

Environmental/RF Statement

Environmental Considerations

The instant proposal is not believed to have a significant environmental impact as defined under §1.1306 of the Commission's Rules. Consequently, preparation of an Environmental Assessment is not required. ATV Holdings, Inc. proposes to host WFUN-LD on the already-existing WLMF-LD facility. In this instance, WFUN is multiplexed at the digital baseband signal level onto the existing WLMF-LD channel 20 RF signal, and contributes no radiofrequency itself. All of the facilities that WFUN-LD will be sharing already existed as licensed facilities.

The use of the existing WLMF-LD RF system and support structures has been characterized as being environmentally preferable by the Commission, according to Note 1 of §1.1306 of the FCC Rules. No change in structure height is proposed, thus no change in current structure marking and lighting requirements is anticipated. Therefore, it is believed that this application may be categorically excluded from environmental processing pursuant to §1.1306 of the Commission's rules.

Human Exposure to Radiofrequency Electromagnetic Field

The proposed operation was evaluated for human exposure to radiofrequency electromagnetic field using the procedures outlined in the Commission's OET Bulletin 65 ("OET 65"). OET 65 describes a means of determining whether a proposed facility exceeds the radiofrequency exposure guidelines adopted in §1.1310. Under present Commission policy, a facility may be presumed to comply with the limits specified in §1.1310 if it satisfies the exposure criteria set forth in OET 65.

Since there will be no RF-related changes as a result of this channel sharing modification request, the RFE statement in the WLMF-LD underlying Construction Permit is still valid. From that granted Construction Permit (File No. 0000052578) and subsequent License to Cover (File No. 0000143207), the technical consultant, Mr. Wilhour, states: "The resulting RFR study in Appendix E demonstrates that the peak exposure is 2.20% of the most restrictive permissible exposure threshold. Pursuant to OET Bulletin 65 concerning multiple-user transmitter sites only those licensees whose transmitters produce power density levels greater than 5.0% of the exposure limit are considered significant contributors to RFR. Since the proposed operation is within 5% of the most permissible exposure at any location 2 meters above the ground, it is not considered a significant contributor to RFR

exposure. Thus, contributions to exposure from other RF sources in the vicinity of the proposed facility were not taken into account. The instant application is compliant with the FCC limits for human exposure to RF radiation and is excluded from further environmental processing since no changes are proposed to the tower structure in order to accommodate the proposed antenna.”