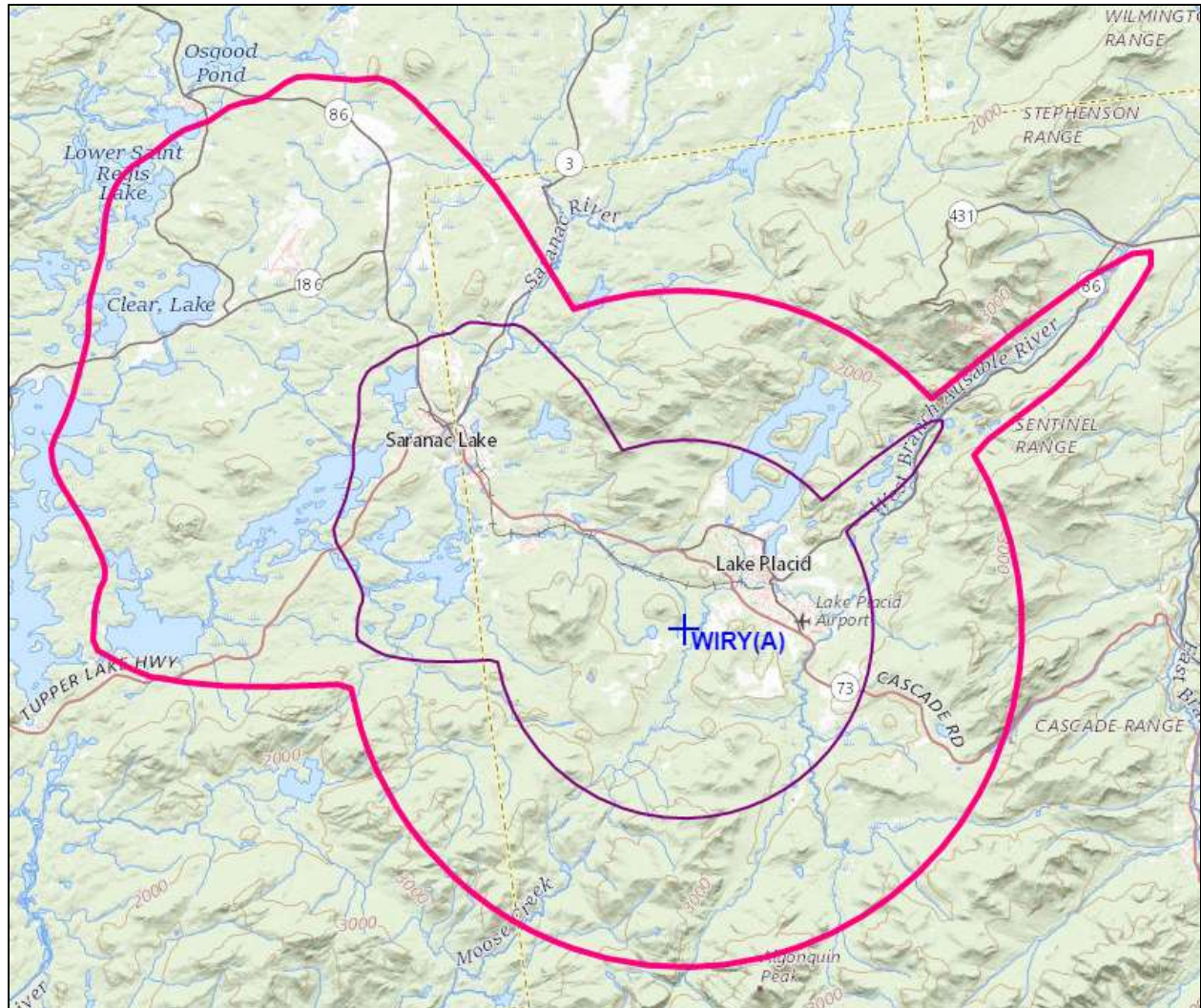




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Minor modification for WIRY-FM  
RAY BROOK, NY  
**RADIOACTIVE, LLC**  
BLH-20110503ABV

## **PROPOSED 60dBu F(50,50) SERVICE CONTOUR**



RAY BROOK, NY – Channel 264A (100.7 MHz) ~ ERP 2.3 kW

Elev: 580 meters ~ RCAGL 54 meters ~ RCAMSL: 634 meters ~ HAAT: -52 meters

Overall tower height: 60.7 meters – ASR: 1305349

NAD83 Latitude: 44° 15' 43.3" NL – Longitude: 74° 01' 20.4" WL

NAD27 Latitude: 44° 15' 43.1" NL – Longitude: 74° 01' 21.9" WL

Allotment Coordinates (NAD83): Latitude: 44° 17' 54" NL – Longitude: 74° 06' 0" WL

R E C NETWORKS  
CHANNEL REPORT

NAD27 LATITUDE: 44 - 15' 43.1" - LONGITUDE: 74 - 01' 21.9"  
CHANNEL: 264 - CLASS: A

CHAN	FREQ	CALL	LOCATION	CLS	DIST	REQ	CLEAR	BEAR
261	100.1		BELLEVILLE	ON B	254.2	69.0	185.2	272.3
:								
261	100.1	WUPE-FM	NORTH ADAMS	MA A	190.2	31.0	159.2	155.7
:		TOWNSQUARE MEDIA	PITTSFIELD LICENSE, LLC					
261	100.1		MONTREAL	QU A	142.3	42.0	100.3	13.6
:								
261	100.1		LASALLE	QC A1	134.2	40.0	94.2	14.4
:								
261	100.1		LASALLE	QU A	132.7	42.0	90.7	12.2
:								
261	100.1		VAUDREUIL-DORION	QU A	128.2	42.0	86.2	359.1
:								
261	100.1	WPNH-FM	PLYMOUTH	NH A	188.2	31.0	157.2	107.3
:		NORTHEAST COMMUNICATIONS CORPORATION						
261	100.1		TROIS-RIVIERES	QU C1	259.2	90.0	169.2	25.8
:								
262	100.3	WFFG-FM	WARRENSBURG	NY B1	95.9	48.0	47.9	167.3
:		6 JOHNSON ROAD LICENSES, INC.						
264	100.7	WTHK	WILMINGTON	VT A	169.8	115.0	54.8	148.2
:		GREAT EASTERN RADIO, LLC						
264	100.7	CBFFM	MONTREAL	QC C1	142.3	243.0	-100.7	13.6
:								
264	100.7	WIRY-FM	PLATTSBURGH WEST	NY C3	65.2	142.0	-76.8	29.7
:		RADIOACTIVE, LLC						
:		> Currently licensed facility						
264	100.7	WUTQ-FM	UTICA	NY A	165.7	115.0	50.7	215.0
:		ROSER COMMUNICATIONS NETWORK, INC.						
264	100.7	WEFX	HENDERSON	NY A	172.9	115.0	57.9	254.1
:		COMMUNITY BROADCASTERS, LLC						
265	100.9	WWFY	BERLIN	VT C3	124.7	89.0	35.7	96.5
:		GREAT EASTERN RADIO, LLC						
267	101.3	WBRV-FM	BOONVILLE	NY A	139.7	31.0	108.7	229.9
:		THE FLACK BROADCASTING GROUP L.L.C.						
267	101.3	WYKR-FM	HAVERHILL	NH A	164.0	31.0	133.0	95.1
:		PUFFER BROADCASTING, INC.						
267	101.3	WCPV	ESSEX	NY A	49.7	31.0	18.7	71.1
:		VOX AM/FM, LLC						
267	101.3	WCPV	ESSEX	NY A	49.5	31.0	18.5	71.2
:		VOX AM/FM, LLC						
267	101.3	WJKE	STILLWATER	NY A	141.6	31.0	110.6	168.8
:		EDUCATIONAL MEDIA FOUNDATION						
267	101.3		MONT TREMBLANT	QU B	221.5	69.0	152.5	349.3
:								

## **ABOUT THIS APPLICATION**

WIRY-FM  
Ray Brook, NY  
Channel 264A (100.7 MHz)

This application is a minor change in accordance with §73.3573(a)(2) as it involves a community of license change and operation in a lower class. This application is a part of a three-station move which will result in a net population and the introduction of a first local transmission service in Ray Brook, New York. This application is related to modifications filed for WSLP, Saranac Lake, New York and WPLA, Dannemora, New York. Full details about the overall move can be found in the §307(b) showing included with this application.

The facility specified in this application meets all distance separation requirements in respect to §73.207 for domestic facilities. The proposed facility is short-spaced internationally with CBF-FM, Montreal, Quebec. We will address this short-spacing.

### **CBF-FM**

The proposed facility is §73.208(b)(2) co-channel short-spaced to CBF-FM, Montreal, Quebec. This is a Class C1 facility operating at reported parameters of 100 kW at 335 meters HAAT. As demonstrated in this exhibit, the 34 dBu interfering contour of the proposed facility does overlap the 54 dBu protected contour of CBF-FM however, the 34 dBu interfering contour of the proposed facility does not cross into Canada. Therefore, the proposed facility is not predicted to cause interference to CBF-FM on Canadian soil. Therefore, it can be concluded that this proposal complies with the US/Canada Agreement.

### **§73.315 COMMUNITY COVERAGE / NEW COMMUNITY OF LICENSE**

As a part of this three-way move, WIRY-FM is proposing to specify Channel 264A at Ray Brook, New York in lieu of Channel 264C3 at Plattsburgh West, New York. This will be the first local transmission service for Ray Brook.

Ray Brook is an unincorporated hamlet. Despite that, Ray Brook does have its own post office (ZIP Code 12977). The US Census Bureau attributes a population of 1,849 to this ZIP Code.<sup>1</sup> Within Ray Brook, the following businesses identify with the community:

- Ray Brook Brewhouse, 1153 NY Highway 86, Ray Brook, NY 12977
- Curtis Lumber, 1134 New York 86, Ray Brook, NY 12977

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<sup>1</sup> Of that population, 398 persons are inmates at Adirondack Adolescent Offender Facility (<https://doccs.ny.gov/system/files/documents/2019/05/acapreaadironackcfreport.pdf>) and 731 persons are inmates at Federal Correctional Institute Ray Brook ("FCI Raybrook") (see [https://www.bop.gov/locations/institutions/rbk/prea\\_rbk.pdf](https://www.bop.gov/locations/institutions/rbk/prea_rbk.pdf)). We do note that at FCI Ray Brook, radio receivers are sold in the Commissary, thus meaning that radios are not considered contraband and that up to 731 inmates would have access to an FM radio. ([https://www.bop.gov/locations/institutions/rbk/RBK\\_CommList.pdf](https://www.bop.gov/locations/institutions/rbk/RBK_CommList.pdf)) Based on the data from the correctional institutions, there would be a population 720 persons who are not inmates that can attributed to Ray Brook.

- Wiley's Flies, 12977 Sara-Placid Rd., Ray Brook, NY 12977
- High Peaks Ford, 1190 NYS Rt. 86, Ray Brook, NY 12977
- Tractor Supply Company, 1073 NYS Route 86, Ray Brook, NY 12977
- Tail O' the Pup Restaurant, 1186 NY-86, Ray Brook, NY
- Ray Brook Sonoco, 1108 NY-86, Ray Brook, NY 12977

Civic and political services in Ray Brook include:

- Adirondack Park Agency (State of New York), 1133 NY-86 Ray Brook, NY 12977
- NYS Department of Environmental Conservation, Region 5 Headquarters, 1115 NYS Rt. 86, Ray Brook, NY 12977.
- New York State Police, Troop B Headquarters, 1097 NYS Route 86, Ray Brook, NY 12977
- Adirondack Adolescent Offender Facility, 196 Ray Brook Rd., Ray Brook, NY 12977
- Federal Correctional Institute Ray Brook, 128 Ray Brook Rd., Ray Brook, NY 12977

The Commission has previously found that due to the lack of indication of any political, social, economic, cultural or religious organizations that identify themselves with that locality nor any testimony from local residents attesting to a locality's status, it would not be in the public interest to allot a channel to the subject locality.<sup>2</sup> The Commission also takes into consideration, identity or street addresses of businesses in the area as well as official documentation to support the population it attributes to the proposed community.<sup>3</sup>

In contrast with *Littlefield* and *Mountainaire*, the Petitioner is providing information on this community, the services that it provides and its position as a cluster of major employment centers for various public sector agencies.<sup>4</sup>

Based on the information provided in the record, that it would be in the public interest to allot Channel 264A at Ray Brook, NY as its first transmission service, triggering Priority (3) and as such, show continued interest through the minor modification application for WIRY-FM specify operation at Ray Brook in lieu of Plattsburgh West.

The entire community of Ray Brook, as defined by the Ray Brook (12977) ZIP Code Tabulation Area (ZCTA) boundary is within the 70 dBu community coverage contour of the proposed facility. There are no urbanized areas within the community contour.

More information on the overall three-way facility move as well as supporting documentation for the claim of Ray Brook as a community for allotment purposes can be found in the §307(b) Study attached to the instant application.

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<sup>2</sup> See *Mountainaire, Arizona*, Report and Order, 15 FCC Rcd. 3021-3022 (MMB, *denied* 2000).

<sup>3</sup> See *Littlefield, Arizona*, Report and Order, 15 FCC Rcd. 10263 (MMB, *denied* Apr. 5, 2000; *recon. denied* Oct. 25, 2000, *see* 15 FCC Rcd 21547; *review denied* Feb. 20, 2002, *see* 17 FCC Rcd 3729).

<sup>4</sup> See Appendix, *infra*.

§73.3555 COMPLIANCE

Radioactive, LLC is the licensee of the following broadcast facilities:

- KMML, Cimarron, Kansas (Facility ID #164238)
- KRMR, Hays, Kansas (Facility ID #164239)
- WKFC, North Corbin, Kentucky (Facility ID #164241)
- WXMS, Au Sable, New York (Facility ID #164249)
- WBLH, Black River, New York (Facility ID #164250)
- WPLA, Dannemora, New York (Facility ID #164251) (proposed change in community of license to Plattsburgh West, New York)
- WIRY-FM, Plattsburgh, New York (instant facility)

WBLH(FM), WPLA(FM) and WIRY-FM are all located in the Burlington-Plattsburgh VT/NY Nielsen Audio metro market. With this change, WIRY-FM will remain inside the Burlington-Plattsburgh market thus there would be no increase in ownership.

Even with the departure of North Country Radio's WSLP, which is part of this three-way move; Radioactive, LLC has only three stations in this metro, thus meeting the requirements, even if the market was to have less than 14 stations in it.

Therefore, it can be concluded that Radioactive, LLC will remain in compliance with §73.3555 in this market.

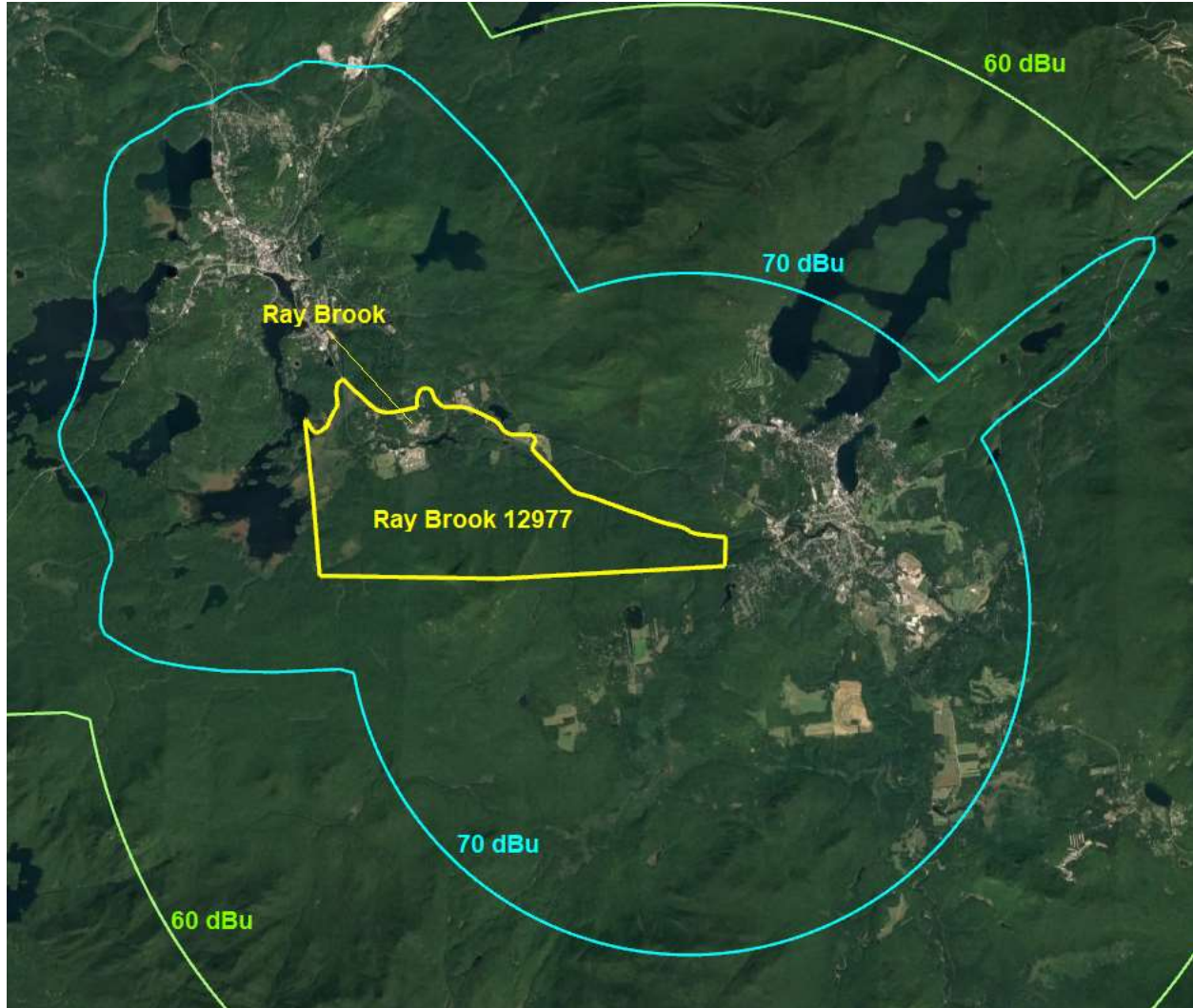
Prepared by,

/S/  
Michelle Bradley  
REC Networks  
202 621-2355

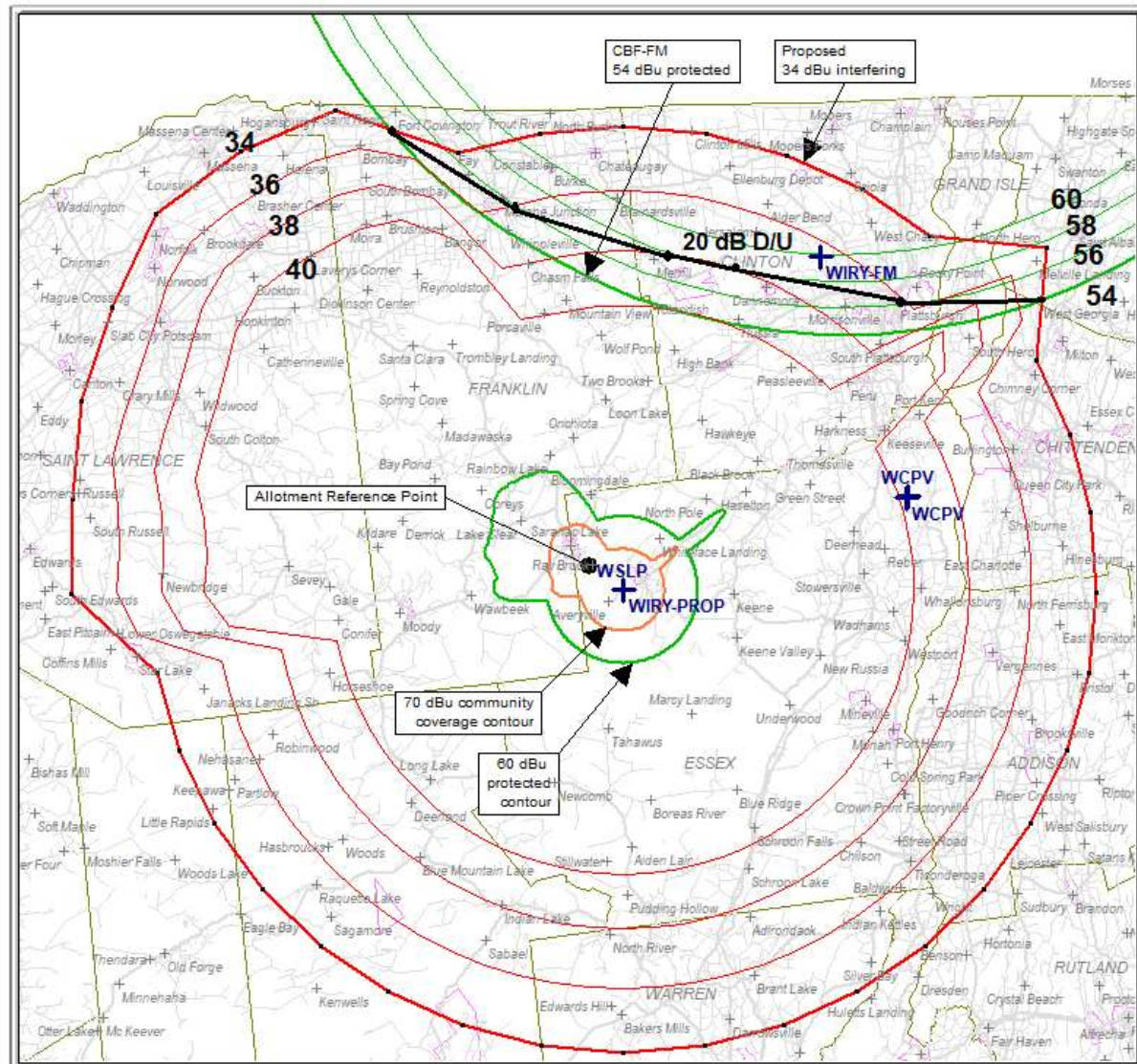
April 15, 2020



**§73.315 COMMUNITY COVERAGE SHOWING**



## §73.315 and Canada Agreement Compliance



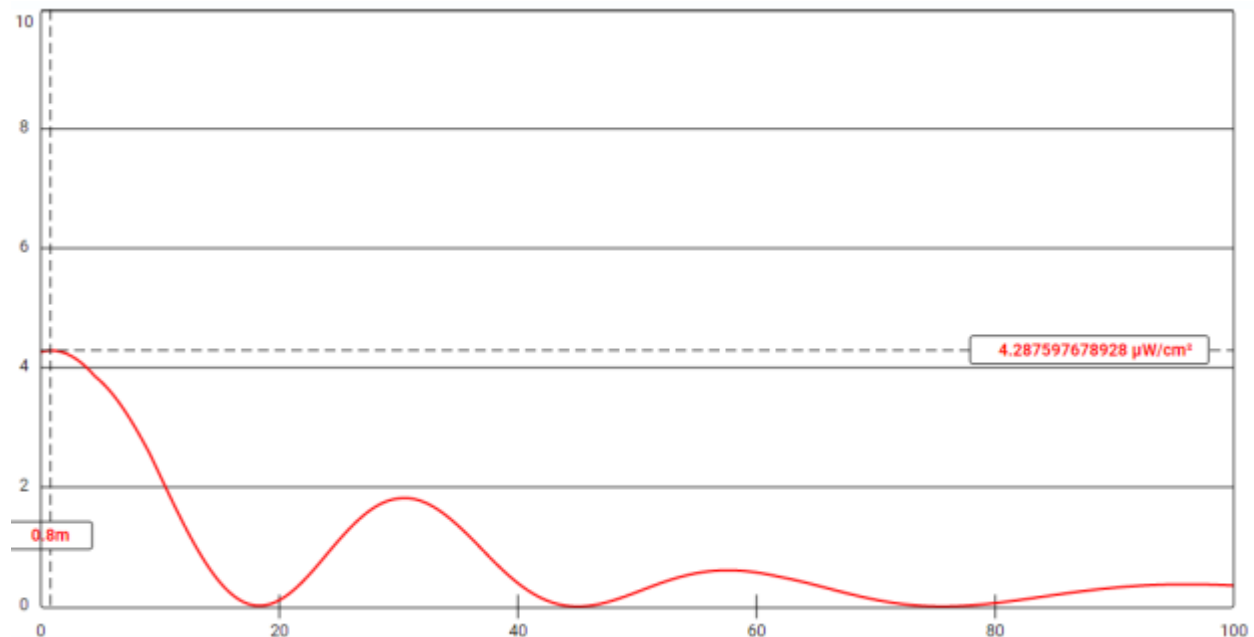
WIRY-FM (APP) Ray Brook, NY

## NEPA COMPLIANCE

WIRY-FM  
Ray Brook, NY  
Channel 264A (100.7 MHz)

The instant application is proposed for 2.3 kW effective radiated power horizontal and vertical utilizing the 6-bay, 0.884 wavelength-spaced antenna currently used by WSLP, which is moving to Warrensburg as part of the three-way minor change. The radiation center is 54 meters above ground level.

Currently, WSLP operates at 7.1 kW using this antenna, therefore this change will result in an overall reduction of power density at the proposed site. Using the Commission's FM MODEL software, it has been determined that there will be no point where the power density would exceed  $4.3 \mu\text{W}/\text{cm}^2$ .<sup>5</sup> This value is well within the general population/uncontrolled exposure guideline of  $200 \mu\text{W}/\text{cm}^2$ .



The proposed facility shares a tower with WLPW, Lake Placid, New York, which operates at 7.1 kW horizontal and vertical at 51 meters above ground level with a 6-bay circularly polarized antenna with 1.06 wavelength spacing. WLPW's peak power density has been measured using FM MODEL to be  $119.9 \mu\text{W}/\text{cm}^2$ . There are no other neighboring towers that require consideration.

<sup>5</sup> The power density for the current 7.1 kW facility using this antenna is  $13.2 \mu\text{W}/\text{cm}^2$ .



As the overall power density does not exceed  $200 \mu\text{W}/\text{cm}^2$  at any point, the proposal is well within the general population/uncontrolled exposure guideline and therefore a field RF exposure study should not be required.

Report prepared by:

/S/

Michelle Bradley, CBT  
REC Networks

April 12, 2020