

INAPPLICABILITY OF SPECIAL OPERATING CONDITION

The construction permit covered by this application includes a condition that “Prior to construction of the tower authorized herein, permittee shall notify AM Station(s) listed below so that, if necessary, the AM station(s) may determine operating power by the indirect method and request temporary authority from the Commission in Washington, D.C. to operate with parameters at variance in order to maintain monitoring point field strengths within authorized limits.” However, pursuant to Section 1.30002(b) of the rules, such a condition applies only when the AM station is within 3 km of the tower construction. In this case, the AM station is licensed for operation at a tower that is 3.2 km distant. We note further that the WIPB-TV construction at its tower resulted in no change in overall structure height or any alternation that would affect an AM signal.