Compliance with Special Operating Conditions

There are several special operating conditions or restrictions contained within the station license. EMF's compliance with these is outlined below:

1. EMF will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.

2. EMF has been granted a waiver of the main studio location rules (47 C.F.R. Section 73.1125) to operate this facility as a satellite operation of KLVR(FM) [Facility ID 18801], Santa Rosa, CA. See also Exhibit 6.

3. Due to an error in rounding, the Construction Permit Application was filed for this site specifying a 12-bay 0.9 wavelength spacing ERI (EPA Type 3) antenna rather than the 12-bay 0.926 wavelength spacing ERI (EPA Type 3) antenna that is actually installed at the site and was intended to be used all along. Further, EMF has used an antenna with -0.435° electrical beam tilt in order to improve coverage.

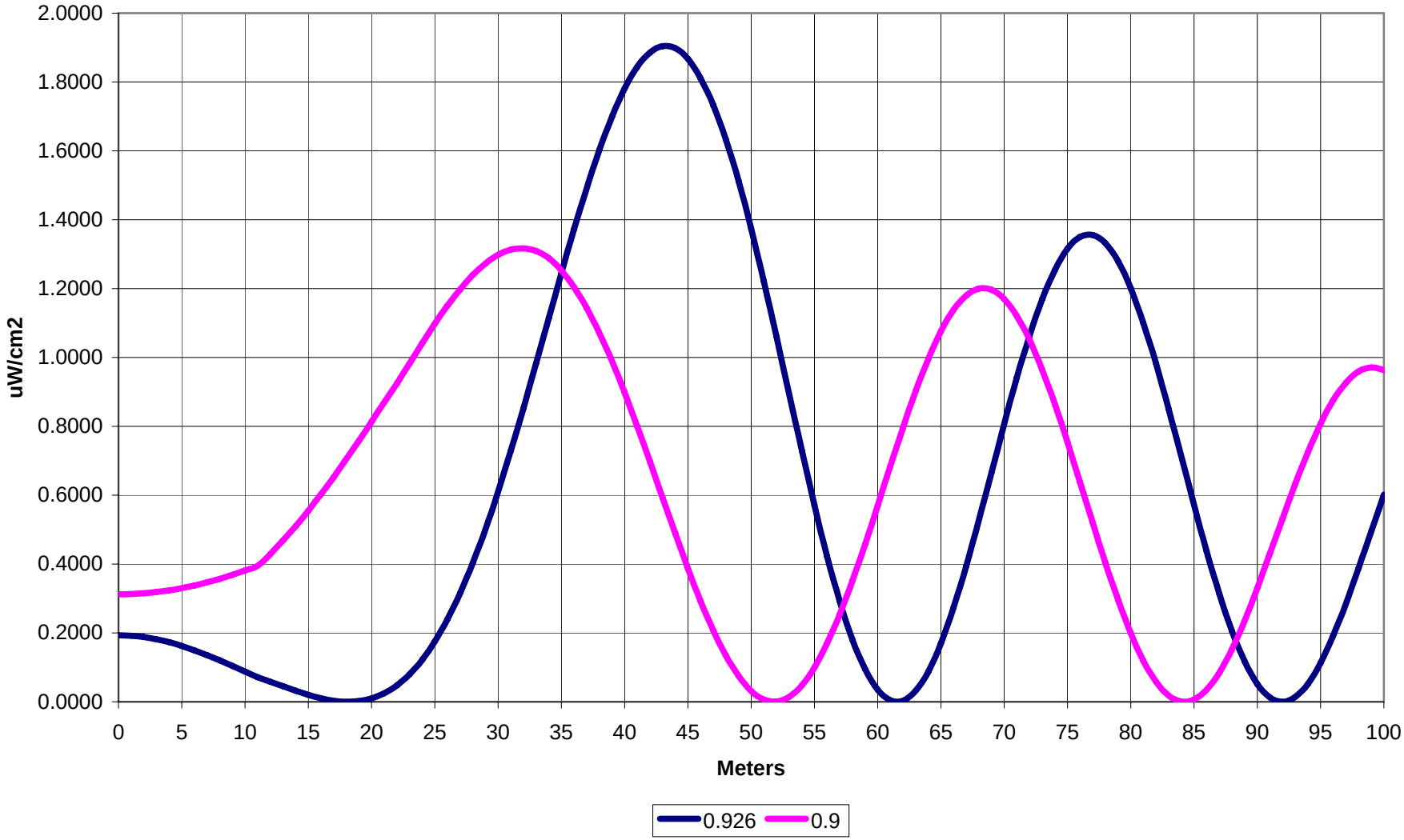
   Because a change in bay spacing changes the location of the nulls, an analysis of the two was prepared. The results show that overall the 0.926λ antenna produces less RF at 2 meters above the ground (the sum of the values from 0 to 100 meters from the based of the tower is 1.13 $\mu W/cm^2$ less than the 0.9λ antenna). However, as can be seen in Graph 1, the 0.926 antenna produces areas that have slightly more RF, specifically 36 through 57 meters and 72 through 88 meters (inclusive) from the base of the tower. The largest increase is 1.53 $\mu W/cm^2$ at 47 meters from the tower. Graph 2, which is scaled to the uncontrolled exposure limits of OET-65, shows that this small change creates less than a 1% change in compliance, and can be considered *de minimus*.

   It should be noted that the maximum theoretical value that EMF produces with the 0.926λ antenna is 1.9043 $\mu W/cm^2$, or 0.95% of the 200 $\mu W/cm^2$ uncontrolled (public) exposure limit of OET-65. This value falls below the 5% "threshold of responsibility" specified in 47 C.F.R. 1.1307(b) and 1.1307(b)(3). Therefore, KQLV could be considered "categorically excluded" from providing an Environmental Assessment.

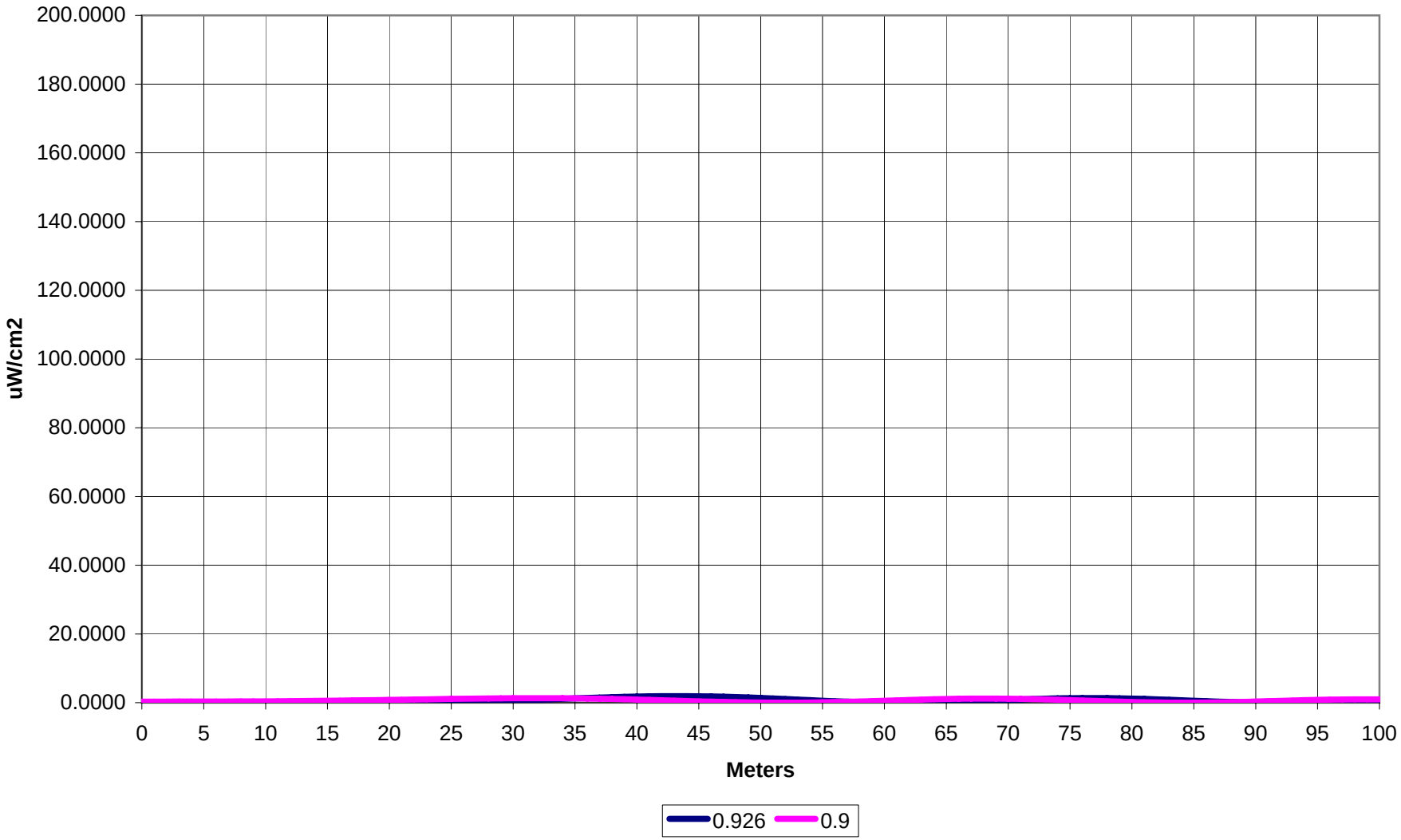
   Additionally, the maximum theoretical value created by ALL facilities (EMF using the 0.926λ antenna) is 25.27 $\mu W/cm^2$, which is 12.63% of the uncontrolled limit. Graph 3 shows the theoretical calculations for all facilities individually and combined, as well as the overall site RF relationship to the uncontrolled exposure limits of OET-65.

   Therefore, EMF believes KQLV to fully comply with the requirements of both OET-65 and the Construction Permit, and respectfully requests that automatic program test authority be reinstated.

Graph 1
Comparison of 0.9 and 0.926 antennas



Graph 2
Comparison of 0.9 and 0.926 antennas



Graph 3
Overall Site RF