



Initial Rule Making
Application Submitted

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Application Summary

File Number: 0000219881
Application Purpose: Rule Making
Status: Pending
Date Submitted: 08/25/2023

Applicant Information

Name: theDove Media, Inc.
Title:
Address: 2070 Milligan Way
Medford, OR 97504
United States
Phone: +1 (554) 776-5368
Email: patkinson@thedove.us

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Initial Rule Making

File Number: **0000219881** | Submit Date: **08/25/2023** | Facility ID: **778070** | FRN: **0010172351** | State: **Oregon** | City:
Jacksonville

Service: **DTV** | Purpose: **Rule Making** | Status: **Pending** | Status Date: **08/25/2023** | Filing Status: **Active**

General Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	Yes

Applicant Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
theDove Media, Inc.	2070 Milligan Way Medford, OR 97504 United States	+1 (554) 776-5368	patkinson@thedove.us	Not-for-Profit

Authorization Holder Name

Check box if the Authorization Holder name is being updated because of the sale (or transfer of control) of the Authorization(s) to another party and for which proper Commission approval has not been received or proper notification provided.

Contact
Representatives
(2)

Contact Name	Address	Phone	Email	Contact Type
Howard Liberman Wilkinson Barker Knauer, LLP	1800 M Street, NW Suite 800N Washington, DC 20036 United States	+1 (202) 383- 3733	hliberman@wbklaw. com	Legal Representative
Erik C Swanson , PE . <i>Consulting Engineer</i> Hatfield & Dawson	9500 Greenwood Ave N Seattle, WA 98103 United States	+1 (206) 783- 9151	eswanson@hatdaw. com	Technical Representative

Channel and Facility Information

Section	Question	Response
Service Type	Service Type	Full Service Television
Facility ID	778070	
State	Oregon	
City	Jacksonville	
DTV Channel	4	
Zone	Zone	2

Antenna Location Data

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1229102
Coordinates (NAD83)	Latitude	42° 17' 56.0" N+
	Longitude	122° 45' 00.0" W-
	Structure Type	TOWER-A free standing or guyed struct
	Overall Structure Height	35.1 meters
	Support Structure Height	29.3 meters
	Ground Elevation (AMSL)	1158.2 meters
Antenna Data	Height of Radiation Center Above Ground Level	28 meters
	Height of Radiation Center Above Average Terrain	425 meters
	Height of Radiation Center Above Mean Sea Level	1186.2 meters
	Effective Radiated Power	22 kW

Antenna
Technical Data

Section	Question	Response
Antenna Type	Antenna Type	Non-Directional
	Do you have an Antenna ID?	
	Antenna ID	1011034
Antenna Manufacturer and Model	Manufacturer:	Dielectric
	Model	THB-O3-2/6-1
	Rotation	
	Electrical Beam Tilt	Not Applicable
	Mechanical Beam Tilt	Not Applicable
	toward azimuth	
	Polarization	Horizontal
DTV and DTS: Elevation Pattern	Does the proposed antenna propose elevation radiation patterns that vary with azimuth for reasons other than the use of mechanical beam tilt?	No
	Uploaded file for elevation antenna (or radiation) pattern data	

Certification

Section	Question	Response
General Certification Statements	The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).	
	The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR §1.2002(b), for the definition of "party to the application" as used in this certification §1.2002 (c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.	
Authorized Party to Sign	FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application. WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND /OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, §503).	
	I certify that this application includes all required and relevant attachments.	Yes
	I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.	Perry Atkinson <i>President</i> 08/25/2023

Attachments

File Name	Uploaded By	Attachment Type	Description
Dielectric THB Antenna Data.pdf	Applicant	Antenna Technical Data	Antenna Technical Data
theDove - Petition for New NCE DTV Allotment - Jacksonville OR.pdf	Applicant	All Purpose	theDove - Petition for New NCE DTV Allotment - Jacksonville OR

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of
theDove Media, Inc.
Amendment of Section 73.622(j),
Digital Television Table of Allotments
(Jacksonville, Oregon)

)
) MB Docket No. _____
)
) Rulemaking No. _____
)

To: Office of the Secretary
Attn: Chief, Media Bureau

PETITION FOR RULEMAKING

theDove Media, Inc. (“theDove”), by its attorneys and pursuant to Sections 1.401, 1.420, and 73.622(a) of the Commission’s rules, hereby petitions the Federal Communications Commission to institute a rulemaking proceeding for the purpose of amending the Digital Television Table of Allotments (the “DTV Allotment Table”) contained in Section 73.622(j) of the Commission’s rules to allocate non-commercial educational (“NCE”) DTV Channel 4 to Jacksonville, Oregon.

The following table summarizes the change requested in this Petition to the DTV Allotment Table:

Community	Present	Proposed
Jacksonville, OR		*4

I. TECHNICAL COMPLIANCE

The proposed allocation of NCE DTV Channel 4 to Jacksonville, Oregon can be accomplished in accordance with all of the Commission’s rules governing allocations. As demonstrated by the Engineering Statement of Erik C. Swanson, of the firm Hatfield & Dawson Consulting Engineers, attached hereto (the “Engineering Statement”), the proposed allotment

point complies with the geographic spacing requirements provided in Section 73.623(d) of the Commission's rules. As further reflected in the Engineering Statement, the proposed allotment point will provide full principal community coverage to Jacksonville, Oregon in conformance with Section 73.625(a). Finally, as reflected in the Engineering Statement, the proposed allotment meets the applicable post-transition DTV station interference protection requirements set forth in Section 73.616.

II. PUBLIC INTEREST SHOWING

Section 307(b) of the Communications Act of 1934, as amended (the "Act"), requires the Commission to make a "fair, efficient, and equitable distribution" of television licenses to communities across the country. The Commission has described the goal of the DTV Allotment Table as ensuring the provision of digital television service "to the American people in an expeditious and efficient manner."¹ The Commission defines its television allotment priorities as: (1) to provide at least one television service to all parts of the United States; (2) to provide each community with at least one television broadcast station; (3) to provide a choice of at least two television services to all parts of the United States; (4) to provide each community with at least two television broadcast stations; and (5) to assign any remaining channels to communities based on population, geographic location, and the number of television services available to the community from stations located in other communities.² The proposed allotment in this Petition

¹ See, e.g., *Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Nampa, Idaho)*, Report and Order, 19 FCC Rcd. 4491, 4493 (2004); *Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Albany, New York)*, Report and Order, 19 FCC Rcd. 4329, 4331 (2004); see also *Advanced Television Systems & Their Impact Upon the Existing Television Broadcast Service*, Sixth Report and Order, 12 FCC Rcd. 14588, ¶ 76 (1997).

² *Amendment of Section 3.606 of the Commission's Rules and Regulations*, Sixth Report and Order, 41 F.C.C. 148, 167-173 (1952).

will serve the public interest by providing both a first local TV station to Jacksonville, Oregon, and a first NCE TV service to that community.³

Jacksonville, Oregon qualifies as a community for DTV allotment purposes. The Commission has defined “communities” as geographically identifiable population groupings with common local interests – a criteria generally satisfied if the proposed community is either incorporated or listed in the U.S. Census.⁴ Jacksonville was incorporated in 1860 and the community had a population of 3,020 as of the 2020 Census.⁵ Because Jacksonville is therefore a well-established community, a detailed showing of such criteria under Section 307(b) of the Act is not necessary for purposes of this Petition.⁶

III. NCE QUALIFICATIONS

If the allocation proposed in this Petition is adopted by the Commission, theDove intends

³ Jacksonville, Oregon is currently served by two TV translator stations: K21BG-D, Jacksonville, Oregon (Facility ID No. 60745); and K15KL-D, Jacksonville, Oregon (Facility ID No. 168424). The Commission, however, considers translator services to be secondary services, and are therefore not considered in determining services to a community. See *Expanding Economic Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd. 6567, 6838 n.1850 (2014) (“[T]he Commission’s policies promoting the ‘fair distribution’ of broadcast stations, including allotment priorities for first or second ‘local’ service, [] do not apply to LPTV and TV translator stations.” (citing first *Implementation of Section 309(j) of the Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses*, First Report and Order, 13 FCC Rcd. 15920, n.109 (1998); and then citing 47 U.S.C. § 307(b))).

⁴ *Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments (North Pole and Plattsburgh, New York)*, Report and Order, 26 FCC Rcd. 32, 33, ¶ 2 (Media Bureau 2010) (“*North Pole and Plattsburgh, New York*”) (citing *FM Assignment Policies and Procedures*, Second Report and Order, 90 F.C.C.2d 88, 101 (1982)).

⁵ Jacksonville, Oregon, WIKIPEDIA, https://en.wikipedia.org/wiki/Jacksonville,_Oregon (last visited Aug. 2, 2023); Jacksonville, Oregon, U.S. CENSUS BUREAU, https://data.census.gov/profile/Jacksonville_city,_Oregon?g=160XX00US4137000 (last visited Aug. 2, 2023).

⁶ *North Pole and Plattsburgh, New York*, 26 FCC Rcd. at 33, ¶ 2 (citing *FM Assignment Policies and Procedures*, 90 F.C.C.2d at 101).

to apply for a construction permit for DTV Channel 4 if its allotted, and, if authorized, to build a station promptly.⁷ theDove is qualified to be the licensee/permittee of an NCE TV station and these qualifications are a matter of record before the Commission.⁸

CONCLUSION

For the foregoing reasons, theDove respectfully requests that the Commission grant this Petition, and immediately commence a rulemaking proceeding to amend the DTV Allotment Table to allocate NCE DTV Channel 4 to Jacksonville, Oregon.

Respectfully submitted,

THEDOVE MEDIA, INC.

/s/ Howard M. Liberman

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August 15, 2023

Its Attorneys

⁷ See *Amendment of Section 73.622(j), Table of Allotments, Television Broadcast Stations (Vernon, Alabama)*, Notice of Proposed Rulemaking, 37 FCC Rcd. 427, 428, ¶ 5 (Media Bureau 2022) (citing *Buffalo, Iola, Normangee, and Madisonville, Texas*, Report and Order, 24 FCC Rcd. 8192, 8194, ¶ 9 (Media Bureau 2009) (“[A] showing of continuing interest is required before a channel will be allotted[,] [and] . . . [i]t is the Commission’s policy to refrain from making an allotment to a community absent an expression of interest.”))).

⁸ See CDBS File No. BALED-20031125AHM.

Attachment A

Engineering Statement of Erik C. Swanson, PE, PMP

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**Engineering Statement
Petition for Rulemaking
Channel 4 at Jacksonville, Oregon
August 2023**

Introduction

This Engineering Statement has been prepared on behalf of theDove Media, Inc. ("theDove"), in support of a Petition for Rulemaking proposing to add Channel *4 as a new vacant allotment at Jacksonville, Oregon, to be reserved for non-commercial use.

Counterproposal

theDove proposes that Channel *4 be allotted as a new vacant digital television channel at Jacksonville, and (as documented in the pleading to which this Engineering Statement is attached) pledges to file an application for Channel *4 at Jacksonville if that allotment is made.

Channel *4 can be allotted for use at Jacksonville in compliance with the geographic spacing requirements contained in Section 73.623(d) of the Commission's Rules, with the following specifications:

Community of License

Jacksonville, Oregon

Fully-spaced allotment site coordinates (NAD83)

42-17-56 NL
122-45-00 WL

Zone

II

The following table demonstrates that the proposed allotment is fully-spaced to all full-power cochannel and adjacent channel stations and allotments in the vicinity.

Callsign	Community	Channel	Coordinates	Distance	Requirement	Pass/Fail
KIEM-TV	Eureka	3	40-43-49.0 123-57-11.0	201.09 km	0-20 km or 110+ km	Pass
Vacant	Fort Bragg	4	39-41-38.4 123-34-46.7	297.58 km	273.6 km	Pass

Additionally, any cochannel or adjacent-channel Class A stations are located at least 300 kilometers distant from the allotment site.

The proposed fully-spaced allotment site is located at an existing tower site just 18 kilometers east of Jacksonville. At this location, and assuming a nominal 28 meter antenna height above ground level, the 8-radial antenna HAAT is 425 meters. At this height the allowable digital ERP is 22 kW, and the resulting distance to the 35 dBu F(50,90) principal community contour is 105.6 kilometers. Therefore the proposed allotment site will allow the station to provide full principal community contour coverage to the city of Jacksonville.

This proposal will serve the public interest by providing a first local television station to Jacksonville. Jacksonville qualifies as a community for allotment purposes, as it is an incorporated city with a 2020 Census population of 3,020 persons, located in Jackson County, Oregon.

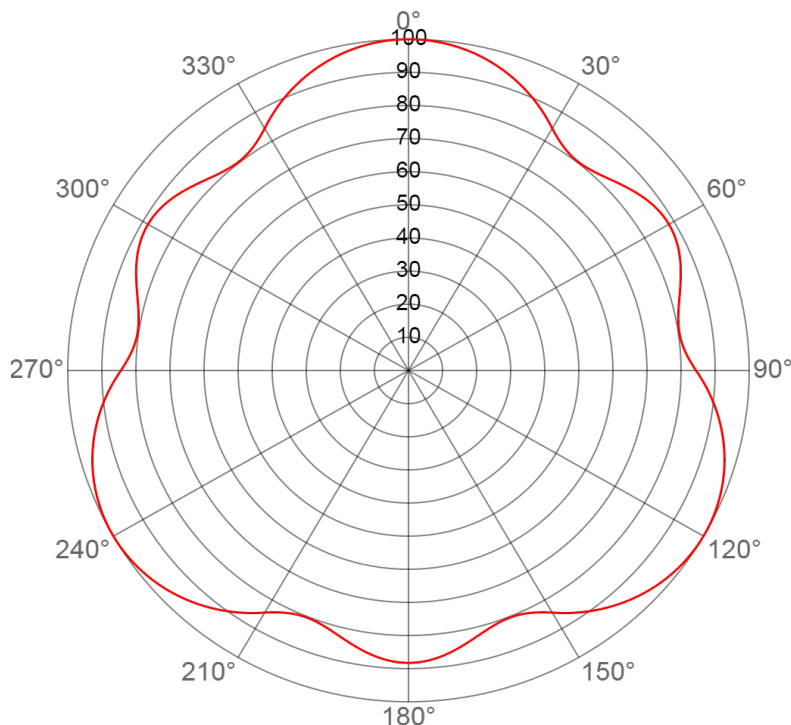
Statement of Engineer

This Engineering Statement supporting a Petition for Rulemaking to add Channel *4 at Jacksonville, Oregon, has been prepared by me or under my direct supervision. All representations herein are true to the best of my knowledge. I am a consulting engineer in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and Colorado.

Signed this 11th day of August, 2023



Erik C. Swanson, P.E.



Horizontal Polarization AZIMUTH PATTERN

Exhibit No.

Date

Call Letters

Channel

Antenna Type

Location

Customer

24 Aug 2023**NEW4****4****THB-O3-2/6-1****Jacksonville, OR**

Gain

Drawing #

1.3 (1.14 dB)**Calculated****THB-O3**

Deg	Value	Deg	Value	Deg	Value	Deg	Value	Deg	Value	Deg	Value	Deg	Value	Deg	Value	Deg	Value	Deg	Value
0	1.000	36	0.806	72	0.839	108	0.974	144	0.899	180	0.883	216	0.899	252	0.974	288	0.839	324	0.806
1	1.000	37	0.804	73	0.834	109	0.978	145	0.890	181	0.882	217	0.907	253	0.970	289	0.845	325	0.810
2	0.999	38	0.803	74	0.828	110	0.982	146	0.882	182	0.881	218	0.915	254	0.965	290	0.850	326	0.814
3	0.998	39	0.803	75	0.823	111	0.986	147	0.873	183	0.879	219	0.922	255	0.960	291	0.856	327	0.820
4	0.997	40	0.804	76	0.818	112	0.989	148	0.863	184	0.877	220	0.929	256	0.954	292	0.861	328	0.827
5	0.996	41	0.807	77	0.813	113	0.991	149	0.854	185	0.874	221	0.936	257	0.949	293	0.866	329	0.835
6	0.994	42	0.810	78	0.810	114	0.994	150	0.844	186	0.870	222	0.943	258	0.943	294	0.870	330	0.844
7	0.991	43	0.813	79	0.807	115	0.996	151	0.835	187	0.866	223	0.949	259	0.936	295	0.874	331	0.854
8	0.989	44	0.818	80	0.804	116	0.997	152	0.827	188	0.861	224	0.954	260	0.929	296	0.877	332	0.863
9	0.986	45	0.823	81	0.803	117	0.998	153	0.820	189	0.856	225	0.960	261	0.922	297	0.879	333	0.873
10	0.982	46	0.828	82	0.803	118	0.999	154	0.814	190	0.850	226	0.965	262	0.915	298	0.881	334	0.882
11	0.978	47	0.834	83	0.804	119	1.000	155	0.810	191	0.845	227	0.970	263	0.907	299	0.882	335	0.890
12	0.974	48	0.839	84	0.806	120	1.000	156	0.806	192	0.839	228	0.974	264	0.899	300	0.883	336	0.899
13	0.970	49	0.845	85	0.810	121	1.000	157	0.804	193	0.834	229	0.978	265	0.890	301	0.882	337	0.907
14	0.965	50	0.850	86	0.814	122	0.999	158	0.803	194	0.828	230	0.982	266	0.882	302	0.881	338	0.915
15	0.960	51	0.856	87	0.820	123	0.998	159	0.803	195	0.823	231	0.986	267	0.873	303	0.879	339	0.922
16	0.954	52	0.861	88	0.827	124	0.997	160	0.804	196	0.818	232	0.989	268	0.863	304	0.877	340	0.929
17	0.949	53	0.866	89	0.835	125	0.996	161	0.807	197	0.813	233	0.991	269	0.854	305	0.874	341	0.936
18	0.943	54	0.870	90	0.844	126	0.994	162	0.810	198	0.810	234	0.994	270	0.844	306	0.870	342	0.943
19	0.936	55	0.874	91	0.854	127	0.991	163	0.813	199	0.807	235	0.996	271	0.835	307	0.866	343	0.949
20	0.929	56	0.877	92	0.863	128	0.989	164	0.818	200	0.804	236	0.997	272	0.827	308	0.861	344	0.954
21	0.922	57	0.879	93	0.873	129	0.986	165	0.823	201	0.803	237	0.998	273	0.820	309	0.856	345	0.960
22	0.915	58	0.881	94	0.882	130	0.982	166	0.828	202	0.803	238	0.999	274	0.814	310	0.850	346	0.965
23	0.907	59	0.882	95	0.890	131	0.978	167	0.834	203	0.804	239	1.000	275	0.810	311	0.845	347	0.970
24	0.899	60	0.883	96	0.899	132	0.974	168	0.839	204	0.806	240	1.000	276	0.806	312	0.839	348	0.974
25	0.890	61	0.882	97	0.907	133	0.970	169	0.845	205	0.810	241	1.000	277	0.804	313	0.834	349	0.978
26	0.882	62	0.881	98	0.915	134	0.965	170	0.850	206	0.814	242	0.999	278	0.803	314	0.828	350	0.982
27	0.873	63	0.879	99	0.922	135	0.960	171	0.856	207	0.820	243	0.998	279	0.803	315	0.823	351	0.986
28	0.863	64	0.877	100	0.929	136	0.954	172	0.861	208	0.827	244	0.997	280	0.804	316	0.818	352	0.989
29	0.854	65	0.874	101	0.936	137	0.949	173	0.866	209	0.835	245	0.996	281	0.807	317	0.813	353	0.991
30	0.844	66	0.870	102	0.943	138	0.943	174	0.870	210	0.844	246	0.994	282	0.810	318	0.810	354	0.994
31	0.835	67	0.866	103	0.949	139	0.936	175	0.874	211	0.854	247	0.991	283	0.813	319	0.807	355	0.996
32	0.827	68	0.861	104	0.954	140	0.929	176	0.877	212	0.863	248	0.989	284	0.818	320	0.804	356	0.997
33	0.820	69	0.856	105	0.960	141	0.922	177	0.879	213	0.873	249	0.986	285	0.823	321	0.803	357	0.998
34	0.814	70	0.850	106	0.965	142	0.915	178	0.881	214	0.882	250	0.982	286	0.828	322	0.803	358	0.999
35	0.810	71	0.845	107	0.970	143	0.907	179	0.882	215	0.890	251	0.978	287	0.834	323	0.804	359	1.000

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ELEVATION PATTERN

Exhibit No.

Date

24 Aug 2023

Call Letters

NEW4

Channel

4

Antenna Type

THB-O3-2/6-1

Location

Jacksonville, OR

Customer

Future fill is available!

RMS Gain at Main Lobe

2.1 (3.22 dB)

RMS Gain at Horizontal

2.1 (3.22 dB)

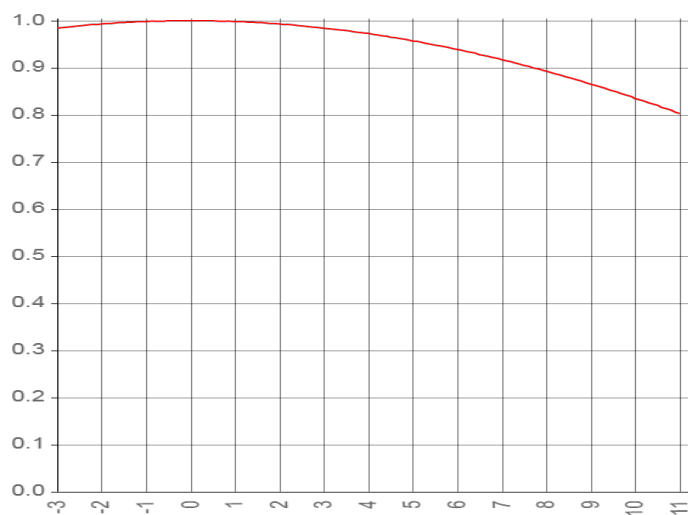
Calculated

Beam Tilt

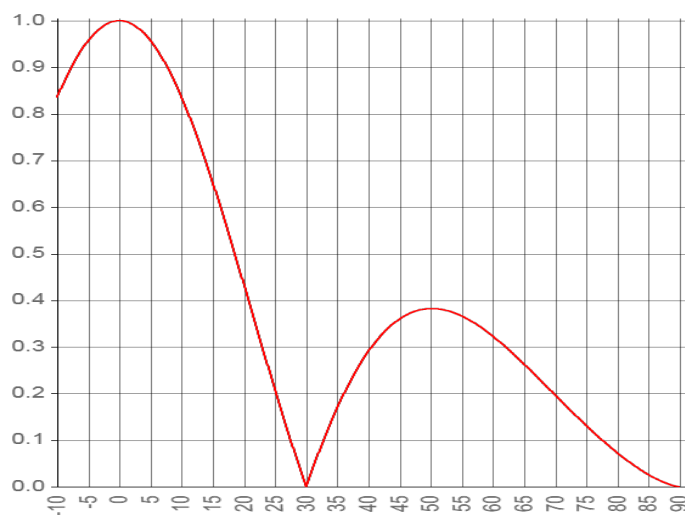
0 Degrees

Drawing #

02H021000



Degrees below horizontal



Degrees below horizontal

Angle	Field	Angle	Field	Angle	Field	Angle	Field	Angle	Field
-10	0.835	10	0.835	30	0.000	50	0.382	70	0.196
-9	0.865	11	0.803	31	0.037	51	0.382	71	0.183
-8	0.893	12	0.768	32	0.073	52	0.380	72	0.170
-7	0.917	13	0.731	33	0.107	53	0.377	73	0.157
-6	0.939	14	0.693	34	0.140	54	0.372	74	0.144
-5	0.957	15	0.652	35	0.170	55	0.366	75	0.131
-4	0.973	16	0.611	36	0.198	56	0.359	76	0.118
-3	0.984	17	0.568	37	0.224	57	0.351	77	0.106
-2	0.993	18	0.524	38	0.249	58	0.343	78	0.095
-1	0.998	19	0.479	39	0.271	59	0.333	79	0.083
0	1.000	20	0.434	40	0.291	60	0.323	80	0.072
1	0.998	21	0.388	41	0.309	61	0.312	81	0.062
2	0.993	22	0.343	42	0.325	62	0.300	82	0.052
3	0.984	23	0.297	43	0.338	63	0.288	83	0.043
4	0.973	24	0.252	44	0.350	64	0.276	84	0.034
5	0.957	25	0.208	45	0.360	65	0.263	85	0.026
6	0.939	26	0.164	46	0.368	66	0.250	86	0.018
7	0.917	27	0.121	47	0.374	67	0.237	87	0.012
8	0.893	28	0.079	48	0.379	68	0.223	88	0.007
9	0.865	29	0.039	49	0.381	69	0.210	89	0.002

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System Summary

Exhibit No.	
Date	24 Aug 2023
Call Letters	NEW4
Channel	4
Antenna Type	THB-O3-2/6-1
Location	Jacksonville, OR
Customer	

Antenna

ERP:	22.0 kW (13.42 dBk)
RMS Gain*:	2.1 (3.22 dB)

Antenna Input Power:	10.5 kW
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Transmission Line

Type:	Transmission Line		
Size:	3-1/8"		
Impedance:	50 ohm		
Length:	120 ft (36.6 m)	Attenuation:	0.1 dB
		Efficiency:	97.82 %

Transmitter Output

10.7 kW (10.30 dBk)

* Gain is with respect to half wave dipole.

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Mechanicals

Exhibit No.

Date **24 Aug 2023**

Call Letters **NEW4**

Channel **4**

Antenna Type **THB-O3-2/6-1**

Location **Jacksonville, OR**

Customer

Preliminary Specifications

Side Mounted

Mechanical Specification without ice TIA-222-G

Basic Wind Speed 90 mph

Structure Class II

Exposure Category C

Topography Category 1

Mechanical Specifications

Height less Lightning Protector (H2) 23.8 ft (7.3 m)

Center of Radiation (H3) 11.9 ft (3.6 m)

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