

**TECHNICAL STATEMENT  
APPLICATION TO CHANGE SITE  
WMGX (FM)  
Portland, Maine  
December 2004**

**EMERGENCY EXPEDITED ACTION REQUESTED  
RESTORATION OF COLLAPSED TOWER  
IMPENDING WEATHER CONSIDERATIONS**

**Preliminary Statement**

This application seeks to restore facilities that were licensed in 1987 (See BLH-19860407KB covering BPH-19831031BC) and were authorized in 1984. For the reasons set forth more fully herein, the licensee respectfully requests the Commission to expedite processing of this application on an emergency basis. The current licensee acquired WMGX on April 17, 1991. On December 11, 2003, the tower supporting WMGX (FM) collapsed. The original tower had one guy anchor located off shore; corrosion of which was the reason for the original tower failure. As a result of local building requirements, the tower could not be re-built on exactly at the same location and the new tower is to be constructed within one second latitude of the original site. The coordinates of the new tower are **North Latitude 43-41-17 and West Longitude 70-15-27**.

**Error in Coordinates**

As noted above, the current licensee acquired WMGX in 1991. After the tower collapsed, while working with contractors to reconstruct the tower, the licensee learned that the licensed coordinates of North Latitude 43-41-27 and West Longitude 70-15-25 are incorrect and this error was inherited from the previous owner. The actual new site is only one second from the actual site of the fallen tower. However, when we calculate

the new site coordinates, we find the change to be 10 seconds. The actual coordinates of the licensed tower site are North Latitude **43-41-17** and West Longitude **70-15-26**. Normally, the licensee would file Form 301 to correct the coordinates. However, in light of the need for quick action to replace the facilities, the unavoidable slight change in the actual location of the antenna site, and the need to request a waiver of Section 73.207, the licensee has elected to proceed by filing a regular minor modification application. However, should the Commission determine that the licensee must operate with less than full omni-directional Class B facilities (i.e., 50 kW ERP at 135 meters HAAT) as previously licensed, the licensee reserves the right to dismiss this application, and refile an application for correction of coordinates and request for waiver of Section 73.207 of the Rules in order to preserve its full Class B facilities.

#### **§73.213 and §73.215 Short Spaces**

WMGX has a grandfathered short space of 6.90 kilometers to WOXO on Channel 224A in Norway, Maine. This correction of coordinates reduces the short space to 6.63 kilometers, therefore complying with §73.213 (c) of the Commission's rules. WMGX also has a grandfathered short space of 3.48 kilometers to WNHI on Channel 227A in Belmont, New Hampshire under the present 6 kilowatt spacing rules. However, there is no short space under the 3 kilowatt spacing rules. WNHI operates as a 3 kW Class A station due to allocation short spaces with stations in addition to WMGX. Therefore, this proposal complies with §73.213 (c) of the Commission's rules.

This proposal elects §73.215 processing to protect WBOS on Channel 225B in Brookline, Massachusetts. According to its license, WBOS (BLH-20000403ABK-copy attached) has elected §73.215 contour protection. This is a part of the WBOS license;

however, it is not shown on the CDBS database. This proposal protects the WBOS licensed facility under the provisions of §73.215.

Thus, it is believed that this proposal meets all allocation provisions.

### **Basis for Request for Expedited Consideration**

WMGX is currently operating on special temporary authority (“STA”)<sup>1</sup> from a tower used primarily by commonly owned Station WBAE (AM). WMGX is licensed to operate with 50 kW ERP with antenna center of radiation at 135 meters above average terrain; however, the STA facilities permit operation from the WBAE tower with 50 kW at only 91 meters above average terrain. This application seeks to restore the previously licensed facilities that were lost in the tower collapse. Further, because this station is in Portland, Maine, the winter weather will soon create serious problems for tower erection. Therefore, it is respectfully requested that the Commission expedite the processing of this application so that the licensee can more quickly restore its previously-licensed facilities.

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<sup>1</sup> See BSTA-20040406ACV, granted April 16, 2004, and the pending replacement STA request, BSTA-20041014AGS.

**United States of America**  
**FEDERAL COMMUNICATIONS COMMISSION**  
**FM BROADCAST STATION LICENSE**

Authorizing Official:

Official Mailing Address:

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GREATER BOSTON RADIO, INC.  
35 BRAINTREE HILL OFFICE PARK  
STE 300  
BRAINTREE MA 02184

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Brian J. Butler  
Supervisory Engineer  
Audio Division  
Media Bureau

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Facility Id: 23439

Call Sign: WBOS

License File Number: BLH-20000403ABK

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Grant Date: June 16, 2000

This license expires 3:00 a.m.  
local time, April 01, 2006.

This License Covers Permit No.: BPH-19990706IA

Subject to the provisions of the Communications Act of 1934, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this license, the licensee is hereby authorized to use and operate the radio transmitting apparatus herein described.

This license is issued on the licensee's representation that the statements contained in licensee's application are true and that the undertakings therein contained so far as they are consistent herewith, will be carried out in good faith. The licensee shall, during the term of this license, render such broadcasting service as will serve the public interest, convenience, or necessity to the full extent of the privileges herein conferred.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the license nor the right granted hereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934. This license is subject to the right of use or control by the Government of the United States conferred by Section 606 of the Communications Act of 1934.

Name of Licensee: GREATER BOSTON RADIO, INC.

Station Location: MA-BROOKLINE

Frequency (MHz): 92.9

Channel: 225

Class: B

Hours of Operation: Unlimited

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Transmitter output power: 14.5 kW

Antenna type: Not Reported

Description: ELE 1084-4CP, FOUR SECTIONS

Antenna Coordinates: North Latitude: 42 deg 20 min 50 sec

West Longitude: 71 deg 04 min 59 sec

	Horizontally Polarized Antenna	Vertically Polarized Antenna
Effective radiated power in the Horizontal Plane (kW):	18.5	18.5
Height of radiation center above ground (Meters):	244	244
Height of radiation center above mean sea level (Meters):	247	247
Height of radiation center above average terrain (Meters):	224	224

Antenna structure registration number: 1002788

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

## Special operating conditions or restrictions:

- 1 The licensee has demonstrated compliance with the FCC radiofrequency electromagnetic field exposure guidelines based upon the usage of the antenna specified herein. If the licensee makes any changes in facilities via modification of license application in accordance with 47 CFR section 73.1690(c), the subsequent Form 302-FM, application for license, must include a revised RF field showing to demonstrate continued compliance with the FCC guidelines.
- 2 The permittee/licensee in coordination with other users of the site must 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.

Callsign: WBOS

License No.: BLH-20000403ABK

Special operating conditions or restrictions:

3 \*\*\*\*\* This is a Section 73.215 contour protection grant \*\*\*\*\*  
\*\*\*\*\* as requested by this applicant \*\*\*\*\*

\*\*\* END OF AUTHORIZATION \*\*\*