



CSN INTERNATIONAL  
4002 N. 3300 E. Twin Falls, Idaho 83301

LOCKWOOD, MONTANA KYWH BPED-19990526MC

April 2005

**Request for Waiver of 47 C.F.R. Section 73.509**

CSN International (“CSN”) desires to increase the power and service area of KYWH, Lockwood, Montana, which is a construction permit and is not on the air, nor has ever been on the air. CSN is seeking a grant of this minor modification and waiver request, which will also put a 60 dBu F(50,50) contour back over its City of License and will better serve the growing demand of the public interests of Lockwood, MT. This proposal is engineered so as to **NOT CAUSE** interference to any existing station, known application or allocation. However, the proposed increased service area would RECEIVE interference from two existing adjacent stations, as follows:

Facility ID	Call Sign	City of License	Related Attached Exhibit
91709	KPGB	Pryor, Montana	Exhibit 15, (a) - 3 <sup>rd</sup> Adjacent
89849	KLMT	Billings, Montana	Exhibit 15, (b) – 2 <sup>nd</sup> Adjacent

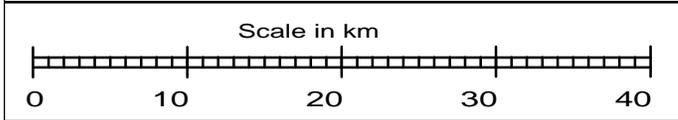
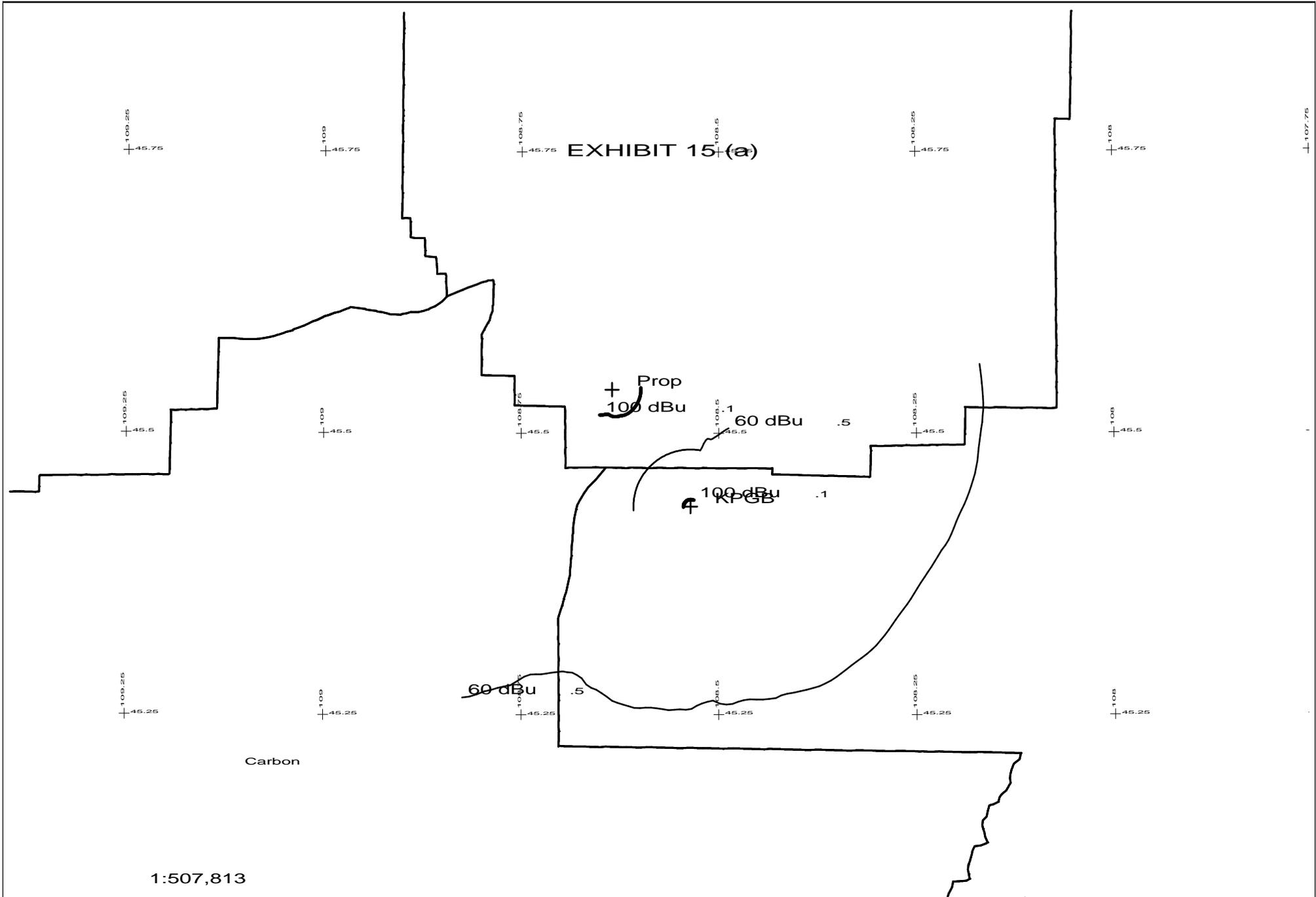
This proposal will not cause interference to the above Stations as the 100 dBu F(50,10) interfering contour of KYWH will not overlap either stations’ 60 dBu F(50,50) protected contour. However, KYWH’s proposed protected 60 dBu F(50,50) would receive prohibited overlap from both KPGB and KLMT. The area of overlap received from the above referenced facilities will be approximately:

Call Sign	Square km	Total area of KYWH’s proposed 60 dBu
KPGB	2.3	.05%
KLMT	10.5	.23%

Presently the current 60 dBu F(50,50) contour of KYWH contains 2287.4 sq. km and the grant of this waiver request will allow KYWH to increase its overall coverage area by 2278.7 sq. km, which is an increase of nearly 100%. It will provide service to an estimated 30,000 more persons, an increase of more than 26%. This waiver request is nearly identical to the request made by the licensee of WCPE(FM) in Educational Information Corporation, 6 FCC Rcd 2207 (1991). WCPE(FM) requested a waiver in its application to permit *de minimus* overlap

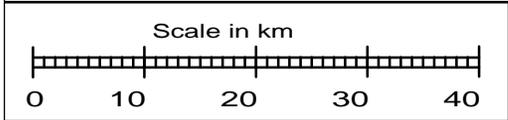
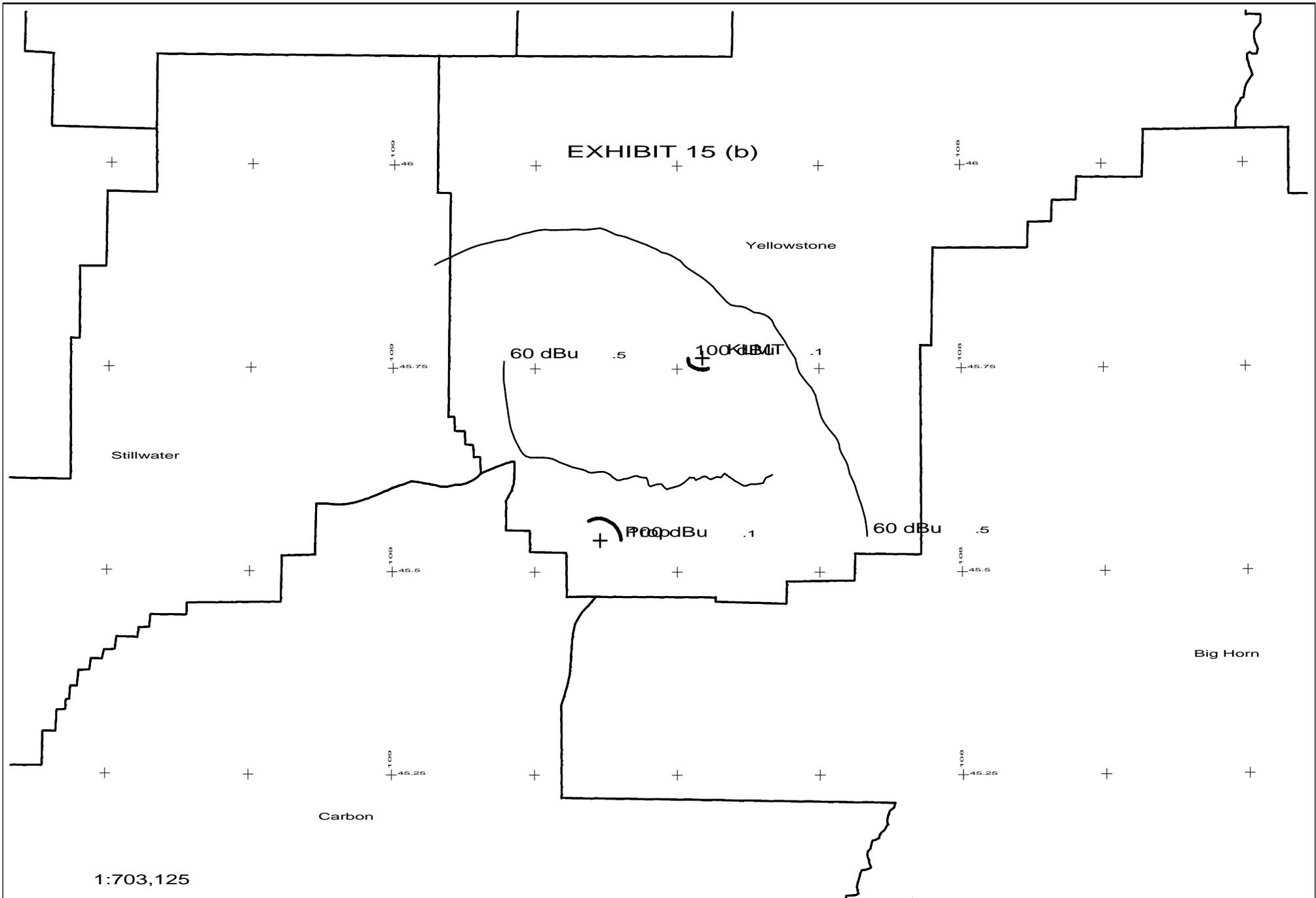
“received,” and in the same proceeding WCCE(FM) requested a waiver in its application to permit *de minimus* overlap “caused.” Please note that CSN is not requesting overlap “caused”, **ONLY** overlap “received”. More recently the Commission granted this type of a waiver to Educational Media Foundation in its minor change application of KYLV, Oklahoma City, OK, BPED-20040210AAQ, granted in less than 4 months. In Educational Media Foundations’ requested waiver, mutual exclusive applications BPED-19941026MA, Norman, OR, BPED-19950714MD, Norman, OK and BPED-19970313ML, Crescent, OK, as well as existing station KALU, Langston, OK were allowed to permit *de minimus* “caused” to KYLV. As recently as March 7, 2005 the application of BPED-19950714MD, Norman, OK was granted a CP and the other mutual exclusive applicants named above were dismissed.

Because the Commission has recognized the importance of affording noncommercial educational stations the flexibility to expand and meet the growing demand for service, CSN International believes that its instant request for KYWH, Lockwood, Montana, fully satisfies the criteria established by the Commission for a waiver of Section 73.509 of the rules as it pertains to overlap received. Clearly, this benefit heavily outweighs the potential for interference in an area that would be a total of only approximately .3% of KYWH’s proposed service area. Accordingly CSN International respectfully submits its requested waiver of Section 73.509(a) of the Commission’s rules is justified in this instance.



Prop 205C3 2.4kW 1548M AMSL  
 KPGB 202A .1kW 1265M AMSL

Prop vs KPGB  
 CSN - 04/05



Prop 205C3 2.4kW 1548M AMSL  
 KLMT 207A .98kW 1205M AMSL

Prop vs KLMT  
 CSN - 04/05