

May 2005
WPAY Channel 281C Portsmouth, Ohio
Allocation Study

The attached spacing study shows that the proposed operation meets the co-channel and adjacent channel spacing requirements for Class C stations as prescribed in §73.207 of the Commission's Rules, with the exception of short-spacings to four stations: WXEG 280A Beavercreek, WTDA 280A Westerville, WLBC 281B Muncie, and WNLT 282A Harrison. Each of these short-spacings is discussed in detail below.

WXEG 280A Beavercreek

WPAY operates as a "pre 1964" grandfathered short-spaced station with respect to WXEG under §73.213(a) of the Commission's Rules. The attached allocation study map demonstrates that there will be no contour overlap (and thus by definition no interference area) between the proposed WPAY facility and the licensed WXEG facility, satisfying the requirements of §73.213(a).

WLBC 281B Muncie

WPAY operates as a "pre 1964" grandfathered short-spaced station with respect to WLBC under §73.213(a) of the Commission's Rules. The attached allocation study map demonstrates that there will be no contour overlap (and thus by definition no interference area) between the proposed WPAY facility and the licensed WLBC facility, satisfying the requirements of §73.213(a).

WTDA 280A Westerville

The licensed WPAY operation is 5.33 km short-spaced to the licensed operation of WTDA. However, it was WTDA which created this short-spacing, in a series of modification applications with file numbers BPH-19971205JB, BMPH-19980605IC, and BMPH-19980820IB (now licensed as BLH-19980825KC). In its applications, WTDA was required to demonstrate contour protection to WPAY, presuming WPAY operation with full Class C facilities of 100 kW ERP at 600 meters HAAT.

The proposed WPAY operation increases the separation to the licensed operation of WEGE. Although the two stations will remain short-spaced, we have been advised by senior Audio Division engineering staff that the increased separation obviates any need for WPAY to request processing pursuant to §73.215 with respect to the WTDA license.

The proposed WPAY operation is also short-spaced to WTDA construction permit BPH-20011221AAQ (grant rescinded and application dismissed by the Commission on 1/2/2004, but with a Petition for Reconsideration pending) and to pending WTDA application BPH-20040108ALM. Both of these WTDA facilities fail to meet the Section 73.207 spacing requirements to the licensed WPAY facility, and both fail to protect the licensed WPAY facility in accordance with the requirements of Section 73.215 (including assumption of WPAY operation with maximum Class C parameters of 100 kW at 600 meters HAAT, since the licensed WPAY facility was not authorized pursuant to Section 73.215). Since the WTDA construction permit and application are in violation of Section 73.215 with respect to the licensed WPAY facility, the WTDA construction permit and

application are not believed to be any impediment to the grant of the instant application.
(Please see the associated legal pleading for further discussion.)

WNL 282A Harrison

The licensed WPAY operation is 6.20 km short-spaced to the licensed operation of WNL. However, it was WNL which created this short-spacing, in its application BPH-19980318IC (now licensed as BLH-20000410ABC). In its application, WNL was required to demonstrate contour protection to WPAY, presuming WPAY operation with full Class C facilities of 100 kW ERP at 600 meters HAAT.

The proposed WPAY operation increases the separation to the licensed operation of WNL. Although the two stations will remain short-spaced, we have been advised by senior Audio Division engineering staff that the increased separation obviates any need for WPAY to request processing pursuant to §73.215 with respect to the WNL license.

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SEARCH PARAMETERS FM Database Date: 050530
 Channel: 281C 104.1 MHz Page 1
 Latitude: 38 41 0
 Longitude: 83 0 46
 Safety Zone: 32 km
 Job Title: WPAY 281C NEW SITE

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
NEW-T APP	CATLETTSBURG KY	BNPFT-030314BWV	227D 93.3	0.250 DA 173.0	38-24-44 082-36-12	130.1	46.69 0.00	0 TRANS
WCBJ LIC	CAMPTON KY	BLH-990621KE	279A 103.7	4.100 121.0	37-39-03 083-26-21	198.1	120.54 25.54	95 CLEAR
NEW-T APP	ATHENS OH	BNPFT-030317FKH	279D 103.7	0.010 266.0	39-18-52 082-08-60	46.5	102.45 0.00	0 TRANS
NEW-T APP	MIDDLEPORT OH	BNPFT-030310AJQ	279D 103.7	0.013 149.0	39-03-30 082-02-31	63.3	93.98 0.00	0 TRANS
W279AV CP	PORTSMOUTH OH	BNPFT-030822AJH	279D 103.7	0.019 114.0	38-45-03 083-01-50	348.4	7.65 0.00	0 TRANS
W280DO CP	LEXINGTON KY	BNPFT-030829BDK	280D 103.9	0.250 144.0	38-00-54 084-26-18	239.6	145.03 0.00	0 TRANS
WWEL LIC	LONDON KY	BLH-021113AAC	280A 103.9	2.550 108.0	37-08-30 084-04-45	209.0	195.13 30.13	165 CLEAR
WXXQ-FM LIC	WHITESBURG KY	BLH-031112ADL	280A 103.9	0.145 457.0	37-06-38 082-44-15	172.1 SS	176.24 11.24	165 CLEAR
WXXQ-FM CP	WHITESBURG KY	BPH-041117ACL	280A 103.9	0.280 457.3	37-06-38 082-44-15	172.1 SS	176.24 11.24	165 CLEAR
WXEG LIC	BEAVERCREEK OH	BLH-020823AAY	280A 103.9	2.900 DA 146.0	39-43-19 084-12-36	318.6 SS	154.89 -10.11	165 SHORT
WXEGaux CP	BEAVERCREEK OH	BXPH-031216ADM	280A 103.9	1.500 133.0	39-43-36 084-12-23	318.8	155.07 0.00	0 AUX
WXEGaux LIC	BEAVERCREEK OH	BXMLH-030110ADC	280A 103.9	0.900 159.0	39-44-12 084-09-25	320.3	153.10 0.00	0 AUX
W280CY LIC	MALTA OH	BLFT-980309TE	280D 103.9	0.007 71.0	39-38-36 081-51-29	42.6	146.01 0.00	0 TRANS

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SEARCH PARAMETERS FM Database Date: 050530 Page 2

Channel: 281C 104.1 MHz
 Latitude: 38 41 0
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 Job Title: WPAY 281C NEW SITE

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
WTDA	WESTERVILLE		280A	5.300	40-09-33	2.7	164.03	165
APP	OH BPH-011221AAQ		103.9	106.0	082-55-23		-0.97	SHORT
ABSOLUTE MINIMUM 73.215 SPACING = 142 KM								
WTDA	WESTERVILLE		280A	6.000	40-05-24	2.0	156.27	165
APP	OH BPH-040108ALM		103.9	100.0	082-56-52		-8.73	SHORT
ABSOLUTE MINIMUM 73.215 SPACING = 142 KM								
WTDA	WESTERVILLE		280A	5.100	40-09-33	2.7	164.03	165
LIC	OH BLH-980825KC		103.9	106.0	082-55-23	SS	-0.97	SHORT
ABSOLUTE MINIMUM 73.215 SPACING = 142 KM								
NEW-T	PARKERSBURG		280D	0.010	39-18-36	59.9	141.03	0
APP	WV BNPFT-030826AAE		103.9	194.0	081-35-48		0.00	TRANS
WLBC-FM	MUNCIE		281B	41.000	40-09-40	309.7	261.59	274
LIC	IN BMLH-041020AAB		104.1	140.0	085-22-44		-12.41	SHORT
WLBCaux	MUNCIE		281B	9.300	40-09-42	309.7	261.58	0
LIC	IN BLH-820318AC		104.1	72.0	085-22-41		0.00	AUX
WCKQ	CAMPBELLSVILLE		281C3	17.000	37-20-07	234.8	255.85	237
LIC	KY BLH-950404KA		104.1	120.0	085-22-33	SS	18.85	CLEAR
NEW-T	ELKHORN CITY		281D	0.010	37-27-57	163.2	141.08	0
APP	KY BNPFT-030313APY		104.1	215.0	082-33-04		0.00	TRANS
NEW-T	PIKEVILLE		281D	0.010	37-29-31	161.8	139.13	0
APP	KY BNPFT-030314AKH		104.1	241.0	082-31-12		0.00	TRANS
NEW-T	PIKEVILLE		281D	0.250	37-27-57	163.2	141.08	0
APP	KY BNPFT-030314AJL		104.1	287.0	082-33-04		0.00	TRANS
WPAY-FM	PORTSMOUTH		281C	100.000	38-41-00	0.0	0.00	290
APP	OH BMPH-041116ACO		104.1	453.0	083-00-46		-290.00	SHORT
WPAY-FM	PORTSMOUTH		281C	100.000	38-25-08	199.4	31.12	290
CP	OH BPH-021023ABC		104.1	451.0	083-07-53	SS	-258.88	SHORT
WPAY-FM	PORTSMOUTH		281C	100.000	38-43-20	12.9	4.43	290
LIC	OH BLH-890612KC		104.1	305.0	083-00-05		-285.57	SHORT

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SEARCH PARAMETERS FM Database Date: 050530
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 Job Title: WPAY 281C NEW SITE

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
WJFZ-LP CP	ZANESVILLE OH	BNPL-010119ACF	281L1 104.1	0.100 6.5	39-57-08 082-05-25	29.1	161.78 31.78	130 CLEAR
WDCI LIC	BRIDGEPORT WV	BLH-971027KF	281A 104.1	2.450 158.0	39-17-59 080-17-30	72.9	245.48 19.48	226 CLEAR
W281AJ CP	RIPLEY WV	BNPFT-030814AAD	281D 104.1	0.013 130.0	38-46-04 081-41-09	84.9	115.77 0.00	0 TRANS
NEW-T APP	MORRILL KY	BNPFT-030317MOI	282D 104.3	0.010 232.0	37-30-10 084-13-09	219.2	168.44 0.00	0 TRANS
NEW-T APP	DAYTON OH	BNPFT-030317AJQ	282D 104.3	0.080 58.0	39-45-28 084-11-36	320.0	156.92 0.00	0 TRANS
WNL LIC	HARRISON OH	BLH-000410ABC	282A 104.3	5.200 100.0	39-13-34 084-42-59	292.8 SS	159.50 -5.50	165 SHORT
ABSOLUTE MINIMUM 73.215 SPACING = 142 KM								
WNLtau CP	HARRISON OH	BXPB-040809AAM	282A 104.3	6.000 88.0	39-13-34 084-42-59	292.8	159.50 0.00	0 AUX
WJFY-LP CP	NEWARK OH	BNPL-010122AJV	282L1 104.3	0.100 29.5	39-58-18 082-24-45	19.6	152.11 32.11	120 CLEAR
WJZK LIC	RICHWOOD OH	BLH-960206KC	282A 104.3	3.400 133.0	40-18-22 083-19-45	351.5	182.21 17.21	165 CLEAR
NEW-T APP	XENIA OH	BNPFT-030317MTZ	282D 104.3	0.080 87.0	39-41-19 083-59-10	323.4	139.74 0.00	0 TRANS
W282AI LIC	PARKERSBURG WV	BLFT-010628ABX	282D 104.3	0.100 44.0	39-15-51 081-35-33	61.8	138.95 0.00	0 TRANS
NEW-T APP	ST. MARYS WV	BNPFT-030317HOA	282D 104.3	0.010 210.0	39-22-51 081-11-02	63.3	176.28 0.00	0 TRANS
WLKT LIC	LEXINGTON-FAYETTE KY	BLH-000217ABS	283C2 104.5	50.000 142.0	38-04-09 084-18-44	239.3 SS	132.44 27.44	105 CLEAR
W283AP CP	PRESTONSBURG KY	BNPFT-030827AGP	283D 104.5	0.250 256.0	37-39-57 082-48-12	170.7	114.42 0.00	0 TRANS

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WYWH-LP CP	ATHENS OH	BNPL-010122ADF	283L1 104.5	0.100 -31.0	39-19-59 082-05-20	47.6	107.73 14.73	93 CLEAR
W283AQ CP	CROSS LANES WV	BNPFT-030826AHS	283D 104.5	0.210 DA 159.0	38-23-57 081-46-42	106.0	112.15 0.00	0 TRANS
W284BD CP	LOGAN OH	BNPFT-030828ACK	284D 104.7	0.013 129.0	39-31-27 082-26-26	27.7	105.66 0.00	0 TRANS

44444 BEGINNING SEARCH OF SECONDARY DATABASE 44444

44444 END OF FM SPACING STUDY FOR CHANNEL 281 44444

OHIO

WXEG 280A Beavercreek
Licensed Contours
60 dBu F(50,50)
54 dBu F(50,10)

WPAY operates as a Section 73.213(a)
grandfathered short-spaced station with
respect to WXEG.

WPAY 281C Portsmouth
Proposed Contours
60 dBu F(50,50)
54 dBu F(50,10)

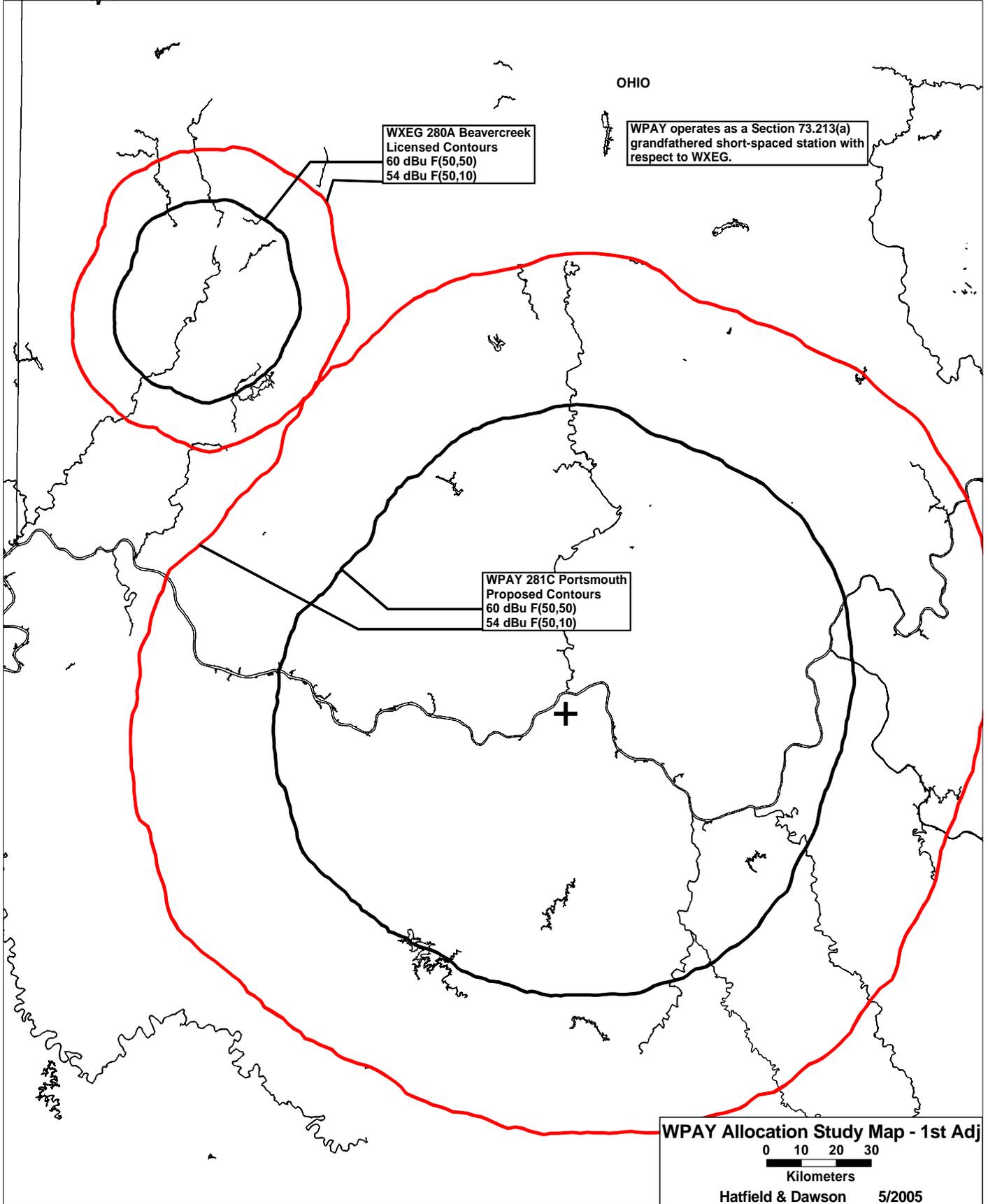


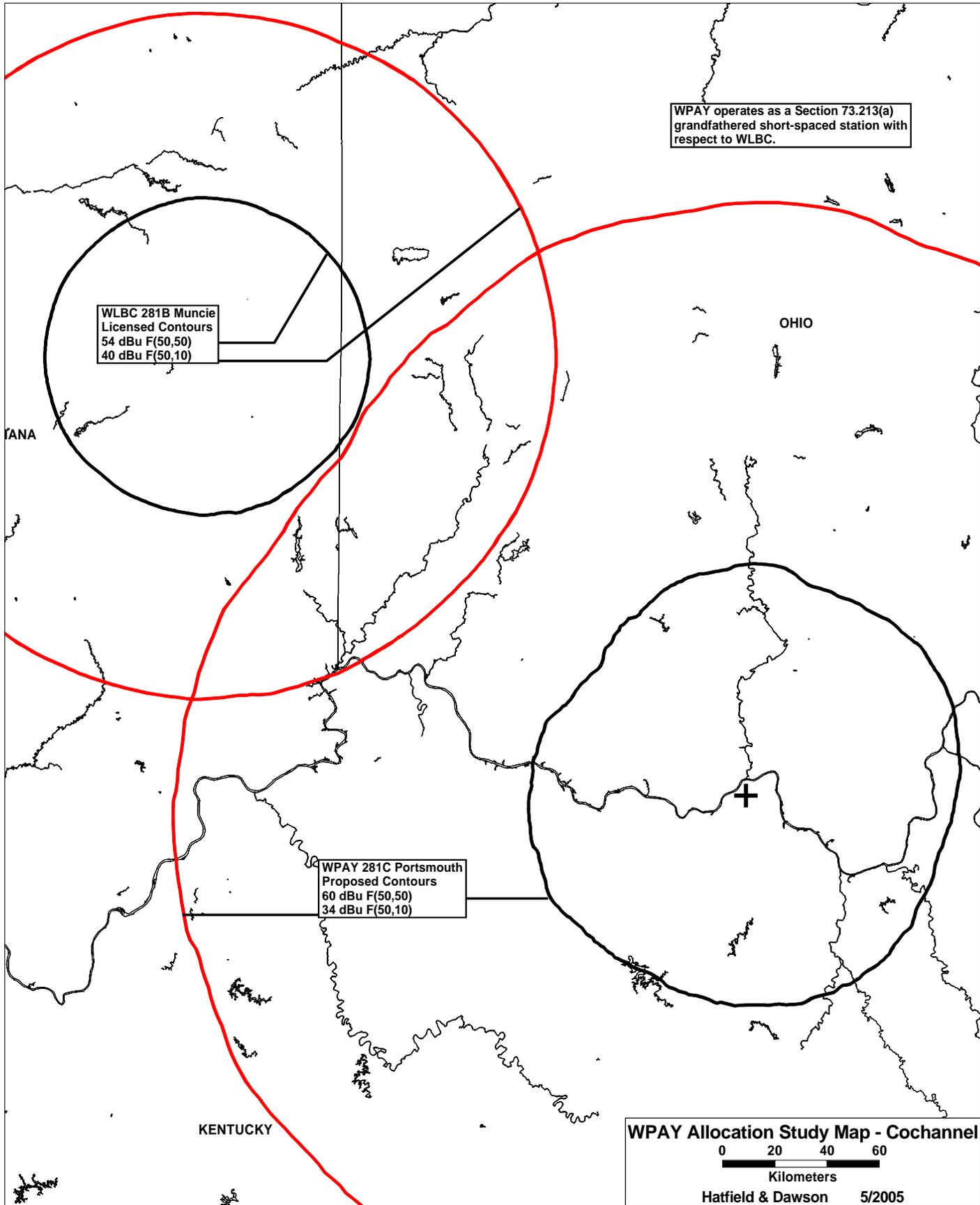
WPAY Allocation Study Map - 1st Adj

0 10 20 30

Kilometers

Hatfield & Dawson 5/2005





WPAY operates as a Section 73.213(a) grandfathered short-spaced station with respect to WLBC.

WLBC 281B Muncie
Licensed Contours
54 dBu F(50,50)
40 dBu F(50,10)

WPAY 281C Portsmouth
Proposed Contours
60 dBu F(50,50)
34 dBu F(50,10)

WPAY Allocation Study Map - Cochannel

0 20 40 60
Kilometers

Hatfield & Dawson 5/2005