

[Exhibit 12]

## **Non-Interference Compliance**

For an Open Site

Regarding FCC File Number: BNPFT-20030317DJS

### **Description of Exhibit 12 Contents**

This exhibit demonstrates that the proposed facility complies with contour overlap and interference protection provisions in all the applicable rule sections and that this application for a construction permit is in full compliance with 47 CFR 74.1204.

Page 2 of this exhibit is an explanation of the tabulated data, which is included as evidence on page 3 of this exhibit.

Page 3 of this exhibit is the tabulated data from the interference analysis, which shows all stations that this application must consider for contour protection. These tabulated values were generated using high resolution 3 arc second terrain data for the best possible accuracy.

**Let it be noted that should any actual real world interference occur, the applicant certifies that it will promptly suspend operation of this translator in accordance with 47 CFR 74.1203.**

## **Explanation of Frequency Finder Results**

The interference analysis for this application was performed using the "Frequency Finder" module in RadioSoft's Comstudy, version 2.2.

Frequency Finder analyzes data taken directly from the FCC's FM database and looks for prohibited overlap with contours of adjacent stations and prohibited proximity to stations 53 or 54 channels from the proposed station (IF) using 3 arc second terrain data and the FCC's contour algorithms. The results tabulated are the stations returned from that analysis. (Note: Because Comstudy was looking at the FCC's FM database, it took into account the proposed translator when doing the analysis and returned it in the tabulated results. For the sake of simplicity, that record has been deleted from all tabulated results.)

The first several columns of the table are self-explanatory. They give various data on the stations in question. The column labeled "Clr" gives the proposed translator's "clearance" with respect to the tabulated station, either in dB or km. The values listed with no units are given in km and are for stations located on an IF to the proposed site's channel.

**A negative value in the "Clr" column does NOT necessarily represent prohibited contour overlap as explained below.**

A negative value listed in the "Clr" column would indicate either overlap of interference and protected contours or prohibited proximity to an IF station except in the following situations:

- Since the proposed station's Effective Radiated Power (ERP) is 10 watts, a negative value in km (no units listed in the table) does not represent a violation of the CFR, according to 47 CFR 1204(g), which states that "FM translator stations and booster stations operating with less than 100 watts ERP will be treated as class D stations and will not be subject to intermediate frequency separation requirements."

- A second or third adjacent LP100 station cannot represent a violation of the CFR, as 47 CFR 74.1204(a)(4) requires protection of only co-channel and first adjacent LP100 stations.

- 47 CFR 74.1204(a) requires only the protection of "AUTHORIZED commercial or noncommercial educational FM broadcast stations, FM translators, ..." Any entry with a status listed as "RSV," "USE" or "APP" does not represent an authorized station and therefore is not protected under 47 CFR 74.1204. The one exception is the case of LP100 applications. The note to 47 CFR 74.1204(a)(4) states that "LPM applications and permits that have not yet been licensed must be considered as operating with the maximum permitted facilities." Therefore, any first adjacent or co-channel LP100 station, no matter the status, is protected.

Callsign	State	City	Channel	ERP_w	Licensee	AGL_m	Facility_id	Class	Status	Distance_km	Clr
WKLS	GA	ATLANTA	241	99000	CITICASTERS LICENSES, L.P.	311	11275	C	LIC	84.55	2.07 dB
NEW	GA	ATHENS	296	19	GEORGIA-CAROLINA RADIOCASTING COMPANY, LLC	71	155826	D	APP	6.93	6.9
NEW	GA	WINDER	243	10	RADIO ASSIST MINISTRY INC.	134	146804	D	APP	31.88	15.73 dB
NEW	GA	COMMERCE	243	19	RADIO TRAINING NETWORK, INC.	55	147405	D	APP	37.46	18.60 dB
WGOG	SC	WALHALLA	242	6000	APPALACHIAN BROADCASTING CO., INC.	187	2462	A	LIC	112.47	23.02 dB
WKSP	SC	AIKEN	242	17500	CAPSTAR TX LIMITED PARTNERSHIP	228	46966	C2	LIC	141.41	25.72 dB
WYNF	GA	GRAY	243	8000	CLEVELAND RADIO LICENSES, LLC	157	29128	C3	LIC	107.44	26.02 dB
WQZY	GA	DUBLIN	240	88000	STATE BROADCASTING CORPORATION	284	62474	C1	LIC	157.57	28.70 dB
WQZY	GA	DUBLIN	240	100000	STATE BROADCASTING CORPORATION	284	62474	C0	APP	157.57	28.14 dB
WGOG	SC	WALHALLA	242	0	APPALACHIAN BROADCASTING CO., INC.	0	2462	A	USE	113.45	33.09 dB
W237AR	NC	HAZELWOOD, ETC.	241	115	WESTERN NORTH CAROLINA PUBLIC RADIO	232	71881	D	APP	176.49	34.60 dB
NEW	GA	PITTSBURG	243	10	WAY-FM MEDIA GROUP, INC.	102	141220	D	APP	71.12	34.12 dB
WDOD-FM	TN	CHATTANOOGA	243	100000	WDOD OF CHATTANOOGA, INC.	110	71351	C	CP	222.99	35.60 dB
WDOD-FM	TN	CHATTANOOGA	243	100000	WDOD OF CHATTANOOGA, INC.	110	71351	C	LIC	222.99	35.60 dB
NEW	GA	DUBLIN	242	10	RADIO ASSIST MINISTRY, INC	226	146652	D	APP	154.9	37.18 dB
NEW	SC	ANDERSON	243	55	AUGUSTA RADIO FELLOWSHIP INSTITUTE, INC	49	138403	D	APP	99.11	37.08 dB
WBZY-FM	GA	PEACHTREE CITY	244	2150	CITICASTERS LICENSES, L.P.	152	61142	A	LIC	114.46	37.77 dB
WAKB	GA	WRENS	245	750	RADIO ONE OF AUGUSTA, LLC	409	15849	C3	LIC	127.66	38.51 dB
NEW	GA	ELBERTON	240	19	RADIO TRAINING NETWORK, INC.	64	147255	D	APP	54.23	38.60 dB
900416MJ	GA	GRAY	243	0	DEBBIE R. HART	0	16267	C3	USE	80.36	38.97 dB
WKSP	SC	AIKEN	242	0	CAPSTAR TX LIMITED PARTNERSHIP	0	46966	C2	USE	151.19	39.63 dB