

The Center for Education Nonprofit Corp. (“CENC”), the applicant herein, hereby certifies that its proposed new NCE-FM station at Eldorado, Texas (the “Station”), will provide a first noncommercial educational reserved channel FM service to at least 10 percent of the people residing within the Station’s 60 dBu (1Mv/M) service contour and to a minimum of 2,000 people. Specifically, as detailed on pages 4 and 5 and Figure 7 of the attached Technical Exhibit, **the Station’s 60 dBu service contour will provide service to 31,602 persons, including 3,224 persons (10.2 percent of persons residing within the Station’s 60 dBu contour) who will receive a first reserved channel NCE-FM reserved from the Station.** This fact should provide CENC with a decisive 307(b) edge over all other mutually exclusive applications, if any, because the Station’s provision of a first reserved channel NCE-FM service to 3,224 persons would substantially further the fair distribution of radio services among the states, and would be superior to mutually exclusive applications not proposing the Station’s level of service.

It is also important to note that the Station will provide a new second reserved channel NCE-FM service to 1,583 persons, which equals 5 percent of the total population within the Station’s 60 dBu service contour. Although this figure is below the 10 percent threshold described under Section 73.7002(b) of the Commission’s rules, the fact that the Station will provide a second reserved channel NCE-FM service to such a large number of residents within its 60 dBu contour, in the extremely rural and fairly isolated area of the country and State of Texas, should weigh in favor of CENC’s application under Section 307(b) of the Communications Act of 1934, because the Station’s second reserved channel NCE-FM service to these residents would, indeed, serve the public interest, convenience, and necessity.

Critically, CENC is simultaneously filing two applications for NCE-FM stations at Eldorado, Texas – the instant application and an application for a new station to operate on Channel 205C2, which would encompass 17,085 persons within its 60 dBu contour, 2,880 (16.9 percent) of whom would receive a new first reserved channel NCE-FM service and 1,486 (8.7 percent) of whom would receive a new second reserved channel NCE-FM service. CENC respectfully requests that the Commission simultaneously grant both of its applications for new NCE-FM stations at Eldorado filed during the October 29, 2007 window. **If the Commission may not simultaneously grant both of CENC’s NCE-FM applications, we respectfully request that the Commission first grant CENC’s application for a new NCE-FM station to operate on Channel 209C1 at Eldorado.**

If any waiver of the Commission’s rules or policies is required to grant CENC’s Channel 209C1 application before its Channel 205C2 application, CENC also respectfully requests that the Commission waive such rules and policies. **Good cause exists to grant any necessary waivers and CENC’s Channel 209C1 application before CENC’s Channel 205C2 application, if they cannot be granted simultaneously:** CENC’s Channel 209C1 station’s 60 dBu contour would encompass 14,517 more persons than would CENC’s station on Channel 205C2 (31,602 vs. 17,085); 344 more persons within the 60 dBu would receive a first new reserved channel NCE-FM service on Channel 209C1, as compared to Channel 205C2 (3,224 vs. 2,880); and 97 more persons within the 60 dBu would receive a new second reserved channel NCE-FM service on Channel 209C1, as compared to Channel 205C2 (1,583 vs. 1,486).