

**November 2007
KBAY(FM) Channel 233B
Gilroy, CA
Engineering Report**

Purpose of Application

This application is being filed to comport with site elevation correction made to the antenna structure registration for the tower the KBAY antenna is on. The tower was previously registered under ASR # 1030143; the site elevation correction was made and the tower was re-registered under ASR # 1055723. The changes being made in this application are to the height above average terrain to agree with the change in site elevation made on the ASR, and to increase the effective radiated power so that KBAY will comply with the maximum limits for a Class B station.

Allocation Study

The attached spacing study shows that the proposed operation meets the co-channel and adjacent channel spacing requirements for Class B stations as prescribed in §73.207 of the Commission's Rules.

KBAY uses a directional antenna in compliance with a previous §73.215 grant due to a short spacing to a first-adjacent allotment on 234A in Farmington, CA. The Farmington allotment was subsequently rescinded pursuant to the Memorandum Opinion and Order in MM Docket No. 90-189 adopted October 27, 1999.

No physical change to the existing antenna installation is proposed by the instant application. Since the directional antenna is not necessary for interference protection purposes, and is already installed under a prior authorization and license, it is respectfully requested that the Commission not condition the new construction permit to require new certifications and pattern studies in connection with the covering license application.