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# REQUESTS FOR WAIVER OF RULE

## Transmission Frequency

WHKA FM 87.7 Inc. respectfully requests a waiver with regard to 47 CFR Sections 73.310, 73.805, 73.201, 73.501, and 73.512 of the Commission's rules. As noted in this exhibit, this application is to propose a new LPFM facility to provide noncommercial educational radio service operating on FM channel 199 (87.7 MHz).

Unfortunately, the close geographical nature of Connecticut has resulted in no open frequencies for new LPFM service anywhere in Mansfield, or any neighboring communities, according to available resources. The FCC recognizes this difficulty for full-service stations and has allowed them to use FM channel 200 (87.9 MHz) as outlined in 73.512(a)(2). However, the only invocations of that section, for (D)KSFH and K200AA, were in West Coast communities where the closest-distance adjacent stations used FM channel 202 (88.3 MHz).

In Connecticut and neighboring markets, there is a higher concentration of stations on FM channel 201 (88.1 MHz) AND less Channel 6 TV stations, which affords 87.7 MHz the better choice to avoid interference.

There is a considerable public interest benefit for radio stations on FM 87.7, coupled with all of the initiatives of the LPFM service. We want to establish a broadcast that serves our community without commercial input.

It is also understood that the 82 to 88 MHz band was traditionally allocated to Channel 6 TV stations with an audio carrier at 87.7 MHz. Many of these facilities took advantage of their dial positions, run as radio stations during the analog era. This year, the Commission codified rules which allow "FM6" operations to continue in a hybrid digital transmission format, following a period of special temporary authority and other experiments.

FCC Chairwoman Jessica Rosenworcel said specifically of the local radio stations on FM 87.7, offering services similar to what we propose in this application: *"These are small stations that are a big deal to their listeners ... In a world where content feels like it is everywhere, there is still something special about local radio and a signal in the air."*

The public greatly values the audio service of active radio stations on FM 87.7 and that of LPFM stations. In an isolated area such as Storrs-Mansfield, the establishment of a new LPFM station operating on FM 87.7 would allow for further community connections, diversity in media consumption, and educational advancement.

***This application erroneously marks FM channel 201 (88.1 MHz) as the desired frequency due to limitations of the Licensing and Management System portal. Any automatic or calculated reference to FM channel 201 should NOT be considered, and re-evaluated on the basis of this request for a waiver to operate on FM channel 199 (87.7 MHz).***

*Mr. Jim Bradshaw confirmed via phone conversation in September 2023 that an application filed in this fashion, with this written request and other required documentation, would be considered fairly by the Media Bureau in the LPFM process.*

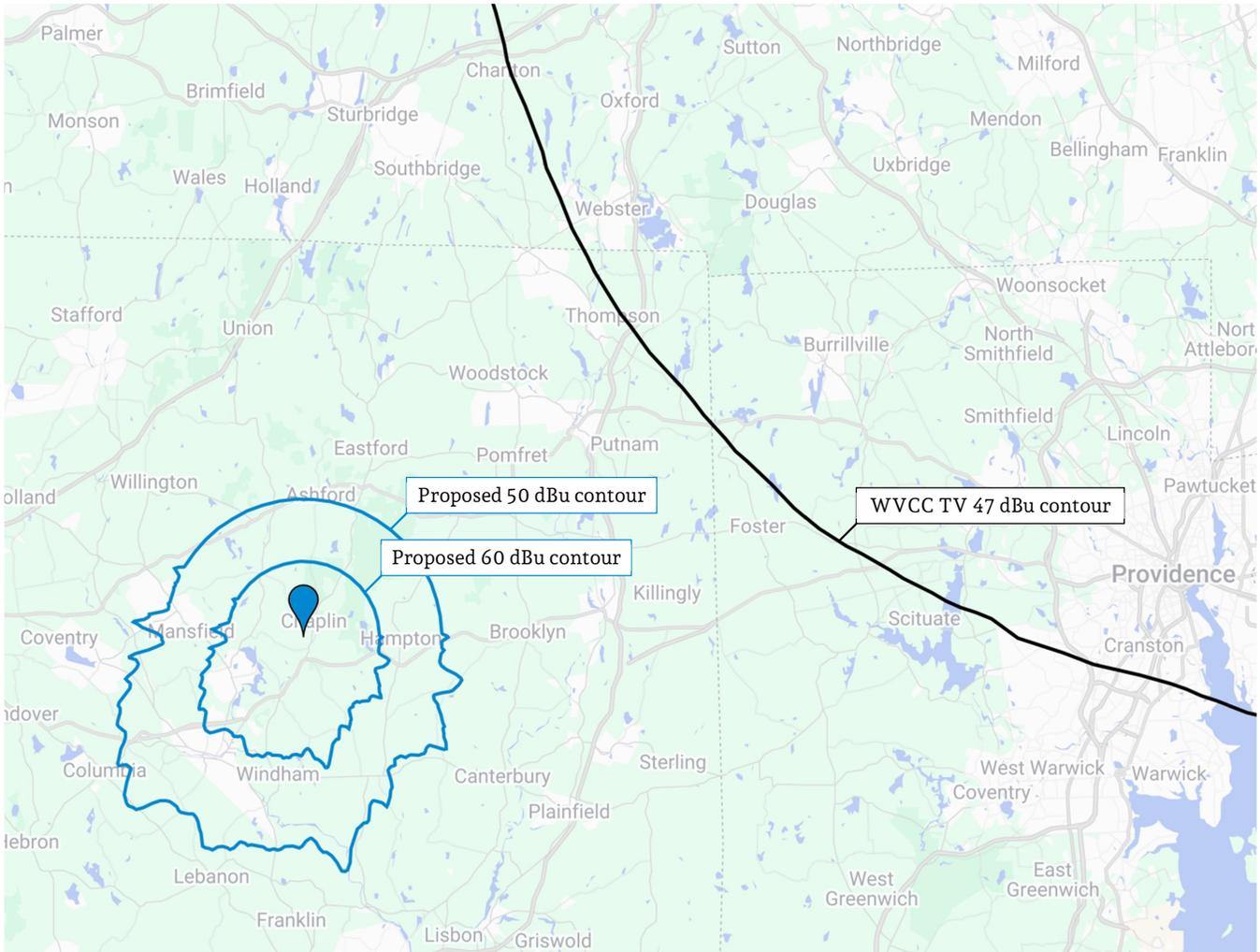
## Channel 6 Distance Separation

WHKA FM 87.7 Inc. also respectfully requests a waiver with regard to 47 CFR Section 73.825 and 74.1205 of the Commission's rules. There are no Channel 6 TV stations in the proposed area of service. The closest, WVCC Westmoreland (Facility No. 186686), is 95.38 kilometers distant from the proposed LPFM tower site.

The requested facility's 50 dBu interference contour lies completely outside of WVCC's 47 dBu contour, satisfying the method of protection outlined in 74.1205(c). Additionally, the legal representative of WVCC has provided a statement concurring that the proposed station will not cause any objectionable interference.

*It is also important to note that while WVCC is licensed to Westmoreland, NH, its facilities are located in Needham, MA.*

## Contour Separation with WVCC TV



Direction:	True North: 52.4° Magnetic North: 66°
Field Strength at Site:	30.11 dBu
Signal Margin:	2.11 dB



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## WHKA FM 87.7 - Coordination with WVCC TV

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**Dan Alpert** <dja@commlaw.tv>  
To: "WHKA FM 87.7" <hackerairwaves@gmail.com>  
Cc: "Scott Centers" <scenters@newsnetmedia.com>

Mon, Dec 11, 2023 at 2:12 PM

Mr. Boots:

I've attached a BNA file from our engineer that you should be able to use to plot that in your software. There is about 30 km of clearance from their planned transmitter site to the WVCC 47 dBu F(50,50) contour, which lands at about the same place as the 43 dBu F(50,90) contour you have plotted already. Your 100 watt ERP is not going to have any material effect on WVCC, so we have no objection to it.

An e-mail message from:

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 **wvcc47.bna**  
10K