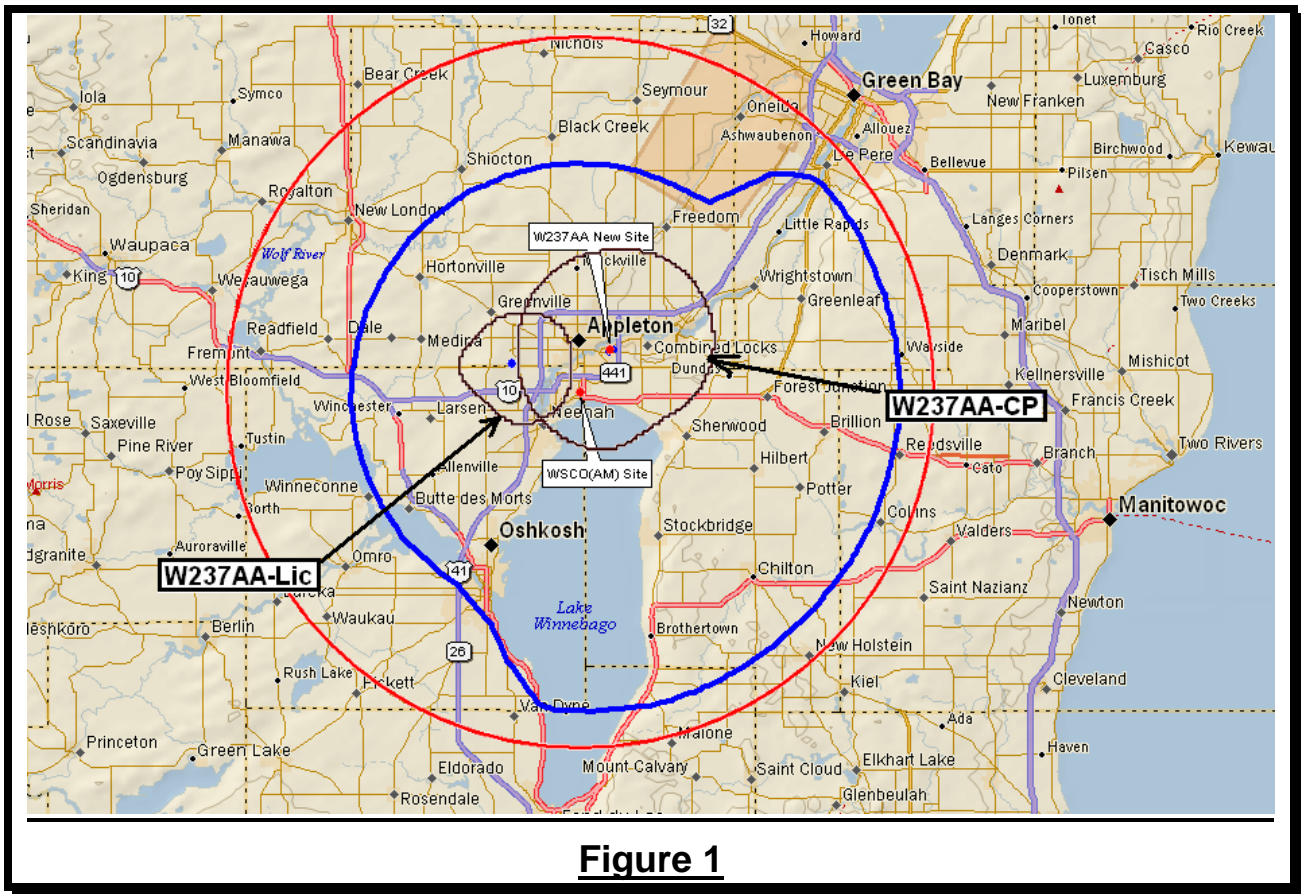


Request for AM Fill-in Translator Special Temporary Authorization

Facilities Involved in this Request

WSCO (AM) Appleton, Wisconsin, facility #72941, is a Class B AM station authorized to operate with a power of 1 kilowatt daytime non-directional and 0.331 kilowatts nighttime non-directional. Woodward Communications, Inc. ("WCI") is the licensee.

W237AA Appleton, Wisconsin, facility # 22193, is an FM Translator licensed to WRVM, Inc. ("WRVM") that has a pending minor-change CP application (BPFT- 20081112AAB) as a 99 Watt Fill-in translator for WAPL(FM). It is anticipated that when the Commission considers this instant STA request that W237AA will be authorized and operating with the proposed changed facilities.



This request is to rebroadcast the programming of WSCO on FM translator station W237AA. Special temporary Authority (STA) pursuant to section 73.1635 of the Commission's rules is requested pending the outcome of MB Docket 07-172¹, which proposes to change the

¹ RM-11338

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Commission's rules to allow AM stations to be rebroadcast on FM translators with Fill-in status.

Figure 1 demonstrates the **FM translator 60 dBu contour (both current Licensed facility and CP for proposed change shown in black) will be completely contained within the 2 mv/m daytime contour (in blue) of AM station WSCO.**² A red circle marking a 40km radius in Figure 1 shows **the translator site is within a 25 mile radius of WSCO.** This complies with Commission waiver policy and with proposed new rules.

WSCO Problems Serving the Public

WSCO has operated since 1952, first as a daytime only station and then later with authorized pre sunrise and post sunset power levels. However, **coverage is severely limited with only 0.331 kilowatts at night** due to **high amounts of co channel and adjacent channel interference.**

WSCO broadcasts a lot of local high school sporting events, and many of the schools in the immediate area fall outside the zone of reliable reception during night time hours even when actually located within the defined service area. Games broadcast from Neenah, Oshkosh, Kaukauna and even northern Appleton can be hard to receive because of the nighttime interference levels. The proposed operation will greatly improve that problem.

Electrical interference to WSCO is also a problem. It is so onerous in some locations that **even the daytime signal is obliterated.**

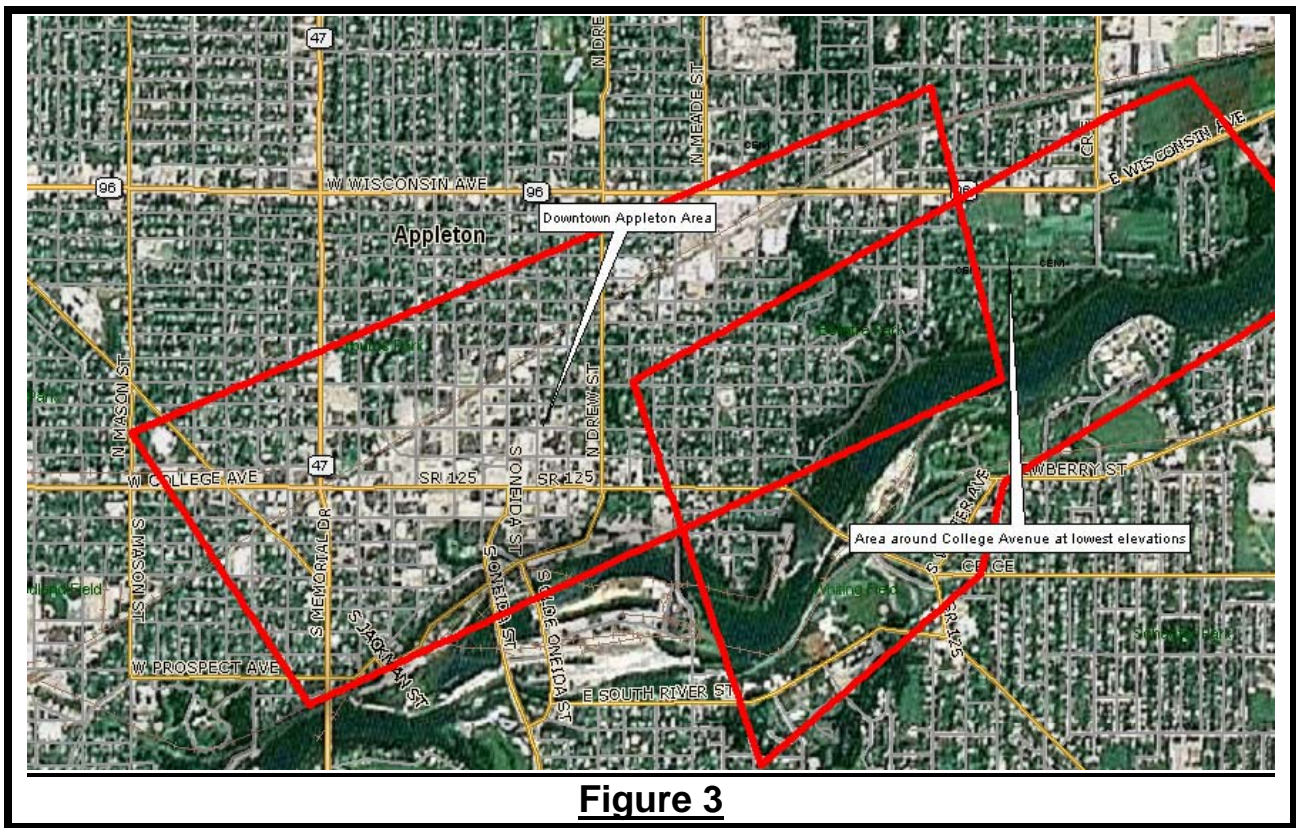
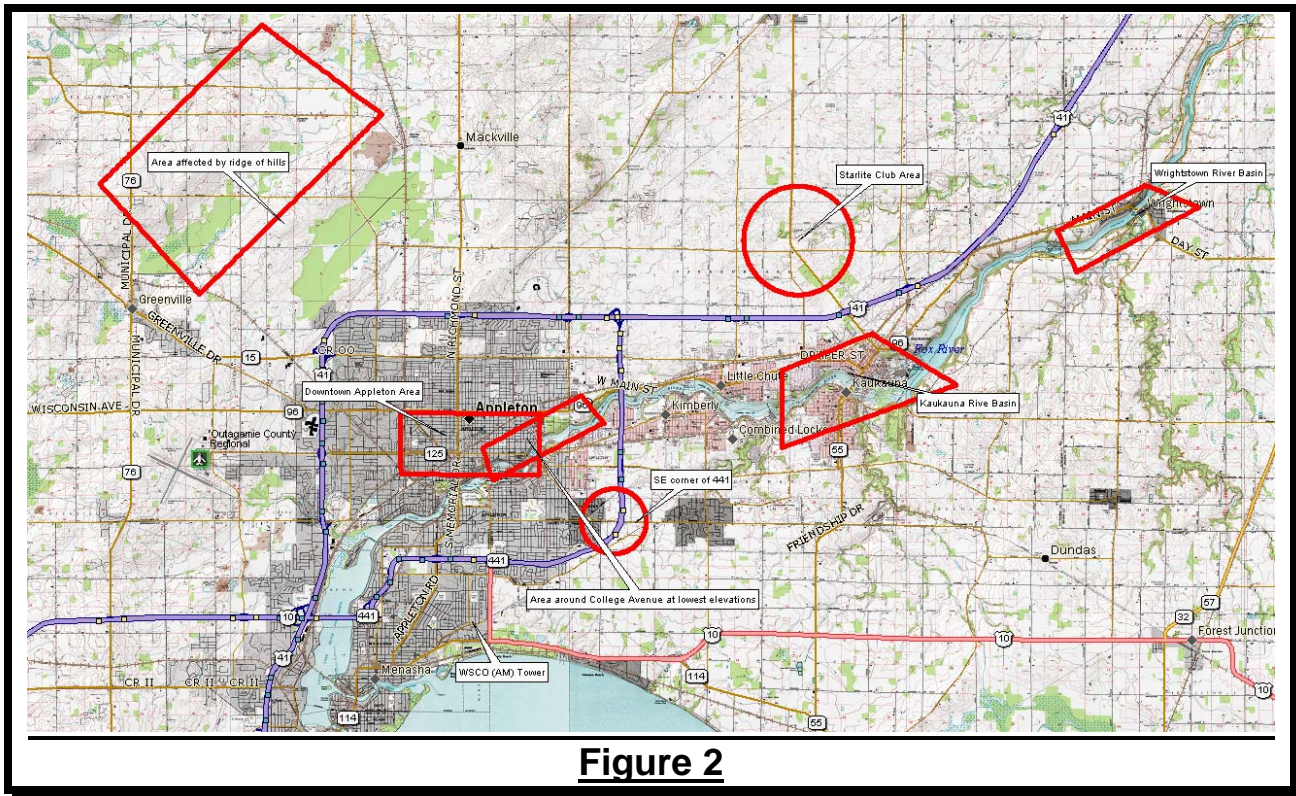
Detailed Areas Needing Relief from Interference

Figure 2 shows an overview of numerous severe interference areas with heavy red lines, all located well within the WSCO 2.0 MV daytime contour.

There is a concentration of tall buildings in downtown Appleton (see Figure 3) that severely attenuate the signal. Reception within such buildings is poor to unusable all times of the day or night. Both businesses and residential apartments are included.

² This is true for both the currently authorized 10 Watt facility and the proposed 99 Watt CP.

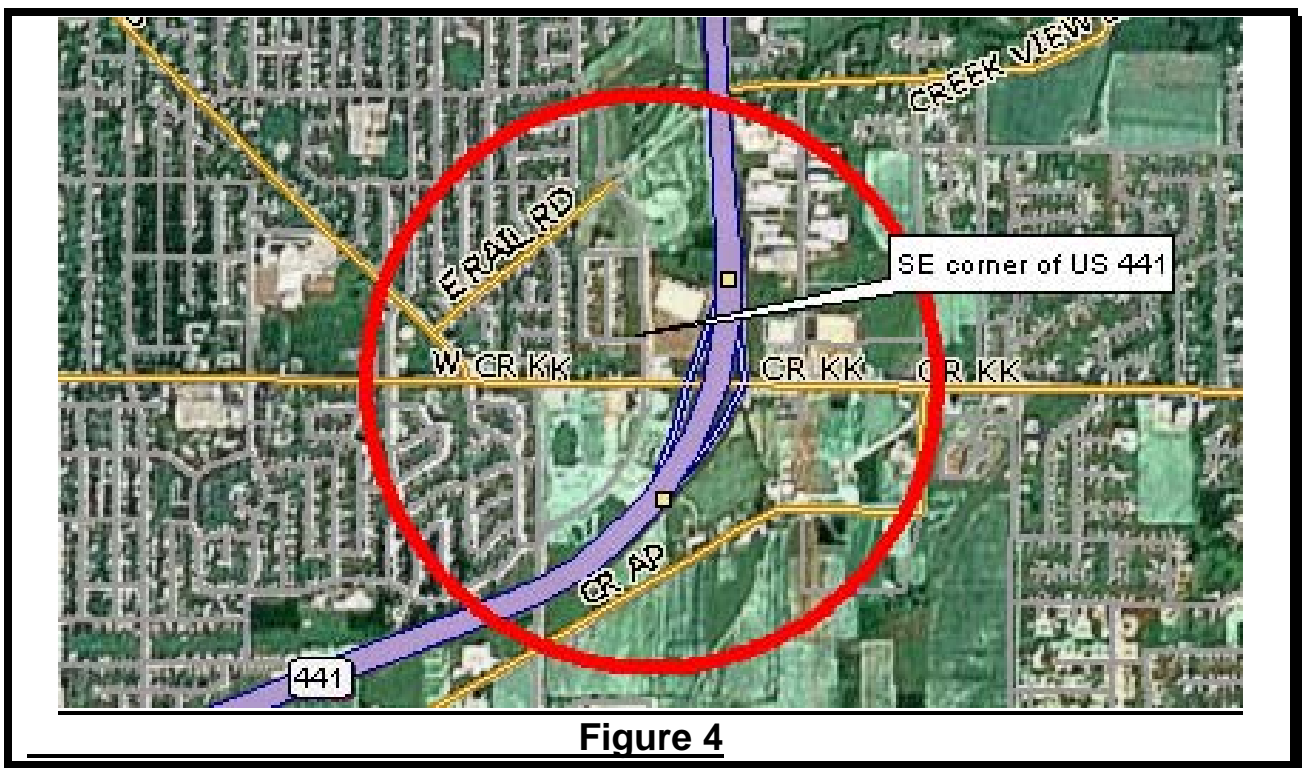
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Reception in the downtown area is further complicated by the lower elevations due to proximity to the Fox River. There are also sources of substantial unidentified EMI interference. Even automobile reception is very difficult presumably due to the internal steel support structures, the river terrain features and EMI.

This problem area blends into an area near the Fox River even where tall buildings and EMI are not an issue (also in [Figure 3](#)). College Avenue, a primary artery connecting downtown to US 41, US 441 and other arteries is an area that is especially affected by the weak signal. It is notable that frequent complaints are heard about that weakest reception area of College Avenue from advertisers whose businesses are located there.



[Figure 4](#) shows an area located around the Southeast corner of US 441 where there are many businesses, residences and motorists where reception is affected by objectionable buzz.

[Figure 5](#) shows the central downtown portion of Kaukauna surrounding the Fox River basin where daytime reception is difficult and there is no nighttime reception.

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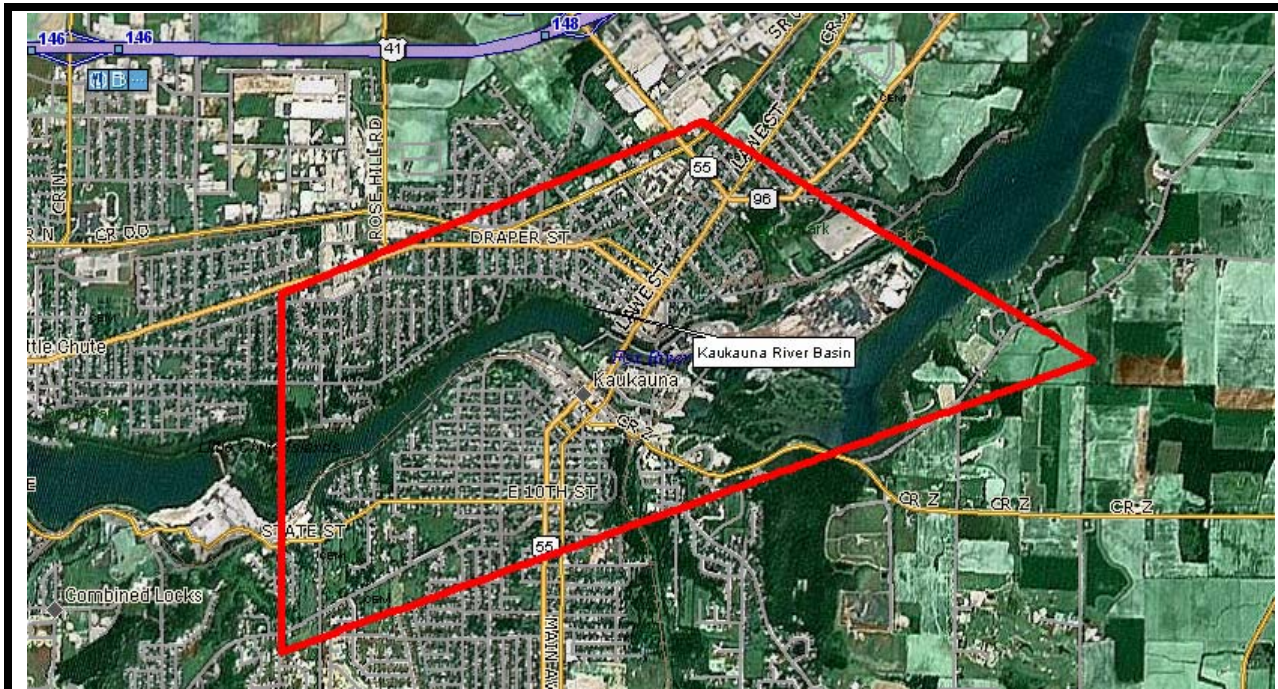


Figure 5

The marked area in [Figure 6](#) is in Wrightstown, another downtown area surrounding the Fox River basin. Day reception is unreliable for vehicles and portables. Night reception is impossible.



Figure 6

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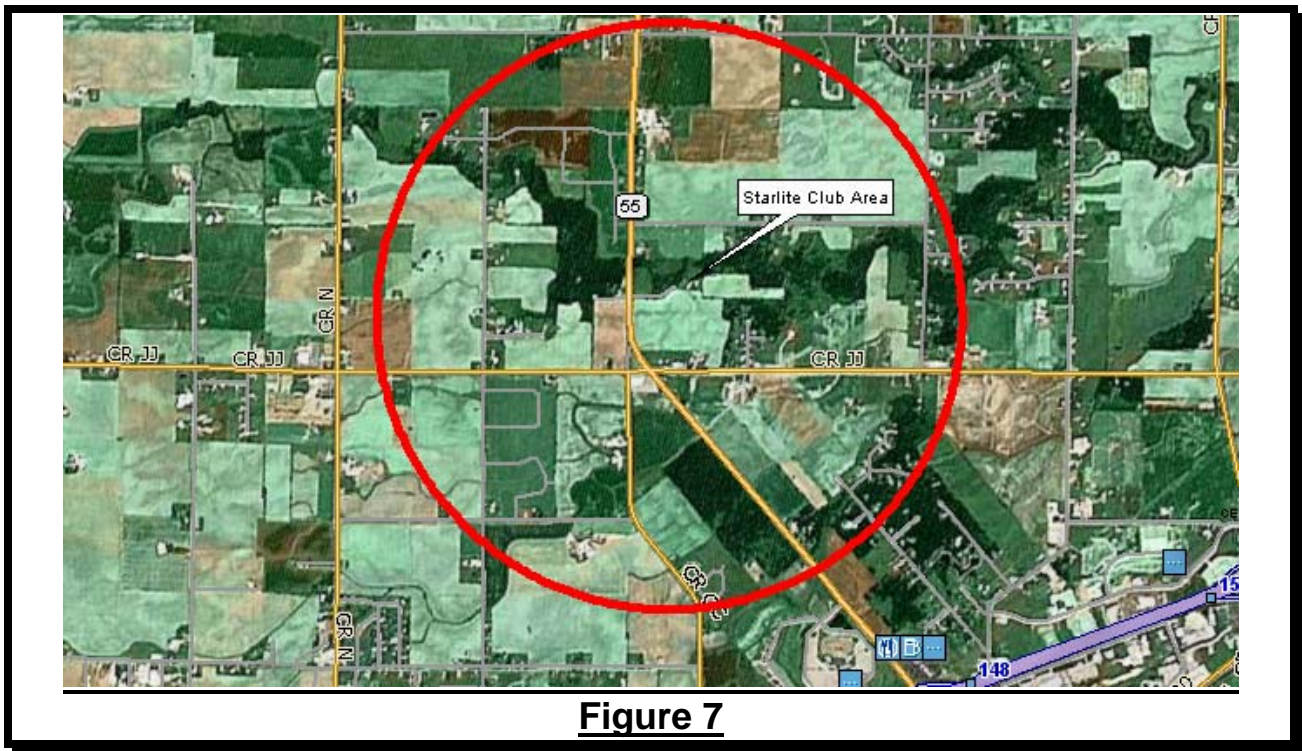


Figure 7

North of and just across US 41 from Kaukauna is an area (see [Figure 7](#)) centered around the Starlite Club that has nominal reception during the day but reception is unusable at night.

High Cliff State Park, residential housing, resorts and High Cliff Golf Course are located on and near an abrupt bluff with very steep increase in elevation, as can be seen in the map's topographic features in [Figure 8](#). This creates a discontinuity in the WSCO ground signal that, despite its proximity to the WSCO tower, has no indoor reception even in the daytime as well as at night. Even automobile reception is plagued by power line buzz.

The Wrightstown ([Figure 6](#)) and High Cliff ([Figure 7](#)) areas are both outside of the W237AA Fill-In 60 dBu contour. However, the terrain features that deteriorate the predicted WSCO reception favor FM reception to better reception than predicted W237AA reception using FCC contour methods, as can be seen using a map in [Figure 9](#) colorized with Longley-Rice propagation levels.

Unfortunately, the ridge of hills NW of US 41 (see area in upper-left portion of [Figure 2](#)) prevents W237AA from providing improvement.

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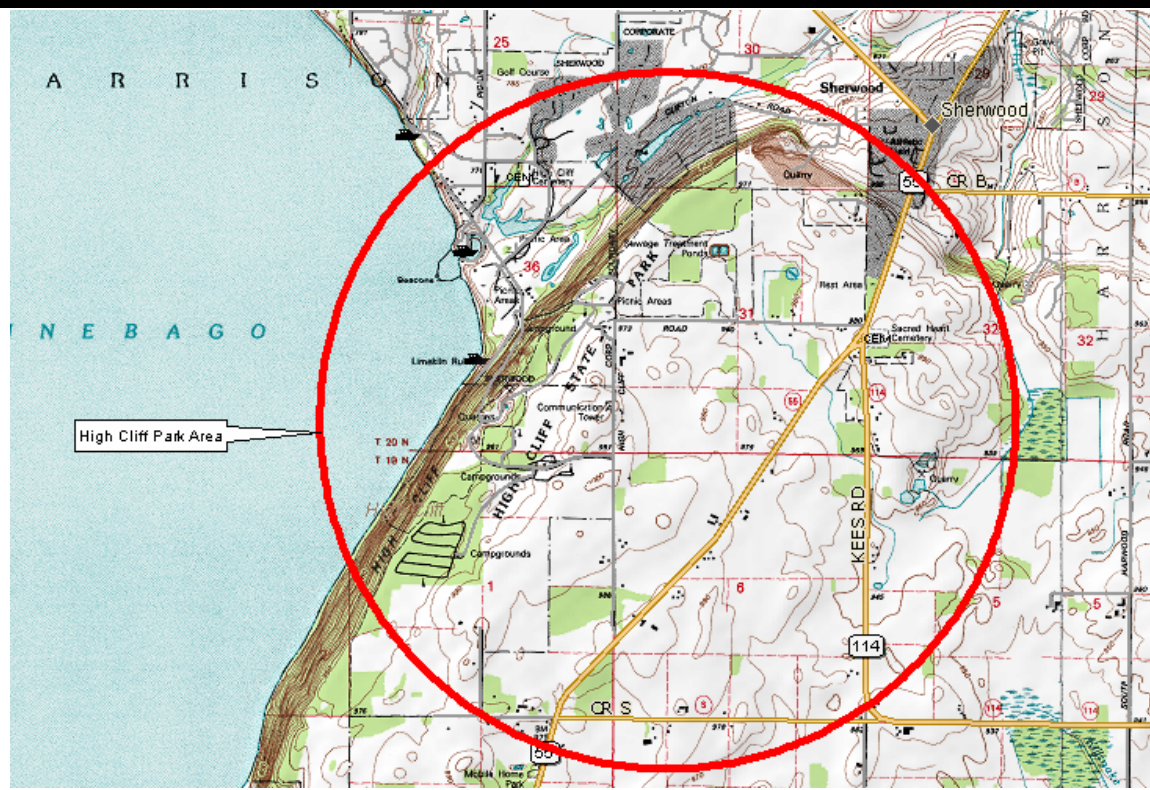


Figure 8

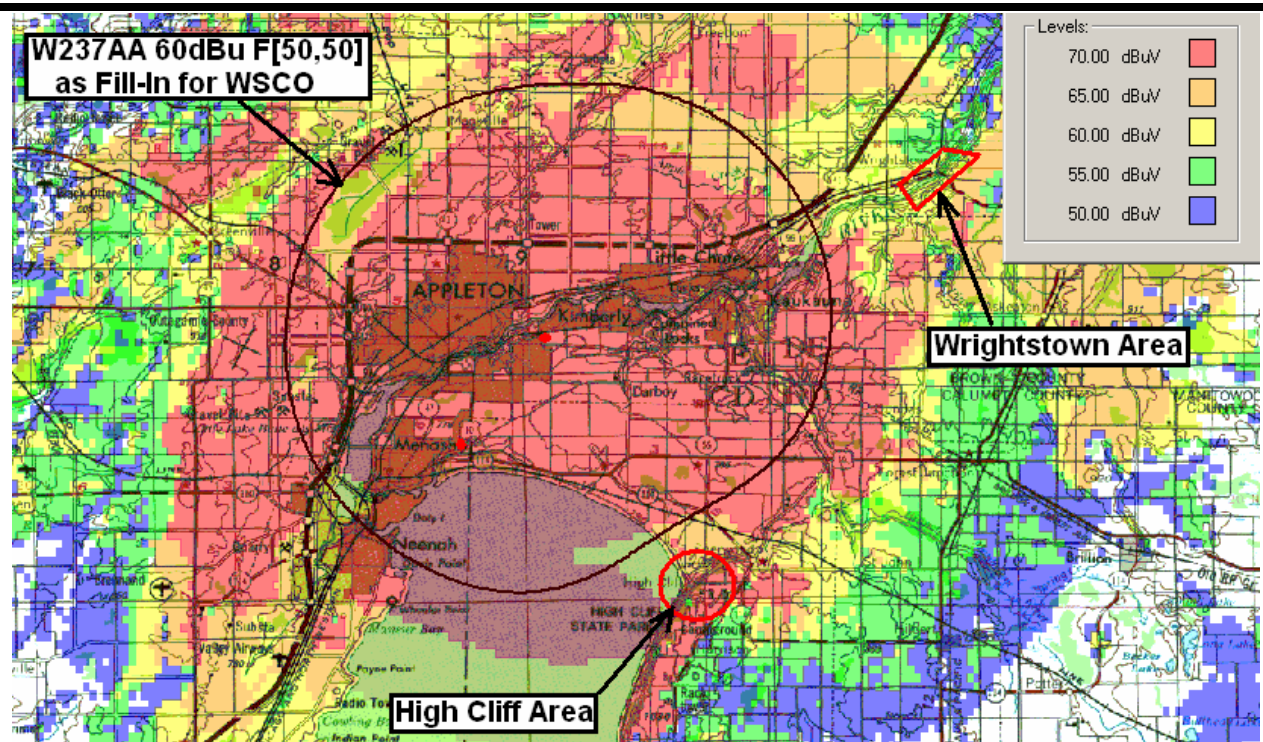


Figure 9

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Resolving Interference

The W237AA Fill-In signal for WSCO will resolve nearly all interference issues in the WSCO coverage area. The applicant seeks authorization from the Commission to use W237AA as a Fill-in translator for AM station WSCO in order to resolve these problems.

Primary Station

At the present time, the Sections 74.1201(a), 74.1201(d), 74.1231, 74.1232 and 74.1284(c) specifically limit the permissible programming service of an FM translator station to the rebroadcast of certain FM broadcast stations that meet the eligibility requirements in Part 74 of the Commission's rules. The public interest would be well served by a grant of this waiver request pending a permanent change in the rules to allow for AM stations to be rebroadcast on FM translators under certain conditions including using increased power.³

This request for STA has benefits to the public with no countervailing detriments. Local broadcast service has always been viewed by the Commission as being critical to **serving the public interest**. That is exemplified by Commission's rules being reconsidered to allow the kind of rebroadcast requested herein.

*"Despite these difficulties, AM radio remains an important component of the mass media landscape and a vital provider of local broadcast service, offering programming specifically oriented to treat the specific needs and problems of the members of their audiences, in a manner consistent with the 'public interest, convenience, and necessity.' "*⁴

The grant of the instant STA/waiver request would be consistent with similar recent Commission grants. The Commission is obligated to treat all applicants in a similar manner.⁵

Waiver Request

The applicant hereby requests the Commission to grant necessary waivers to all rules that would impede grant of this instant request for STA to allow W237AA be used as a Fill-in translator for AM station WSCO.

³ If AM primary stations are granted parity for Fill-in translators as allowed FM primary stations by §74.1235(a).

⁴ NPRM in RM- 11338

⁵ Melody Music, Inc. v. FCC, 345 F.2d 730, 732