section 73.215 station" with respect to its short-spacing with Rancho Mirage. On February 17, 1995, KKLA-FM was finally licensed to operate from Mt. Wilson with the current directional antenna pattern.³ Today, the KKLA-FM directional antenna provides fictitious and out-dated 'protection' to: (1) allotment reference coordinates at Rancho Mirage (since changed with the licensing of KMRJ) and (2) *six* mutually-exclusive short-spaced applications for the vacant Rancho Mirage allocation (none of which survived to this date).

The current KMRJ, Rancho Mirage, CA, facility, was licensed on October 30, 1998. The fact that KKLA-FM became short-spaced with the October, 1989, adoption of the six kilowatt Class A minimum distance separations, to a station which was not authorized until

³ See KKLA-FM FCC License File No. BLH-940825KB, granted 2/17/1995. On September 6, 2006, the most recent KKLA-FM main license (FCC File No. BLH-20060829BEO) was granted. This license covers a Construction Permit (FCC File No. BPH-20060221AED) which permitted KKLA-FM to increase antenna height and decrease maximum ERP of the directional antenna system. No change in the KKLA-FM allocation situation resulted from the grant of the February, 2006, KKLA-FM construction permit as no change occurred in the authorized KKLA-FM directional antenna pattern or geographical coordinates.

nine years later is extremely unusual. It explains the why the ASD suggested that KKLA-FM protect Rancho Mirage using Section 73.215 in its 1991 application to relocate to Mt. Wilson, rather than Section 73.213. At the time, it was simply not possible to allow KKLA-FM to pursue processing under the grandfathered provisions of any part of Section 73.213 with respect to a station which did not exist (KKLA-FM was instead protecting a vacant allotment and a group of mutually-exclusive applications).

The history of the KKLA-FM/Rancho Mirage short-spacing is important to the processing of the instant application because it demonstrates the uniqueness of the allocation relationship between the short-spaced stations. This uniqueness allows the application to be processed in one of two ways.⁴ As filed, KKLA-FM proposes processing under Section 73.213(c)(2) of the FCC Rules with respect to KMRJ.

Processing of the KKLA-FM Application - Pursuant to Section 73.213(c)(2) Agreement

It is submitted that the KKLA-FM application may be processed under Section 73.213(c)(2) of the FCC Rules. It is recognized that KKLA-FM is presently a “Section 73.215 station” and, as such, is not eligible for processing under Section 73.213(c)(2) of the FCC Rules. However, in extreme and unusual circumstances, the “Section 73.215

⁴ The instant application may be processed in accordance with Section 73.213(c)(2) of the FCC Rules as proposed herein, or alternatively, under Section 73.215 of the FCC Rules. Processing the instant application under Section 73.215 would require a waiver of the contour overlap provisions of Section 73.215(a) with respect to KMRJ(FM), Rancho Mirage, CA..

Status” may be removed from a station and processing may be accomplished under Section 73.213(c)(2) with an agreement as proposed herein.⁵

Based on the allocations history discussed above it is abundantly clear that the KKLA-FM/Rancho Mirage short-spacing was not created by an application filed after October 1, 1989 or by an application filed pursuant to Section 73.215 of the FCC Rules. Consequently, the applicant requests that the Audio Division remove the Section 73.215 status from the KKLA-FM authorization and process the instant proposal under Section 73.213(c)(2) of the FCC Rules for the following reasons: (1) KKLA-FM was advised by the FCC to amend its 1991 Section 73.213 application to request processing under Section 73.215; (2) KKLA-FM became short-spaced with the October, 1989, adoption of the six kilowatt Class A minimum distance separations, to a station which was not authorized until *nine years later*. A mutual agreement to increase power under Section 73.213(c)(1) was simply impossible at the time the KKLA-FM Section 73.215 application was filed because there was no associated Class A station licensee to be party to an agreement. In a completely unique circumstance, there was no grandfathered short-spaced station -- there was only a grandfathered short-spacing; (3) the Section 73.213(c)(2) agreement with KMRJ is the only means by which KMRJ may upgrade to a full six kilowatt Class A facility; (4) the increase in new primary service to a substantial population from both KMRJ and KKLA-FM; and, (5) any area of interference caused as a result of the KMRJ upgrade and the

⁵ Most recently, this was accomplished by WWZY(FM), Long Branch, NJ (See FCC File No. BPH-20040609ABI, granted June 22, 2006).

modification at KKLA-FM is minimal and acceptable to both parties. Further, any area in which interference is predicted to occur is well-served by 5 or more aural services.

Public Interest Benefits and Interference Discussion

KKLA-FM Interference Received From the KMRJ 6 kW Class A Upgrade

Using the provisions of Section 73.213(c)(2) of the FCC Rules, KMRJ cannot achieve full 6 kW Class A status without the consent of KKLA-FM and a power increase at KKLA-FM to ensure that the upgrade at KMRJ does not adversely impact the present KKLA-FM service area. This is because, in implementing its rules permitting power increases by newly created short-spaced Class A FM stations, the Commission set forth a requirement that interference cannot occur which would reduce another station's coverage.⁶

Attached as Exhibit 1 is a map which shows the predicted areas of interference caused by KMRJ to the presently licensed KKLA-FM predicted 54 dBu protected service contour considering KMRJ as licensed (3 kW ERP) and KMRJ as proposed (6 kW ERP).

⁶ See *Amendment of Part 73 of the Rules to provide for an additional FM station class (Class C3) and to increase the maximum transmitting power for Class A FM stations*, Second Report and Order, MM Docket No. 88-375, Paragraph 52, 54 Fed Reg. 35335 (August 25, 1989):

We recognize that there may be situations where the newly created short-spaced Class A facilities may be able to increase power without reducing another station's coverage. In this regard, we wish to extend authority to increase power where possible, so long as it does not interfere with other stations. (emphasis added)

As presently licensed, KMRJ is predicted to cause interference to 504,945 persons within the presently licensed KKLA-FM 54 dBu protected primary service contour. Considering the proposed upgrade at KMRJ (and no change at KKLA-FM) the population within the present KKLA-FM 54 dBu contour subject to interference from KMRJ increases to 637,457 persons. Therefore, with no change at KKLA-FM, 132,512 persons within the present KKLA-FM 54 dBu primary service contour are predicted to receive new interference from the upgraded facility at KMRJ.

Exhibit 2 is a map which shows the area of predicted interference caused by the upgrade at KMRJ to the KKLA-FM nondirectional facility proposed herein. As shown on Exhibit 2, the predicted area of interference caused to KKLA as a result of the contingent applications is outside present KKLA-FM 54 dBu primary service contour. Therefore, no new interference within the current KKLA-FM 54 dBu primary service area results from the proposed power increase at KMRJ. As the Commission stated in MM Docket No. 88-375, this is critical to the acceptance of the KMRJ Class A power increase application.

KKLA-FM Interference Caused to the KMRJ 6 kW Class A Upgrade

As presently licensed, the KKLA-FM 40 dBu F(50,10) interfering contour does not overlap the KMRJ licensed 60 dBu F(50,50) protected contour. However, as an unavoidable result of the power increase required at KKLA-FM to overcome new interference which would be caused by the upgrade at KMRJ, there is new predicted overlap and predicted interference caused to the present and proposed KMRJ 60 dBu

protected contour. This interference area and the relevant population data are shown in Exhibit 3.

As illustrated in Exhibit 3, when the FCC's propagation curves are used to predict interference, the KKLA-FM proposal is predicted to cause interference to 11,614 persons within the proposed KMRJ protected service contour. Of this population, 7,314 persons are within the present (3 kW) KMRJ protected service contour. Consequently, when using the conventional method to predict interference, the KMRJ upgrade and associated KKLA-FM proposal, results in 7,314 persons within the present KMRJ service contour becoming subject to new interference. Further studies indicate that the FCC propagation curves grossly overestimate this affected population. In reality, the KMRJ upgrade will provide an overall improvement in service to the KMRJ target audience and to the KMRJ community of license.

As discussed above, the KKLA-FM transmitter site and the KMRJ transmitter site are separated by rough terrain and by 173.9 km (108 miles). The KMRJ target service area is the Coachella Valley. The Coachella Valley lies in an area surrounded by substantial mountains and is composed of nine cities, including Palm Springs, Desert Hot Springs and Rancho Mirage, the KMRJ community of license. Exhibit 4 depicts the surrounding terrain characteristics and clearly demonstrates how the KMRJ service area is terrain-shielded from distant undesired signals such as from cochannel station KKLA-FM.

Because of the mountainous terrain which surrounds the KMRJ service area, the Longley-Rice alternate field strength prediction method more accurately predicts the

relevant interference area. As stated above, Exhibit 3 depicts the predicted interference areas and the affected population considering both the conventional FCC prediction method and the Longley-Rice alternate prediction method. The Table below summarizes the population data and areas shown on Exhibit 3.

KKLA-FM Proposed Interference Caused		
Population Data (2000 US Census)		
	Using FCC's Propagation Curves	Using Longley-Rice Prediction Method
Within KMRJ Proposed 60 dBu Contour	11,614	635
Within KMRJ Existing 60 dBu Contour	7,314	6
Total Population within 60 dBu F(50,50) Service Area:		
KMRJ 3 kW Licensed:	328,439	persons
KMRJ 6 kW Proposed:	333,301	persons

The Longley-Rice model predicts only six persons (in great contrast to the 7,314 persons that the FCC propagation curves predict) within the existing KMRJ 60 dBu service area are predicted to receive interference as a result of the contingent applications.

As discussed above, the coverage of the nine cities in the Coachella Valley, most notably, Rancho Mirage, is critical to KMRJ. The proposed upgrade for KMRJ will increase the KMRJ 70 dBu city-grade population from 287,702 persons to 311,163 persons (an 8.1 % increase in population within the KMRJ city-grade coverage contour). Also, a unilateral increase in field is predicted throughout the Coachella Valley. Realistically, 6 persons

within the present KMRJ service contour may be subject to new interference as a result of the contingent applications while 23,461 persons are predicted to receive new city-grade coverage from the upgraded KMRJ facility.

Summary of Public Interest Benefits of Acceptance of Section 73.213(c)(2) Agreement

A study of other available aural services indicates that any area predicted to receive interference (either within the KKLA-FM protected service contour or the KMRJ protected service contour) is served by five or more aural services and, as such, is considered well served.

The improved facilities of KKLA-FM and KMRJ will extend new primary service (54 dBu for KKLA-FM and 60 dBu for KMRJ) to 2,030,574 persons. Because new primary service will be extended to a substantial population and no interference within the existing KKLA-FM protected service contour is predicted to be created by KMRJ, it is submitted that the KMRJ Class A increase in facilities agreement complies with, and serves the public interest as required by, Section 73.213(c)(2) of the FCC rules.

As stated above, the minor change at KKLA-FM is proposed to facilitate a six kilowatt Class A upgrade for KMRJ in accordance with an Section 73.213(c)(1) agreement. The minimal new interference which is predicted to be caused by the KKLA-FM proposal to KMRJ is predicted to occur over a well-served area and may adversely affect only six persons when the most accurate propagation model is used to predict interference. In contrast, over 23,000 persons will receive new city-grade service from the upgraded KMRJ

facility. Consequently, KKLA-FM's required involvement in the KMRJ agreement complies with and serves the public interest as required by Section 73.213(c)(2) of the FCC Rules.

Other Allocation Considerations

The instant application proposed no change in the geographical coordinates of KKLA-FM. KKLA-FM remains fully-spaced to all pertinent allotments, assignments and applications with the exception of KMRJ(FM), Rancho Mirage, California.

Predicted Coverage Contours

The predicted coverage contours were calculated in accordance with the method described in Section 73.313 of the Rules utilizing the appropriate F(50,50) propagation curves from the Rules (Section 73.333, Figure 1), effective radiated power, and antenna height above average terrain as determined for each profile radial. The 3.16 mV/m (70 dBu) city-grade contour completely encompasses the principal community to be served, as required by Section 73.315(a) of the Commission's Rules.

Blanketing and Intermodulation Interference

In the event that blanketing interference occurs, the applicant will take appropriate steps to minimize the interference within the blanketing contour. Further, the applicant accepts the responsibility to alleviate any new intermodulation interference, including

receiver induced, resulting from the instant proposal combined with a broadcast facility located within 10 kilometers of the proposed site as required by FCC rules.

In accordance with Commission precedent (See WKLX, Inc., 6 FCC Rcd 225 (1991)), the applicant will exclude both mobile and battery-powered receivers from Receiver Induced Third Order Intermodulation and Blanketing Interference Resolution Requirements. In the event any type of intermodulation interference occurs with any other facilities which have not been identified, the applicant will take appropriate steps (i.e., install and maintain traps or filters) to minimize the interference in fixed receivers. The applicant will respond to complaints of blanketing interference for a period of one year in compliance with Section 73.318(b) of the Commission's Rules.

FAA Notification and FCC Tower Registration

The KKLK-FM nondirectional antenna will be side-mounted on an existing tower such that the overall height of the tower is not affected. The FCC Antenna Structure Registration number for the existing tower is 1012244.

Radiofrequency Impact

The instant application proposes to no change in maximum Effective Radiated Power and no change in antenna height. Consequently, the multiple-use transmitter site will remain compliant with FCC guidelines.

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Occupational Safety


Radio station KKLA-FM will continue to cooperate/coordinate with other site users and reduce power and/or cease operation during times of service or maintenance of the transmission systems as necessary to avoid potentially harmful exposure to personnel.

In light of the above, the proposed KKLA-FM facility should be categorically excluded from RF environmental processing under Section 1.1307(b) of the Commission's Rules.

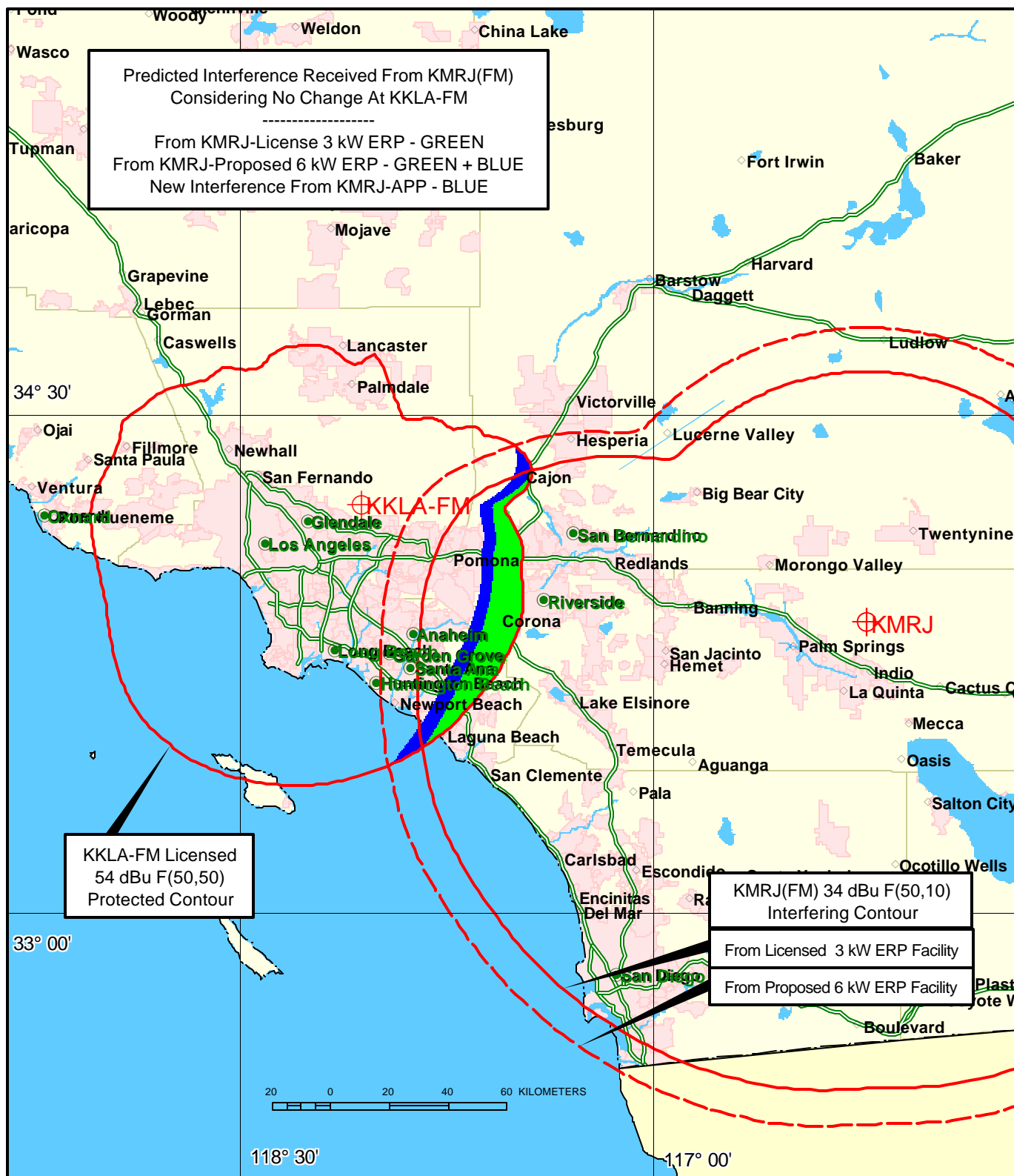
Summary

It is submitted that the proposal described herein complies with the Rules and Regulations of the Federal Communications Commission. This statement, FCC Form 301, Section III-B, and the supporting exhibits were prepared by me or under my direct supervision and are believed to be true and correct.

DATED: October 23, 2006

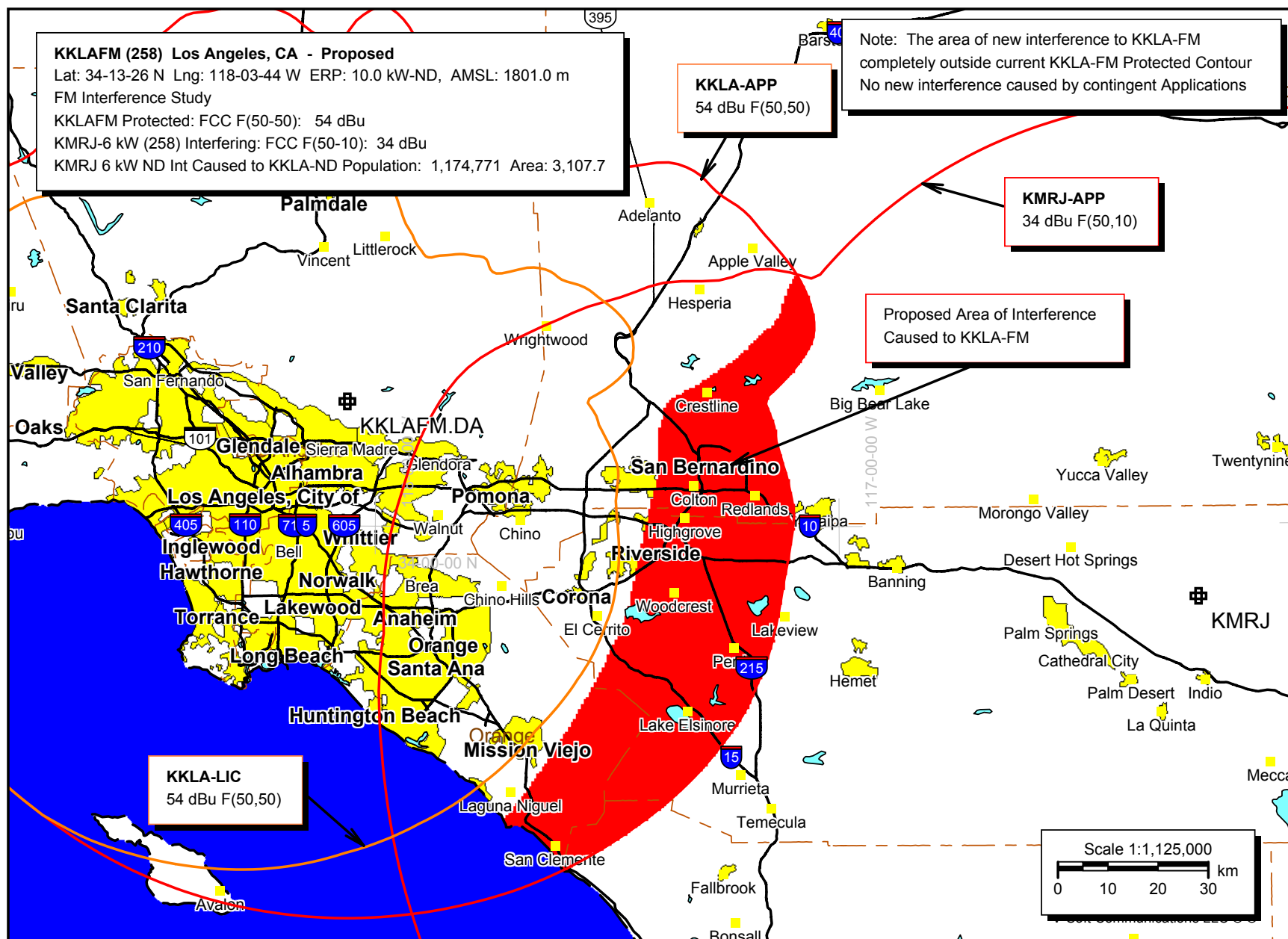


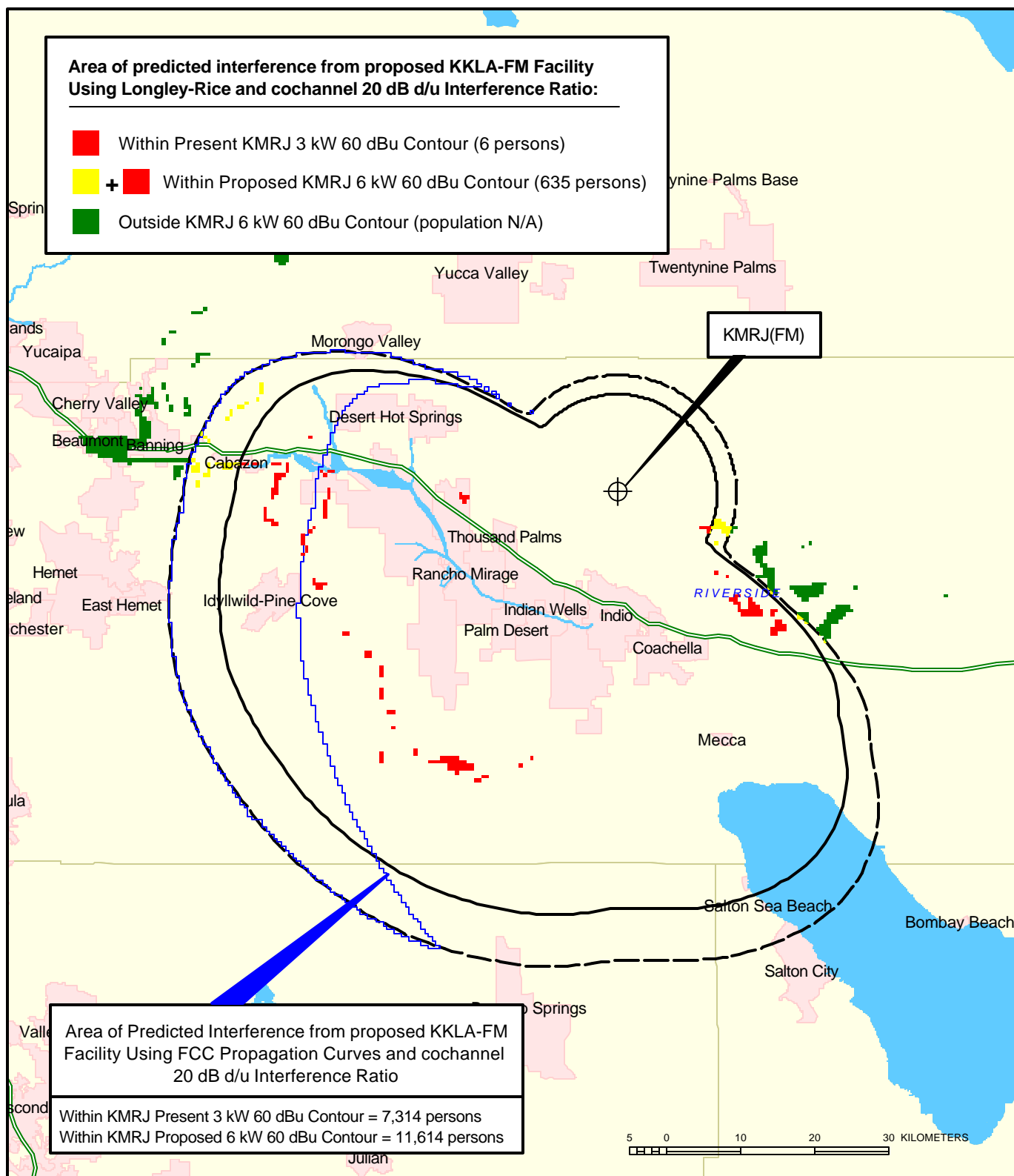
William J. Getz



PREDICTED INTERFERENCE AND
OVERLAP CAUSED TO KKLA-FM LICENSE FROM
KMRJ, RANCHO MIRAGE, CA
KKLA-FM, CH. 258B, 10 kW ERP (DA), 902 m HAAT
KMRJ, CH. 258A, 3 kW/6 kW ERP, 100 m HAAT
OCTOBER, 2006

Area of New Interference Caused to KKLA-FM - Exhibit 2





60 dBu F(50,50) Contours

KMRJ 3 kW Licensed Facility (pop. 328,439 persons) - SOLID
KMRJ 6 kW Proposed Facility (pop. 333,301 persons); DASHED

CARL T. JONES
CORPORATION

**PREDICTED INTERFERENCE CAUSED
TO KMRJ PROTECTED SERVICE AREA
FROM KKLA-FM CONTINGENT APPLICATION
OCTOBER, 2006**

