

Compliance with Special Operating Conditions

The Construction Permit contains several Special Operating Conditions, summarized as follows:

1. The permittee must provide the results of a complete proof-of-performance to establish the horizontal plane radiation patterns for both the horizontally and vertically polarized radiation components.
2. The permittee must provide an affidavit from a licensed surveyor to establish that the directional antenna has been oriented at the proper azimuth.
3. The permittee must submit an affidavit that a qualified engineer oversaw the installation of the directional antenna system.
4. The permittee must provide a statement that the relative field strength of neither the measured horizontally nor vertically polarized radiation component exceeds, at any azimuth, the value indicated on the composite radiation pattern authorized by the construction permit.
5. Program tests for KYLV (FIN 50169) will not commence on channel 205C1 until program tests for KARU (FIN 124883) commence on channel 205A with the facilities specified in BMPED-20040210AAG, and KYLV will not be licensed until a license is granted for KARU.
6. The permittee shall notify AM station WKY-AM so that WKY may take appropriate action prior to the construction of the tower. Permittee shall be responsible for the installation and maintenance of detuning apparatus necessary to prevent adverse effects upon the radiation pattern of WKY, as shown by before-and-after partial proof of performances.
7. The permittee/licensee, in coordination with other users of the site, must reduce power or cease operation as necessary to protect persons having access to the site, tower, or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.
8. Further modification of KALU(FM), Langston, OK (FIN 36529) will not be construed as a per se modification of KYLV's construction permit (BPED-20040210AAQ).
9. Grant of, or future modification of either BPED-19941026MA or BPED-19950714MD on channel 207A to serve Norman OK will not be construed as a per se modification of KYLV's construction permit (BPED-20040210AAQ).
10. Waiver of 47 C.F.R. Section 73.1125 was previously granted to allow operation of the facility authorized by this construction permit as a satellite operation of station KLVR-FM.

Educational Media Foundation ("EMF"), complies with, or agrees to, these conditions, as follows:

1. See Exhibit 9A.
2. See Exhibit 9B.
3. See Exhibit 9C.
4. See Exhibit 9A.
5. Construction of KARU (BMPED-20040210AAG) is complete, and the covering

- license application (BLED-20050721ABL) was granted October 19, 2005.
6. EMF notes that the Construction Permit calls for this condition to take effect prior to the construction of “the tower authorized herein”. This tower, however, has existed for a number of years, and the construction of the instant facility did not involve any construction of modifications to the tower itself. The transmit antenna was replaced with an antenna with the same number of bays, and the original coax was re-used for this facility. The only substantial change was the addition of parasitic elements to shape the directional pattern, a *de minimus* change at most. As a result, EMF is uncertain about what the Commission would wish EMF to prove, and will work with both WKY-AM and the Commission to determine the best course of action to fulfill this condition.
 7. EMF, in coordination with other users of the site, agrees to reduce power or cease operation as necessary to protect persons having access to the site, tower, or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.
 8. EMF agrees that further modifications of KALU, Longston, OK (FIN 36529) will not be construed as a per se modification of KYLV’s construction permit BPED-20040210AAQ.
 11. EMF agrees that grant of, or future modification of either BPED-19941026MA or BPED-19950714MD on channel 207A to serve Norman OK will not be construed as a per se modification of KYLV’s construction permit (BPED-20040210AAQ).
 12. EMF reiterates the commitments outlined in its request for waiver of section 73.1125. See also Exhibit 6.

Therefore, all Special Operating Conditions of the KYLV Construction Permit (FCC File Number BPED-20040210AAQ) have been met.