

**September 2014  
KXNV(FM) Channel 206C2  
Sun Valley, Nevada  
Allocation Study & Waiver Request**

**Allocation Study**

The attached spacing study shows the co-channel and adjacent channel spacing between stations and demonstrates that the proposed operation meets the IF channel spacing requirements as prescribed in §73.207 of the Commission's Rules.

Individual stations were examined to confirm the lack of prohibited contour overlap as prescribed in §73.509 of the Commission's Rules. The attached allocation study exhibits demonstrate requisite contour protection for the following domestic stations:

Cochannel:	KHAP	206B1 Chico
	KZCA	206A Campana
First-adjacent:	KPJP	207C1 Greenville
Second-adjacent:	KUNR	204C0 Reno
	KJIV	208A Reno

**Waiver Request for Received Second-Adjacent Channel Overlap  
From KJIV 208A Reno**

On May 22, 2014, Progressive Leadership Alliance of Nevada ("PLAN") was granted a modified construction permit for KXNV, to operate with an omnidirectional antenna under an *Educational Information Corporation* waiver request (also referred to as a "Raleigh waiver"). The instant application proposes a slight adjustment in the KXNV transmitter site, to a location just 720 meters from the site authorized in BMPED-20140515AEQ. Continued waiver of §73.509 is requested, and justification for that waiver consistent with *Educational Information Corporation* follows.

The modified KXNV facility will not create prohibited contour overlap with any existing station, authorization, or pending application as per §73.509 of the Commission's Rules, with the sole exception being that the KXNV 60 dBu protected contour will receive overlap from the 100 dBu

interfering contour of a construction permit for KJIV on Channel 208A at Reno (see BPED-19951127MA).

The 60 dBu contour from the proposed KXNV facility encompasses a land area of 7,953 sq km and a population of 410,489 persons per the 2010 Census (using the block centroid method). The following table lists the area and population in the proposed overlap area:

<b>KXNV 206C2 Area and Population in Proposed Received Overlap Area from KJIV 208A</b>	<b>Percentage of Proposed KXNV 60 dBu Area and Population</b>
12.8 sq km 18,837 persons	0.2% area 4.6% population

Grant of the proposed modification will allow KXNV to more than double the population served within its 60 dBu contour, when compared against the originally-authorized 60 dBu contour in BNPED-20071017AJD (i.e. prior to grant of this facility's first *Educational Information Corporation* waiver). The population within the contour will go from 192,255 to 410,489 persons, an increase of 218,234 persons or 114%.

In *Educational Information Corporation*, Memorandum Opinion and Order, 6 FCC Rcd 2207 (1991), the Commission noted that it would be inclined to grant waivers of second- or third-adjacent channel overlap in circumstances where the benefit of increased non-commercial service heavily outweighs the potential for interference in very small areas. "...the Commission has given the staff delegated authority to act on waivers of received overlap of up to 10 percent where sufficient justification is provided." *Educational Information Corporation* at 7. "The Commission has long recognized the unique characteristics of the noncommercial service and the need for flexibility to respond to the growing demand for such service. We are also more sensitive today to the increasing limitations within the reserved band which reflect the increased demand for service over the last 30 years. For these reasons, we are now inclined to grant waivers of second or third adjacent channel overlap in circumstances such as WCPE's, where the benefit of increased noncommercial educational service so heavily outweighs the potential for interference in very small areas." *Educational Information Corporation* at 10.<sup>1</sup>

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<sup>1</sup> This type of waiver is variously referred to as a *Raleigh* waiver or an *Educational Information Corporation* waiver.

PLAN hereby submits that the circumstances of the instant case are functionally equivalent to those in *Educational Information Corporation*, and respectfully requests a waiver of §73.509 of the Commission's Rules to permit the grant of the proposed KXNV facility.<sup>2</sup> PLAN acknowledges that future modifications proposed by the current or any future licensee of KJIV will not be construed as a *per se* modification of the license for KXNV.

#### **TV Channel 6**

§73.525 of the Commission's Rules specifies a threshold distance of 211 kilometers for FM stations operating on Channel 206. There is no full-power Channel 6 station operating within that threshold distance of the proposed operation. Therefore, the proposed facility satisfies the requirements of §73.525.

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<sup>2</sup> In a similar case, the Commission granted an *Educational Information Corp.* waiver to unbuilt but authorized KHSF at Ferndale, California, with respect to a pending application for a new NCE FM station on Channel 209A Pine Hills (See FCC File No. BMPED-20110315ABR).

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## SEARCH PARAMETERS

FM Database Date: 140829

Channel: 206C2 89.1 MHz  
 Latitude: 39 45 37  
 Longitude: 119 28 0  
 Safety Zone: 50 km  
 Job Title: KXNV 206C2 SUN VALLEY

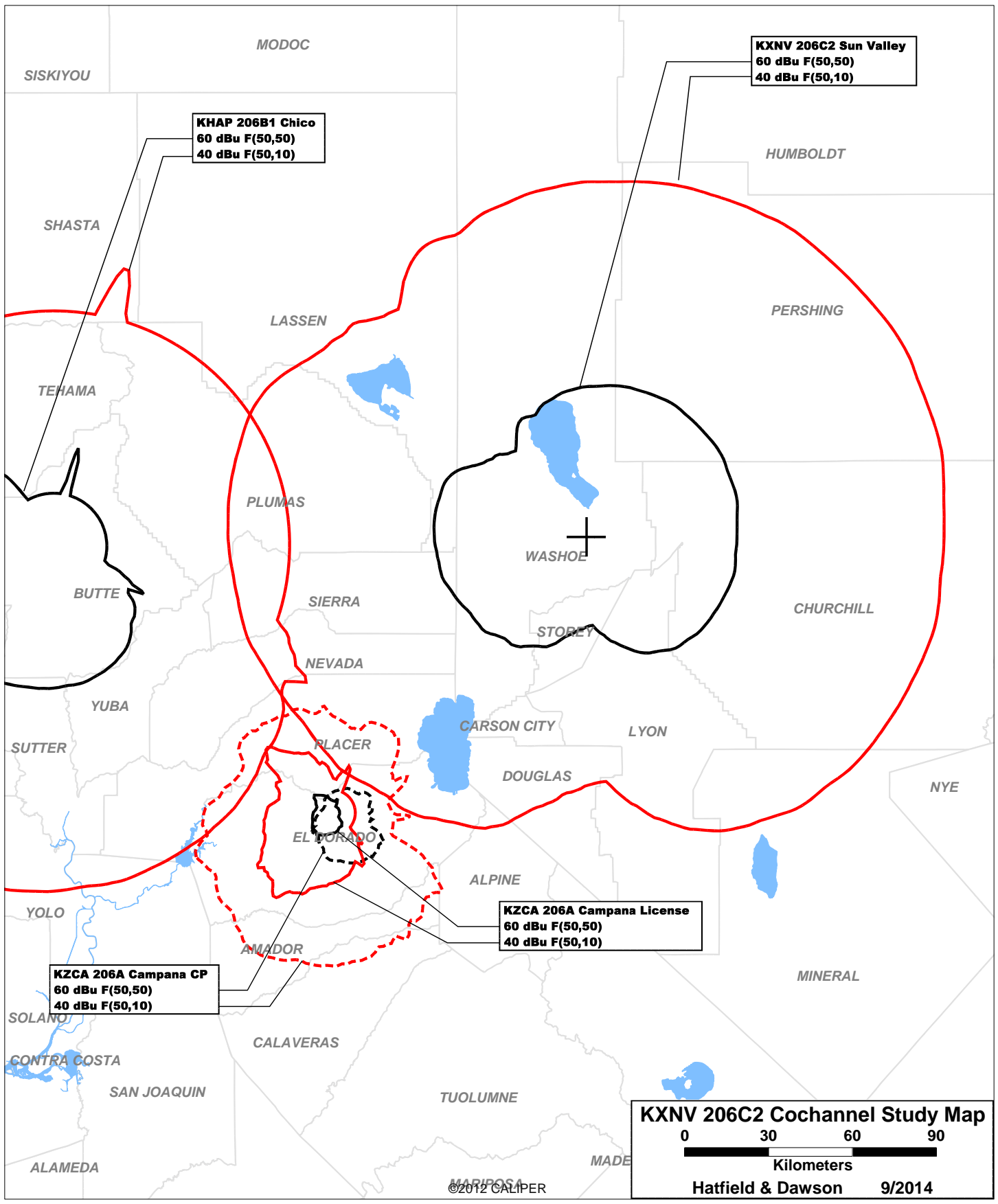
Page 1

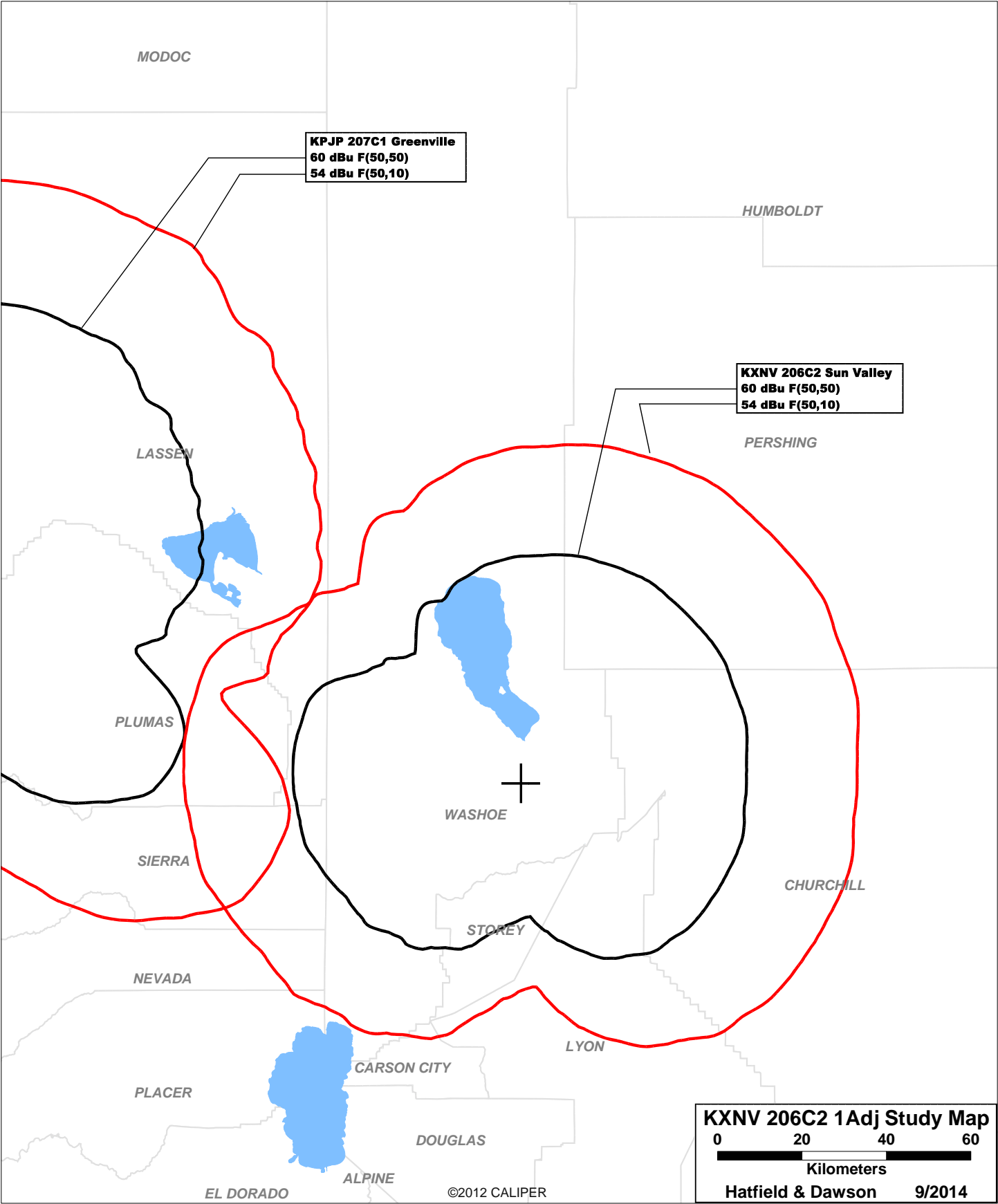
Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
K204FR LIC	LOVELOCK NV	BLFT-70725AAM	204D 88.7	0.010 856.0	40-07-06 118-43-39	57.5	74.65 0.00	0 TRANS
KUNR LIC	RENO NV	BLED-21106ACD	204C0 88.7	20.000 651.0	39-15-34 119-42-16	200.2	59.25 -29.75	89 SHORT
K205EJ LIC	CHESTER CA	BLFT-81022ABJ	205D 88.9	0.005 DA 1218.0	40-14-00 121-01-11	292.2	142.65 0.00	0 TRANS
KXPR CP MOD	SACRAMENTO CA	BMPED-21129AQU	205B 88.9	40.000 124.0	38-30-42 121-10-14	227.2	202.28 33.28	169 CLEAR
K205EK LIC	SUSANVILLE CA	BLFT-50705AAD	205D 88.9	0.099 DA 148.0	40-26-37 120-38-34	307.6	125.75 0.00	0 TRANS
KZCA CP	CAMPANA CA	BPED-11031AAT	206A 89.1	0.021 311.0	38-50-32 120-24-21	218.7	130.20 -35.80	166 SHORT
KZCA LIC	CAMPANA CA	BLED-11011AAF	206A 89.1	0.004 149.7	38-52-12 120-30-59	222.7	134.03 -31.97	166 SHORT
KHAP LIC	CHICO CA	BLED-880915KB	206B1 89.1	12.000 87.0	39-43-37 121-40-45	269.6	189.68 -10.32	200 SHORT
K206BI LIC	CARSON CITY NV	BLFT-950601TG	206D 89.1	0.010 821.0	39-15-25 119-42-37	200.6	59.68 0.00	0 TRANS
K206CK LIC	GERLACH NV	BLFT-40722ACG	206D 89.1	0.044 14.0	40-39-09 119-21-20	5.4	99.52 0.00	0 TRANS
KXNV CP MOD	SUN VALLEY NV	BMPED-40515AEQ	206C2 89.1	0.800 882.0	39-45-22 119-27-37	130.3	0.72 -189.28	190 SHORT
KPJP LIC	GREENVILLE CA	BLED-40920ADN	207C1 89.3	4.500 DA 716.0	40-13-59 121-01-08	292.2	142.58 -15.42	158 SHORT
K207AA LIC	IMLAY, ETC. NV	BLFT-900914TB	207D 89.3	0.092 DA 507.0	40-34-32 118-13-20	49.0	139.40 0.00	0 TRANS
K207CP LIC	SOUTH LAKE TAHOE NV	BMLFT-00512AFJ	207D 89.3	0.010 DA 1369.0	39-02-35 119-52-49	204.1	87.23 0.00	0 TRANS

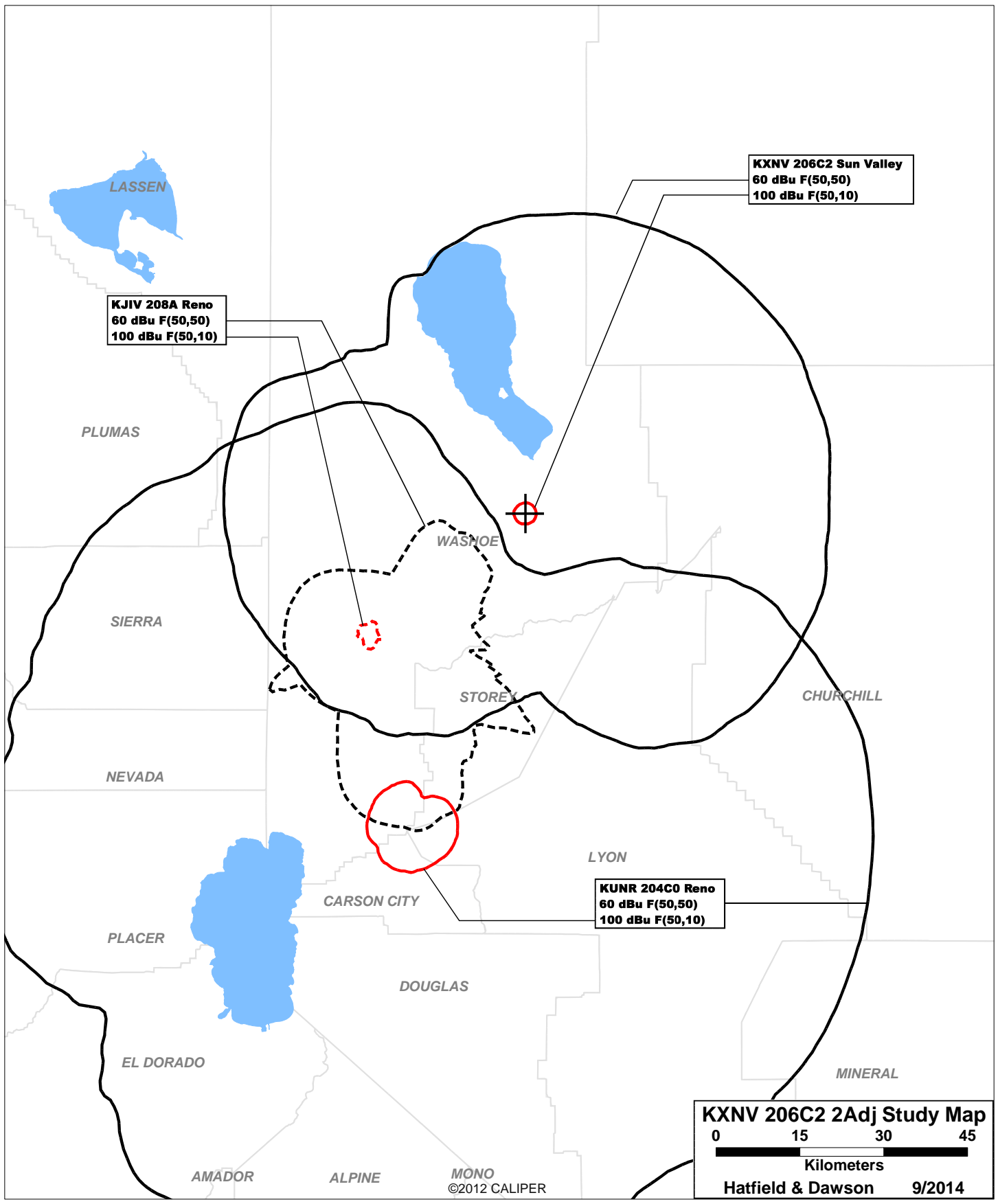
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SEARCH PARAMETERS                               FM Database Date: 140829
Channel: 206C2    89.1 MHz                               Page    2
Latitude:  39 45 37
Longitude: 119 28  0
Safety Zone:  50 km
Job Title: KXNV 206C2 SUN VALLEY
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Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)		Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
K207CP CP	SOUTH LAKE NV	TAHOE BPFT-30605ABX	207D 89.3	0.010 0.0	DA	39-02-35 119-52-49	204.1	87.23 0.00	0 TRANS
KLAP LIC	GERLACH NV	BLED-00611AFM	208A 89.5	0.130 -99.0		40-39-06 119-21-14	5.5	99.44 44.44	55 CLEAR
K208EW LIC	LOVELOCK NV	BLFT-70524AEF	208D 89.5	0.250 26.0		40-11-28 118-27-19	60.6	98.76 0.00	0 TRANS
KJIV CP	RENO NV	BPED-951127MA	208A 89.5	5.000 -1.0	DA	39-34-20 119-47-51	233.7	35.24 -19.76	55 SHORT
K209AU LIC	PORTOLA, ETC. CA	BLFT-910826TB	209D 89.7	0.008 730.0	DA	39-46-09 120-26-08	271.0	83.03 0.00	0 TRANS
K259AY LIC	RENO NV	BLFT-51123ALA	259D 99.7	0.006 0.0		39-35-04 119-48-05	235.8	34.73 0.00	0 TRANS

===== END OF FM SPACING STUDY FOR CHANNEL 206 =====







**KJIV 208A Reno**  
60 dBu F(50,50)  
100 dBu F(50,10)

**KXNV 206C2 Sun Valley**  
60 dBu F(50,50)  
100 dBu F(50,10)

**KUNR 204C0 Reno**  
60 dBu F(50,50)  
100 dBu F(50,10)

**KXNV 206C2 2Adj Study Map**  
0 15 30 45  
Kilometers  
Hatfield & Dawson 9/2014

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