

AMEND BPH-20040303ABJ
WXTU LICENSE LIMITED PARTNERSHIP
WXTU (FM) RADIO STATION
CH 223B - 92.5 MHZ - 15.0 KW
PHILADELPHIA, PENNSYLVANIA
July 2004

TECHNICAL STATEMENT

This Technical Statement and attached exhibits were prepared on behalf of WXTU License Limited Partnership ("WLLP"), licensee of station WXTU, Channel 223B, Philadelphia, Pennsylvania. WLLP also has submitted an application, BPH-20040303ABJ, to correct a discrepancy in the directional antenna tabulation associated with WXTU's antenna system (as detailed further below). During the processing of that application, a variance was discovered between the licensed/proposed coordinates of WXTU and those listed in the Commission's Antenna Structure Registration database. Specifically, ASR #1026755 has listed coordinates of North Latitude 40° 02' 19" and West Longitude 75° 14' 14" (when converted to NAD 1927 and rounded to the nearest second). This represents a shift of two seconds in latitude and one second in longitude. There was also a minute change in the ground elevation at the site. The owner of the tower, American Towers, had a local survey conducted on the structure in late 2002 and corrected the tower registration accordingly, but did not notify WLLP. As such, this instant amendment seeks to correct the coordinates and ground elevation of WXTU, in conjunction with the directional tabulation correction, as detailed below.

WLLP is operating WXTU under program test with the facilities authorized in BPH-20000630AEI. During the review of the license application (BLH-20031205AXO), the Commission's staff contacted the engineering counsel of WLLP requesting a tabulation of the

anomaly. Therefore, we believe that, since there was no originally submitted data in the 1986 license application for the 310° azimuth, this value was arrived at by some interpolation, which did not accurately reflect the antenna pattern.

Since the actual value exceeds the CDBS envelope pattern dating back to the 1986 application, the Commission's staff suggested the submission of a minor change application to correct the pattern to reflect the actual relative field. As such, this instant application is being submitted. No actual change to the station or the antenna is proposed, nor is any actual construction required. Attached, as Exhibits A4 through A13, are the updated directional antenna data for the envelope pattern, as well as the horizontal and vertical polarizations, in ten degree increments. This data will also be used to amend BLH-20031205AXO.

Since WLLP is specifying the present WXTU site, the Federal Aviation Administration has not been apprised of this proposal. The tower has been registered with the FCC and assigned Antenna Structure Registration #1026755. At the authorized WXTU site, Channel 223B does not meet §73.207 spacing requirements to several facilities (see Exhibit B for details and §73.213 compliance). Further, since the proposed location is shared with many other FM and TV facilities, a radio frequency radiation compliance statement is attached as Exhibit C.² All of the remaining exhibits used to certify the information on Form 301 have been forwarded to WLLP and are available for submission to the Commission on request.

2) It is noted there is a lone AM directional station WNWR, which is within 2.0 miles of this proposed site. Since the tower on which the antenna is presently located has been in existence for many years, WNWR will not be impacted by this instant proposal. It is requested that no pre- or post-construction measurement conditions be placed on the herein requested construction permit.