

EXHIBIT 10
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SPECIAL OPERATING CONDITIONS

V-Teck Communications, Inc.
Bellefontaine, OH

The modified WPKO-FM operating facilities utilize the station's presently licensed antenna system, which is mounted on the tower that serves as the nondirectional antenna system for commonly owned WBLL(AM) - Bellefontaine, Ohio. The WPKO-FM construction permit includes a special operating condition requiring that antenna impedance measurements and a six radial proof of performance be conducted on WBLL both prior to and subsequent to the construction of the modified WPKO-FM facilities to document that the operation of WBLL was not adversely impacted by this construction. Implementing these modified facilities, however, involved no physical construction whatsoever, as it was only necessary to increase the output power of the WPKO-FM transmitter utilizing the station's presently licensed antenna system to achieve the facilities authorized by this construction permit. As a result, as is confirmed in the attached e-mail from Dale Bickel of the FCC staff, this special operating condition is not applicable and it is not necessary to take any steps to document that the modifications to the WPKO-FM operating facilities have not adversely impacted the operation of WBLL.

This construction permit also includes three special operating conditions requiring WPKO-FM to submit a formal request on FCC Form 302-FM before program tests are authorized to document that the modified facilities comply with the FCC's nonionizing radiation exposure limits. As outlined in the 301 application for the underlying construction permit, the power density levels generated at two meters above ground level by the modified WPKO-FM facilities will be well below 5% of the permitted level for uncontrolled exposure. Furthermore, the existing fence around the base of this tower is

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adequate to protect members of the general public from exposure to excessive power densities. Thus, this site fully complies with the FCC's nonionizing radiation exposure limits following the implementation of the modified WPKO-FM operating facilities.

Based on this information, the attached e-mail from Dale Bickel of the FCC staff also eliminates the requirement to submit the nonionizing radiation showing requested by these special operating conditions and permits WPKO-FM to commence operation with its modified facilities pursuant to the automatic program test provisions of Section 73.1620 of the FCC Rules.

E-MAIL FROM DALE BICKEL REGARDING
SPECIAL OPERATING CONDITIONS

Subj: **RE: BPH-20031203AHE (WPKO-FM)**
Date: 3/25/04 10:11:39 AM Eastern Standard Time
From: Dale.Bickel@fcc.gov
To: RSTYPE@aol.com
CC: Dale.Bickel@fcc.gov
Sent from the Internet (Details)

Mr.. Stype:

This e-mail is in response to your e-mail of March 12, 2003 regarding WPKO-FM's construction permit BPH-20031203AHE.

Having reviewed the material you sent, I concur that Condition #2 is unnecessary because the FM station is increasing power only (no physical changes).

Conditions #3, #4, and #5, which deal with compliance with the RF exposure limits, are satisfied by the existing fence around the tower structure.

Accordingly, automatic program test authority pursuant to 47 CFR Section 73.1620 IS GRANTED, and the station may commence operations as authorized in the permit as soon as it is ready. As WPKO-FM's changed operations will not affect AM station WBLL, WPKO-FM does not have to demonstrate compliance with condition #2.

This e-mail is being sent in lieu of a letter for the same purpose. Please attach a copy of this e-mail to your Form 302-FM application for license to cover construction permit BPH-20031203AHE, to document that conditions 2,3,4 and 5 have been satisfied.

My apologies for the delay in responding: your e-mail got mixed in with a number of spam e-mails. It was not until this morning that I found it.

Dale Bickel dale.bickel@fcc.gov 202-418-2706 March 25, 2004
Senior Electronics Engineer
Audio Division, Media Bureau, FCC

-----Original Message-----

From: RSTYPE@aol.com [mailto:RSTYPE@aol.com]
Sent: Friday, March 12, 2004 11:29 AM
To: Dale Bickel
Cc: lvito@wpko.com; bbowin@nabco-inc.com
Subject: BPH-20031203AHE (WPKO-FM)

Dale:

The attached .pdf file is a copy, as extracted from the CDBS, of the above referenced recently granted CP to increase the ERP of WPKO-FM - Bellefontaine, Ohio. As we discussed, it appears to contain several special operating conditions which are either inappropriate or unnecessary.

Special operating condition #2 requires that a six radial proof be conducted on co-located commonly owned WBLL(AM) both prior to and following the construction of the facilities authorized by this CP. You should note, however, that the WPKO-FM antenna is, and will continue to be, mounted on the tower which serves as the antenna system for WBLL. As a result, even if WPKO-FM was installing a new antenna, the requirement to conduct these six radial proofs would be inappropriate. Instead, only base impedance measurements and the submission of an application for direct measurement of power for WBLL would

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normally be required under these circumstances. In this particular case, however, the modifications authorized by the above referenced CP will be implemented by simply increasing the WPKO-FM transmitter power using the existing licensed antenna and transmission line. No changes whatsoever will be made above the base of the WBLL tower. Under these circumstances, it does not appear that it should be necessary for the licensee of these stations to have to take any steps to document that the implementation of the modifications for WPKO-FM has not had an impact on WBLL.

Special operating conditions 3, 4, and 5 deal with nonionizing radiation and prevent WPKO-FM from conducting automatic program tests. You should note, however, that the underlying application for the WPKO-FM construction included an exhibit documenting that the modified WPKO-FM facilities would have power densities well below 5% of the permitted level for uncontrolled exposure at ground level, eliminating the need to consider WPKO-FM in establishing the required fencing distance around this tower for NIR compliance. The existing fence around this tower is located at least three meters (ten feet) from the tower base in all directions and includes appropriate warning signs. Thus, this existing fence adequately protects members of the general public from exposure to excessive power densities from WBLL (and WPKO-FM). Thus, there does not appear to be any reason why WPKO-FM cannot commence automatic program tests instead of waiting to receive actual program test authority from the Commission.

We would greatly appreciate your assistance in resolving these issues by reinstating the ability for WPKO-FM to conduct automatic program tests with the facilities authorized by this CP and also confirming that it will not be necessary for the license application to contain any of the AM data required by special operating condition #2. Please let me know if you have any questions or require any additional information.

Roy Stype
Carl E. Smith Consulting Engineers
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