

[Exhibit 12]

Non-Interference Compliance

For an Open Site

Regarding FCC File Number: BNPFT-20030317IKC

Description of Exhibit 12 Contents

This exhibit demonstrates that the proposed facility complies with contour overlap and interference protection provisions in all the applicable rule sections and that this application for a construction permit is in full compliance with 47 CFR 74.1204.

Page 2 of this exhibit is an explanation of the tabulated data, which is included as evidence on page 3 of this exhibit.

Page 3 of this exhibit is the tabulated data from the interference analysis, which shows all stations that this application must consider for contour protection. These tabulated values were generated using high resolution 3 arc second terrain data for the best possible accuracy.

Let it be noted that should any actual real world interference occur, the applicant certifies that it will promptly suspend operation of this translator in accordance with 47 CFR 74.1203.

Since the proposed translator is 199.2 km from the Canadian border, 47 CFR 74.1235(d) has been taken into account and this applicant certifies that in no direction does the 34 dBu F(50,10) extend beyond 60 km, and this application is therefore in full compliance with 47 CFR 74.1235(d)(3), which states that "the distance to the 34 dBu interfering contour may not exceed 60 km in any direction," and hence in compliance with 47 CFR 74.1204(h).

Explanation of Frequency Finder Results

The interference analysis for this application was performed using the "Frequency Finder" module in RadioSoft's Comstudy, version 2.2.

Frequency Finder analyzes data taken directly from the FCC's FM database and looks for prohibited overlap with contours of adjacent stations and prohibited proximity to stations 53 or 54 channels from the proposed station (IF) using 3 arc second terrain data and the FCC's contour algorithms. The results tabulated are the stations returned from that analysis. (Note: Because Comstudy was looking at the FCC's FM database, it took into account the proposed translator when doing the analysis and returned it in the tabulated results. For the sake of simplicity, that record has been deleted from all tabulated results.)

The first several columns of the table are self-explanatory. They give various data on the stations in question. The column labeled "Clr" gives the proposed translator's "clearance" with respect to the tabulated station, either in dB or km. The values listed with no units are given in km and are for stations located on an IF to the proposed site's channel.

A negative value in the "Clr" column does NOT necessarily represent prohibited contour overlap as explained below.

A negative value listed in the "Clr" column would indicate either overlap of interference and protected contours or prohibited proximity to an IF station except in the following situations:

- Since the proposed station's Effective Radiated Power (ERP) is 10 watts, a negative value in km (no units listed in the table) does not represent a violation of the CFR, according to 47 CFR 1204(g), which states that "FM translator stations and booster stations operating with less than 100 watts ERP will be treated as class D stations and will not be subject to intermediate frequency separation requirements."

- A second or third adjacent LP100 station cannot represent a violation of the CFR, as 47 CFR 74.1204(a)(4) requires protection of only co-channel and first adjacent LP100 stations.

- 47 CFR 74.1204(a) requires only the protection of "AUTHORIZED commercial or noncommercial educational FM broadcast stations, FM translators, ..." Any entry with a status listed as "RSV," "USE" or "APP" does not represent an authorized station and therefore is not protected under 47 CFR 74.1204. The one exception is the case of LP100 applications. The note to 47 CFR 74.1204(a)(4) states that "LPFM applications and permits that have not yet been licensed must be considered as operating with the maximum permitted facilities." Therefore, any first adjacent or co-channel LP100 station, no matter the status, is protected.

Callsign	State	City	Channel	ERP_w	Licensee	ARN	Class	Status	Distance_km	Clr	Facility_id
NEW	PA	RIDGWAY	259	250	DUBOIS AREA BROADCASTING CO., INC	BNPFT20030310BIM	D	APP	42.4	2.74 dB	140180
NEW	PA	DUBOIS	259	120	EDGEWATER BROADCASTING INC.	BNPFT20030317IKH	D	APP	26.57	2.65 dB	154686
WGLU	PA	EBENSBURG	256	50000	DAME BROADCASTING, LLC	BMLH19960724KA	B	LIC	77.06	6.81 dB	64845
WPRR	PA	ALTOONA	261	3000	VITAL LICENSES, LLC	BLH19920327KC	B1	LIC	55.13	8.54 dB	47090
NEW	PA	GALETON	259	250	FARM & HOME BROADCASTING COMPANY	BNPFT20030314ARD	D	APP	101.08	18.00 dB	146565
NEW	PA	DUBOIS	258	10	EDGEWATER BROADCASTING INC.	BNPFT20030317IKM	D	APP	20.1	21.84 dB	154690
WXMJ	PA	MOUNT UNION	258	300	MEGAHERTZ LICENSES, LLC	BLH19900328KB	A	LIC	86.71	21.84 dB	3956
WSHH	PA	PITTSBURGH	259	10500	REDA B/CING CORP. OF NEVADA	BMLH19890927KA	B	LIC	145.8	21.25 dB	55709
981022MC	PA	STATE COLLEGE	206	4400	INVISIBLE ALLIES MINISTRIES	BPED19981022MC	B	APP	38.98	24	91941
WOBR	PA	AVIS	260	900	MAXIMUM IMPACT COMMUNICATIONS, INC.	BLH19900321KC	A	LIC	93.94	26.35 dB	40766
WOBR	PA	AVIS	260	570	MAXIMUM IMPACT COMMUNICATIONS, INC.	BPH20021021AAE	A	CP	94.39	26.40 dB	40766
WDCX	NY	BUFFALO	258	110000	KIMTRON, INC.	BLH6741	B	LIC	176.08	27.85 dB	34820
WXKC	PA	ERIE	260	50000	REGENT LICENSEE OF ERIE, INC.	BLH19880322KB	B	LIC	168.03	30.84 dB	32984
	PA	CENTRE HALL	258	0		RMDD-98A	B1	APP	63.18	30.48 dB	0
WGY	PA	MEADVILLE	262	20000	FOREVER BROADCASTING, LLC	BLH19851119KD	B	LIC	156.02	31.72 dB	24940
WOXX	PA	FRANKLIN	257	7300	FOREVER BROADCASTING, LLC	BLH19891121KC	B1	LIC	128.7	31.54 dB	49789
NEW	PA	HARRISBURG	259	10	FOUR RIVERS COMMUNITY BROADCASTING CORPORATION	BNPFT20030317BFG	D	APP	153.11	35.73 dB	153367
WSHH	PA	PITTSBURGH	259	0	REDA B/CING CORP. OF NEVADA		B	USE	145.8	35.74 dB	55709
WRAI-LP	PA	BROOKVILLE	258	100	BROOKVILLE AREA SCHOOL DISTRICT	BNPL20010615AFN	LP100	CP	49.95	35.47 dB	135199
WBRR	PA	BRADFORD	261	1650	RADIO STATION WESB, INC.	BLH19940906KA	A	LIC	102.27	35.39 dB	54826
WSPi	PA	MOUNT CARMEL	259	790	H & P COMMUNICATIONS, LTD	BLH19910513KA	A	LIC	171.3	36.98 dB	25751
WPRR	PA	ALTOONA	261	0	VITAL LICENSES, LLC		B1	USE	53.53	36.76 dB	47090
NEW	PA	YORK	259	200	SPANISH AMERICAN CIVIC ASSOCIATION FOR EQUALITY, INC.	BNPFT20030313AVV	D	APP	192.36	36.07 dB	143365
WFRE	MD	FREDERICK	260	7900	CAPSTAR TX LIMITED PARTNERSHIP	BMLH20010314AAO	B	LIC	192.49	37.96 dB	31139
WOXX	PA	FRANKLIN	257	3000	FOREVER BROADCASTING, LLC	BMLH19891121KB	B1	LIC	118.12	38.18 dB	49789
	PA	MOUNT UNION	258	0		RMDD-98A	A	APP	86.71	39.84 dB	0