

## **Exhibit 1. Request for Waiver of 47 C.F.R Section 73.509**

**KRBG, Umbarger, TX (FIN: 93643)**

**November 29, 2018**

Grace Community Church of Amarillo ("GCCA") requests a Waiver of 47 C.F.R Section 73.509 in order to benefit the public interest by providing an increase ERP and service area for FM station KRBG.

This proposal will not cause any interference to any existing stations, authorizations, applications or allotments. This proposal will result in received 2nd adjacent overlap from Construction Permit BPED-20180629AAO for FM station KJRT, Amarillo, TX (FIN: 72168) licensed to Top O' Texas Educational Broadcasting Foundation on channel 202C3.

This proposal will not cause interference to KJRT. The interfering 100dBμ F(50,10) contour of KRBG will not overlap the protected 60dBμ F(50,50) contour of KJRT. However, the proposed protected contour of KRBG will receive overlap from KJRT's Construction Permit, BPED-20180629AAO. Please refer to the Contour Map on the following page.

The area of overlap received described above will be approximately 24.0 km<sup>2</sup> which represents 0.38% of the total area of KRBG's proposed 60 dBμ F(50,50) which is calculated to be 6,276.8 km<sup>2</sup>.

Without the waiver, KRBG would be restricted to 22 kW in order to prevent 60 dBμ F(50,50) contour overlap of the proposal with the 100 dBμ F(50,10) contour of KJRT's Construction Permit, BPED-20180629AAO. At 22 kW the 60 dBμ F(50,50) coverage for KRBG would be 5,105.6km<sup>2</sup> and would provide 60 dBμ F(50,50) service to 79,251 persons.

The grant of this waiver request will allow KRBG to increase its overall coverage area by 1,171.2 km<sup>2</sup> which represents an increase of 22.9%. This proposal will provide service to an additional 62,206 persons which represents an increase in population of 78.5%.

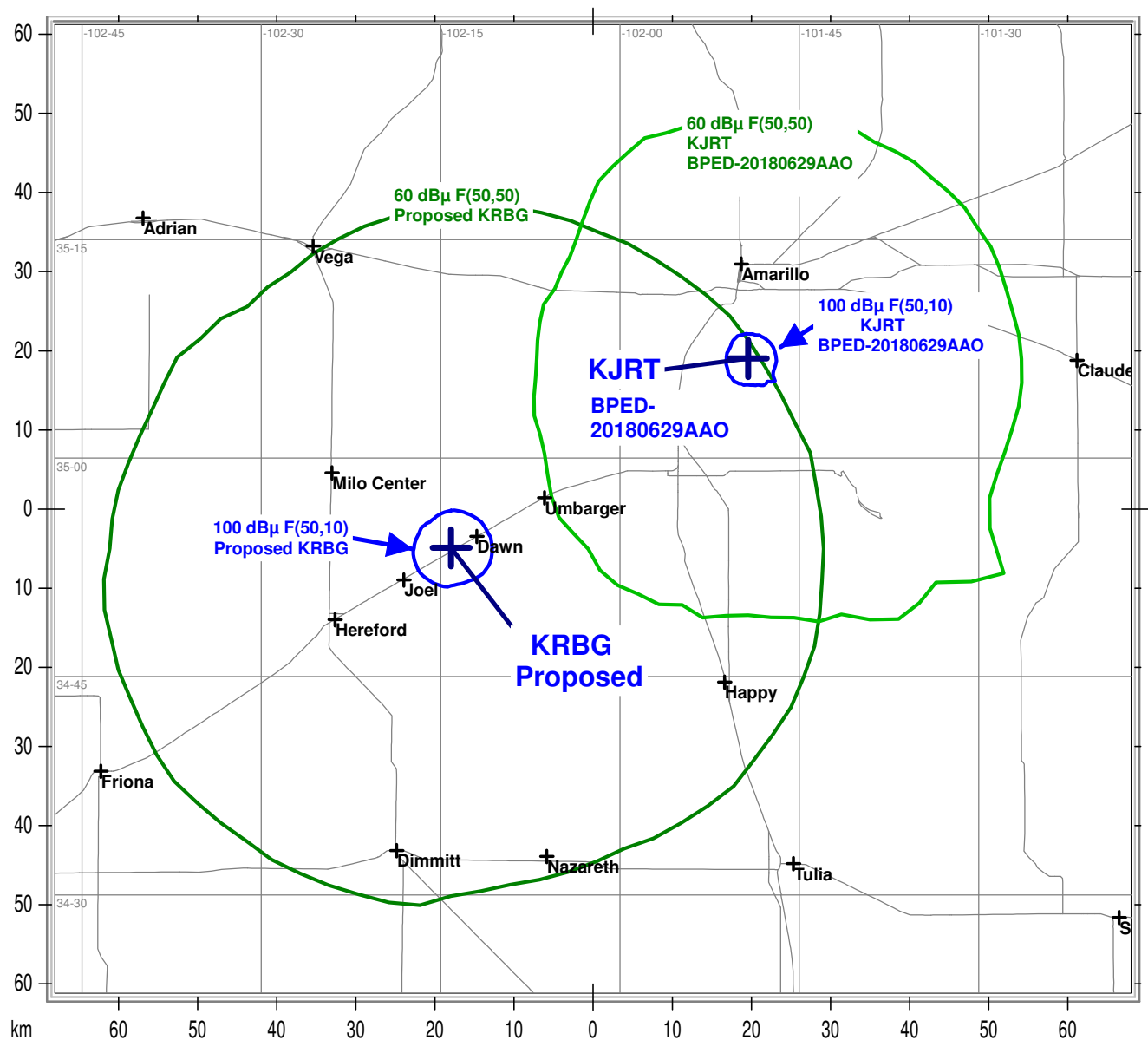
This requested waiver is similar to the waiver requested by the licensees of WCPE(FM) in *Educational Information Corporation*, 6 FCC Red 2207 (1991). WCPE(FM) requested a waiver in its application to permit *de minimus* overlap "received". In recognition of the importance of affording noncommercial educational stations the flexibility to expand and meet the growing demand for service, the Commission granted the waiver request. This proposal fully satisfies the criteria established by the Commission for waiver of Section 73.509 of the Commission's rules as it pertains to overlap received.<sup>1</sup>

Significant service will be maintained and enhanced by the proposed expansion of KRBG, and the overlap area is very small and well within the Commission's waiver policy. Clearly this benefit heavily outweighs the potential for interference in an area that constitutes less than 0.38% (total) of the station's proposed service area. Accordingly GCCA respectfully submits that a waiver of Section 73.509(a) of the Commission's rules is justified in this instance and will be a benefit to the public interest.

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<sup>1</sup> GCCA wishes to emphasize that this request is not similar to the second waiver request made by WCPE in *Educational Information Corporation*, 1997 FCC LEXIS 2636 (may 20, 1997). Unlike here, WCPE was seeking a waiver of overlap "caused" in that second case.

## Exhibit 1A. Contour Map Waiver 73.509 for KJRT Current CP



ASR#1263307, AGL 110m, HAAT 113m, ERP 39 kW