



### Exhibit 11-3

## Waiver Request for 2nd adjacent Spacing

(Sioux Falls, SD Proposal, channel 286, 105.1 MHz)

4/8/2004

### Refuge Media Group respectfully requests waiver of 47 C.F.R. § 74.1204(g)

This application is 53 channels (I.F.) removed from Station KCFS. The distance from this proposal's location to KCFS's transmitting facility is *less* than what is required pursuant to § 74.1204(g). However, pursuant § 74.1204(d), an application otherwise precluded by section 74.1204 will be accepted if it can be demonstrated that no actual interference will occur due to intervening terrain, lack of population or such other factors as may be applicable. In this case we wish to show that interference won't occur because of *lack of contour overlap*. The minimum distance pursuant to 74.1204(g) between these stations (both treated as Class A) is 10 km.\* However, this distance is determined based on **maximum** Class A Facilities (6 kW @ 100 m HAAT.) Since neither station is even close to a maximum Class A facility, Refuge Media Group (RMG) requests waiver of 74.1204(g) based on *actual* contour coverage.

#### KCFS

Channel 233A (94.5 MHz)

43° 31' 57" NL, 96° 44' 20" WL

RCAMSL: 496m

RCAGL: 39 meters

Bearing to K286AP: 292° True

ERP: 0.150 kW (H) 0.000 (V)

HAAT @ 292° True: 43.9 meters

**Distance to K286AP: 8.1 km**

**Distance to 91 dBu F(50,50) contour: 1.2 km**

**Dist. to 91 dBu F(50,10) contour: 1.2 km**

**Dist. to 91 dBu F(50,50) contour if full Class A facility: 4.8 km**

**Dist. to 91 dBu F(50,10) contour if full Class A Facility: 4.8 km**

#### K286AP

Channel 286FX (105.1 MHz)

43° 33' 37" NL, 96° 49' 53" WL

RCAMSL: 502 meters

RCAGL: 59 meters

Bearing to KCFB: 112° True

ERP: 0.250 kW (H & V)

HAAT: @ 112°: 58.3 m

**Distance to KCFS: 8.1 km**

**Distance to 91 F(50,10) contour: 1.7 km**

**Distance to 91 F(50,50) contour: 1.7 km**

As computed using the tables above, the contours clear each other by 5.2 km. Also shown is the 91-dBu-service contour of KCFS as a full-Class A Facility (6kW @ 100 m HAAT.) As shown even if KCFS were a full Class-A facility, the contours still clear each other by 1.6 km. Therefore a grant of this proposal would not cause *actual* interference to KCFS, even if it were to upgrade to full Class-A facilities. (SEE contour Map on Page 2 of this exhibit.)

**NOTE:** In the event any real world interference should occur to KCFS or any other station, Refuge Media Group certifies to comply with 47 C.F.R. § 74.1203 concerning actual interference.

\*I.F. distance requirements in § 73.207 are determined by the *maximum* sum of the computed distances to the 91 dBu F(50,50) and the 91 dBu F(50,10) contours of each class of station. All distances in Table A of that section are based on Maximum facilities for each class. Translators use contours to determine required distance for co-channel and 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> adjacent separation, however for I.F. separations translators 100 to 250 watts are treated as **full class A** facilities (6,000 watts @ 100 meters HAAT.) RMG is asking to use **actual** facilities to determine the minimum distance separation requirement for this proposal.

## Exhibit 11-3

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**Map showing lack of Contour Overlap**

