

[Exhibit 12]

Non-Interference Compliance

For an Open Site

Regarding FCC File Number: BNPFT-20030317GNE

Description of Exhibit 12 Contents

This exhibit demonstrates that the proposed facility complies with contour overlap and interference protection provisions in all the applicable rule sections and that this application for a construction permit is in full compliance with 47 CFR 74.1204.

Page 2 of this exhibit is an explanation of the tabulated data, which is included as evidence on page 3 of this exhibit.

Page 3 of this exhibit is the tabulated data from the interference analysis, which shows all stations that this application must consider for contour protection. These tabulated values were generated using high resolution 3 arc second terrain data for the best possible accuracy.

Let it be noted that should any actual real world interference occur, the applicant certifies that it will promptly suspend operation of this translator in accordance with 47 CFR 74.1203.

Explanation of Frequency Finder Results

The interference analysis for this application was performed using the "Frequency Finder" module in RadioSoft's Comstudy, version 2.2.

Frequency Finder analyzes data taken directly from the FCC's FM database and looks for prohibited overlap with contours of adjacent stations and prohibited proximity to stations 53 or 54 channels from the proposed station (IF) using 3 arc second terrain data and the FCC's contour algorithms. The results tabulated are the stations returned from that analysis. (Note: Because Comstudy was looking at the FCC's FM database, it took into account the proposed translator when doing the analysis and returned it in the tabulated results. For the sake of simplicity, that record has been deleted from all tabulated results.)

The first several columns of the table are self-explanatory. They give various data on the stations in question. The column labeled "Clr" gives the proposed translator's "clearance" with respect to the tabulated station, either in dB or km. The values listed with no units are given in km and are for stations located on an IF to the proposed site's channel.

A negative value in the "Clr" column does NOT necessarily represent prohibited contour overlap as explained below.

A negative value listed in the "Clr" column would indicate either overlap of interference and protected contours or prohibited proximity to an IF station except in the following situations:

- Since the proposed station's Effective Radiated Power (ERP) is 10 watts, a negative value in km (no units listed in the table) does not represent a violation of the CFR, according to 47 CFR 1204(g), which states that "FM translator stations and booster stations operating with less than 100 watts ERP will be treated as class D stations and will not be subject to intermediate frequency separation requirements."

- A second or third adjacent LP100 station cannot represent a violation of the CFR, as 47 CFR 74.1204(a)(4) requires protection of only co-channel and first adjacent LP100 stations.

- 47 CFR 74.1204(a) requires only the protection of "AUTHORIZED commercial or noncommercial educational FM broadcast stations, FM translators, ..." Any entry with a status listed as "RSV," "USE" or "APP" does not represent an authorized station and therefore is not protected under 47 CFR 74.1204. The one exception is the case of LP100 applications. The note to 47 CFR 74.1204(a)(4) states that "LPM applications and permits that have not yet been licensed must be considered as operating with the maximum permitted facilities." Therefore, any first adjacent or co-channel LP100 station, no matter the status, is protected.

Callsign	State	City	Channel	ERP_w	Licensee	ARN	Facility_id	Class	Status	Distance_km	Clr
WOSC	DE	BETHANY BEACH	240	19000	CAPSTAR TX LIMITED PARTNERSHIP	BLH19940922KD	4674	B1	LIC	46.39	0.53 dB
WOSC	DE	BETHANY BEACH	240	10300	CAPSTAR TX LIMITED PARTNERSHIP	BPH20010306ABC	4674	B1	APP	47.24	1.75 dB
NEW	MD	SALISBURY	242	100	SALISBURY STATE UNIVERSITY	BNPL20000608AES	124825	LP100	APP	32.75	2.45 dB
NEW	MD	SALISBURY	242	100	SALISBURY STATE UNIVERSITY	BNPL20000608AES	124825	LP100	APP	32.75	2.45 dB
WCEI-FM	MD	EASTON	244	25000	FIRST MEDIA RADIO, LLC	BLH19901009KA	11668	B1	LIC	44.86	2.17 dB
NEW	DE	HARRINGTON	242	100	DELAWARE DEPARTMENT OF TRANSPORTATION	BNPL20010122ADU	131543	LP100	APP	34.09	3.44 dB
NEW	DE	LEWES	242	27	RADIO ASSIST MINISTRY, INC	BNPFT20030317GMW	146614	D	APP	38.61	5.27 dB
WTDK	MD	FEDERALSBURG	296	0	MTS BROADCASTING, L.C.		51149	A	USE	18.03	8
WTDK	MD	FEDERALSBURG	296	3900	MTS BROADCASTING, L.C.	BMLH19891229KA	51149	A	LIC	18.03	8
WHUR-FM	DC	WASHINGTON	242	18600	THE HOWARD UNIVERSITY	BPED20030402AEN	65707	B	APP	133.73	13.29 dB
NEW	DE	DOVER	242	100	DOVER PUBLIC RADIO, INC.	BNPL20010122AHF	132370	LP100	APP	54.83	13.25 dB
WHUR-FM	DC	WASHINGTON	242	24000	THE HOWARD UNIVERSITY	BLH5867	65707	B	LIC	133.73	13.49 dB
NEW	NJ	RIO GRANDE	243	38	EDWARD A. SCHOBER	BNPFT20030311ACE	141478	D	APP	45.46	22.44 dB
WFPG-FM	NJ	ATLANTIC CITY	245	50000	MILLENNIUM ATLANTIC CITY LICENSE HOLDCO, LLC	BLH19860312KC	10449	B	LIC	126.14	23.21 dB
WFPG-FM	NJ	ATLANTIC CITY	245	50000	MILLENNIUM ATLANTIC CITY LICENSE HOLDCO, LLC	BMLH19860402KF	10449	B	LIC	126.14	23.84 dB
WPTP	PA	PHILADELPHIA	243	17000	WDAS LICENSE LIMITED PARTNERSHIP	BLH19871112KA	51434	B	LIC	155.29	26.36 dB
WBAY	MD	CRISFIELD	245	2800	BAY BROADCASTING, INC.	BLH19960111KG	27438	A	LIC	79.69	26.21 dB
NEW	DE	DOVER	241	100	CAPITOL BAPTIST CHURCH	BNPL20010122ADX	132040	LP100	APP	52.2	26.20 dB
NEW	MD	WYE MILLS	241	10	HOPE CHRISTIAN CHURCH OF MARLTON, INC.	BNPFT20030317GPR	154276	D	APP	54.61	26.68 dB
WROX-FM	VA	CAPE CHARLES	241	23000	SINCLAIR TELECABLE, INC.	BLH20020422AAD	60479	B	LIC	160.34	27.97 dB
WCTG	VA	CHINCOTEAGUE	243	6000	SEBAGO BROADCASTING COMPANY	BMPH20021126AAV	88405	A	CP MOD	84.61	28.80 dB
WSOX	PA	RED LION	241	50000	PIONEER BROADCASTING CORPORATION	BLH7749	55351	B	LIC	162.18	28.86 dB
WLAN-FM	PA	LANCASTER	245	50000	CLEAR CHANNEL BROADCASTING LICENSES, INC.	BLH19800930AF	52259	B	LIC	170.83	29.89 dB
WHUR-FM	DC	WASHINGTON	242	0	THE HOWARD UNIVERSITY		65707	B	USE	133.73	30.28 dB
WMWX	PA	PHILADELPHIA	239	11000	GREATER PHILADELPHIA RADIO, INC.	BXMLH20000526ABC	22308	B	LIC	155.51	30.22 dB
WMWX	PA	PHILADELPHIA	239	8900	GREATER PHILADELPHIA RADIO, INC.	BLH19991122ABE	22308	B	LIC	155.29	30.10 dB
WMWX	PA	PHILADELPHIA	239	8900	GREATER PHILADELPHIA RADIO, INC.	BMPH19990416IB	22308	B	CP MOD	155.29	30.10 dB
WMWX	PA	PHILADELPHIA	239	7900	GREATER PHILADELPHIA RADIO, INC.	BLH19980504KD	22308	B	LIC	155.51	31.66 dB
WSOX	PA	RED LION	241	13500	PIONEER BROADCASTING CORPORATION	BPH20020408AAG	55351	B	CP	162.11	31.37 dB
WMWX	PA	PHILADELPHIA	239	22500	GREATER PHILADELPHIA RADIO, INC.	BLH3814	22308	B	LIC	157.43	31.63 dB
WCEI-FM	MD	EASTON	244	0	FIRST MEDIA RADIO, LLC		11668	B1	USE	44.86	32.19 dB
WOSC	DE	BETHANY BEACH	240	0	CAPSTAR TX LIMITED PARTNERSHIP		4674	B1	USE	48.01	34.74 dB
WKLR	VA	FORT LEE	243	50000	COX RADIO, INC.	BLH19980929KA	71330	B	LIC	217.71	35.85 dB
WWIN-FM	MD	GLEN BURNIE	240	3000	RADIO ONE LICENSES, LLC	BMLH19920325KC	54710	A	LIC	104.22	36.19 dB
WCTO	PA	EASTON	241	50000	CITADEL BROADCASTING COMPANY	BMLH19961227KB	36997	B	LIC	214.97	36.52 dB
WVKL	VA	NORFOLK	239	40000	ENTERCOM NORFOLK LICENSE, LLC	BMLH19920706KA	4672	B	LIC	219.7	37.07 dB
WTTT	NJ	MARGATE CITY	241	2800	EQUITY COMMUNICATIONS, L.P.	BLH19940815KE	40030	A	LIC	124.21	38.73 dB
970814MP	VA	CHINCOTEAGUE	243	0	ISLAND BROADCASTING COMPANY INC		87968	A	USE	83.37	38.80 dB