

[Exhibit 12]

Non-Interference Compliance

Regarding FCC File Number: BNPFT-20030317CKX

Channel: 239

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 5 of this exhibit.

Pages 3 and 4 of this exhibit contain an explanation of the method used to demonstrate compliance with contour overlap and interference protection provisions based on 47 CFR 74.1204(d), which states:

"an application otherwise precluded by this section will be accepted if it can be demonstrated that no actual interference will occur due to intervening terrain, lack of population or such other factors as may be applicable."

In addition, page 4 includes a tabulation of the second and third adjacent stations which this application is required to protect and the field strengths of those stations in the vicinity of the proposed translator. The field strengths given were based on contours predicted using FCC contour algorithms and 3 arc second terrain data.

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.

Page 5 of this exhibit is the tabulated data from the interference analysis, which shows all stations that this application had to consider for contour protection. These tabulated values were generated using high resolution 3 arc second terrain data for the best possible accuracy.

Page 6 of this exhibit is a portion of a USGS 1:24,000 scale 7.5 min quadrangle at full scale with the calculated area of interference overlayed. The sheet includes the quadrangle name and measurement scale at the bottom-left corner (note: "Mt" refers to meters). The area of interference was calculated using a free-space calculation (see FCC 98-117, Appendix A, pg. 41 for reference to the equation used).

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 5 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.

- Entries highlighted in red are those stations where there is overlap of predicted contours and lack of population has been demonstrated within the area of interference.

Compliance with 47 CFR 74.1204(d)

The proposed translator's Maximum Effective Radiated Power (ERP) is 0.005kW at 76 meters above ground level. According to 47 CFR, 74.1204(a), the desired to undesired ratio between 2nd/3rd adjacent stations is 40dB, making the proposed translator's interfering contour 104.6dBu F(50,10). (See the next page for more discussion on the determination of the signal strength of the proposed translator's area of interference.)

Using a free-space calculation (equation referenced in FCC 98-117, Appendix A, pg. 41), the proposed translator's F(50,10) interference contour was calculated and the maximum horizontal plane was plotted on the pertinent portion of a USGS quadrangle (page 6 of this exhibit). However, the field strength of the proposed translator's antenna varies with angle of depression from horizontal. The antenna relative fields are tabulated below at 5 degree increments, starting at 5 degrees below horizontal. Antenna relative field strength data was provided and certified by the manufacturer of the proposed antenna. Using a free space calculation that neglects any loss due to reflection (equation referenced in FCC 98-117, Appendix A, pg. 41), the vertical ground clearance of the proposed application's F(50,10) interference contour at each angle has been tabulated. As shown below, the area of interference clears the ground by 27.9 meters at the lowest point. The applicant has taken into account USGS quadrangles and relevant aerial photography in stating that no structures, except possibly tower support structures, puncture the proposed area of interference. Hence, in accordance with 47 CFR 74.1204(d) and the clarification provided by the FCC in the decision Re: Living Way Ministries (FCC 02-244), there is a lack of population within the proposed area of interference and therefore this application is in full compliance with 47 CFR 74.1204.

Antenna Manufacturer: SWR

Maximum ERP: 5 watts

Antenna Model Number: FM1

CORAGL: 76 m

F(50,10) Contour: 104.6 dBu

Depression Angle (from COR)	Antenna Relative Field	ERP (watts)	Distance to F(50,10) Interfering Contour from Antenna (m)	Horizontal Distance of F(50,10) Interfering Contour from Tower (m)	Vert. Clearance of F(50,10) Interfering Contour above TGL (m)
5	0.997	4.97	92.1	91.7	68.0
10	0.986	4.86	91.1	89.7	60.2
15	0.969	4.69	89.5	86.4	52.8
20	0.946	4.47	87.4	82.1	46.1
25	0.916	4.20	84.6	76.7	40.2
30	0.879	3.86	81.2	70.3	35.4
35	0.837	3.50	77.3	63.3	31.7
40	0.789	3.11	72.9	55.8	29.2
45	0.736	2.71	68.0	48.1	27.9
50	0.679	2.31	62.7	40.3	28.0
55	0.616	1.90	56.9	32.6	29.4
60	0.55	1.51	50.8	25.4	32.0
65	0.48	1.15	44.3	18.7	35.8
70	0.408	0.83	37.7	12.9	40.6
75	0.333	0.55	30.8	8.0	46.3
80	0.256	0.33	23.6	4.1	52.7
85	0.178	0.16	16.4	1.4	59.6
90	0.1	0.05	9.2	0.0	66.8

Minimum F(50,10) Clearance above TGL **27.9 m**

The F(50,50) signal strength of all relevant second and third adjacent stations have been examined, and are tabulated below. Column three shows the station's signal level at the proposed translator's tower site, and column four gives the minimum value within the entire proposed translator's standard F(50,10) contour (100 dBu for most classes, 94 dBu for class B's, 97 dBu for class B1's). For signal levels too great to determine, 999 was entered. The minimum F(50,50) contour within the proposed translator's standard F(50,10) contour was used to calculate the proposed translator's interference contour, thereby assuring a minimum undesired-to-desired ratio of 40dB for all relevant adjacent stations, as required in 47 CFR, 74.1204(a).

FCC File Number	Call Sign	F(50,50) Contour at Tower	Min. F(50,50) Contour
BLH19971104KE	KSLY-FM	65.1dBu	64.6dBu
BPH20001003ACE	KSLY-FM	65.1dBu	64.6dBu
Minimum F(50,50) Protected Contour of Adjacent Station Within Proposed Translator's standard F(50,10) Contour:			64.6dBu

Frequency Finder

Callsign	State	City	Channel	ERP_w	Licensee	ARN	Class	Status	Distance_km	Clr	Facility_id
KSly-FM	CA	SAN LUIS OBISPO	241	3400	CLEAR CHANNEL BROADCASTING LIC	BPH20001003ACE	B	CP	41.11	-11.70 dB	58894
KSly-FM	CA	SAN LUIS OBISPO	241	3400	CLEAR CHANNEL BROADCASTING LIC	BLH19971104KE	B	LIC	41.13	-11.69 dB	58894
	CA	CAMBRIA	293	0		RMbg-54	A	APP	10.18	0.2	0
NEW	CA	EL PASO DE ROB	239	10	RADIO ASSIST MINISTRY INC.	BNPFT20030317CMK	D	APP	32.29	4.41 dB	151406
KSly-FM	CA	SAN LUIS OBISPO	241	0	CLEAR CHANNEL BROADCASTING LICENSES, INC.		B	USE	41.03	7.50 dB	58894
KPAT	CA	ORCUTT	239	3300	AGM-BIRMINGHAM, LLC	BPH20000929AJV	B1	CP	103.64	8.36 dB	54755
KPAT	CA	ORCUTT	239	3300	AGM-BIRMINGHAM, LLC	BLH19931222KA	B1	LIC	103.64	9.61 dB	54755
KXTZ	CA	PISMO BEACH	237	4200	MAPLETON COMMUNICATIONS, LLC	BMLH19911114KA	A	LIC	56.14	18.82 dB	30108
880623MM	CA	ORCUTT	239	0	CABALLERO SPANISH MEDIA INC.		B1	USE	104.38	23.78 dB	8107
NEW	CA	KING CITY	238	250	RADIO ASSIST MINISTRY INC.	BNPFT20030317CNB	D	APP	75.86	27.19 dB	151413
NEW	CA	DELANO	239	250	RADIO DESAFIO NETWORK, INC.	BNPFT20030317IXH	D	APP	166.5	29.66 dB	156185
KJFX	CA	FRESNO	239	17500	MESOSPHERE BROADCASTING LTD. P	BLH19880616KB	B	LIC	212.24	31.95 dB	65773
NEW	CA	EL PASO DE ROB	293	10	RADIO ASSIST MINISTRY INC.	BNPFT20030317GNM	D	APP	32.29	32.3	152377
K240AK	CA	SOLEDAD	240	27	CALVARY CHAPEL OF TWIN FALLS, INC	BLFT19891109TA	D	LIC	100.93	36.91 dB	71978
	CA	BIG SUR	240	0		RM10342	A	APP	106.67	37.89 dB	0
KBOQ	CA	CARMEL	238	1700	J & M BROADCASTING, INC.	BLH19931216KF	A	LIC	131.59	37.50 dB	29337
KKDV-FM1	CA	WALNUT CREEK	239	186	BONNEVILLE HOLDING COMPANY	BLFTB20020419AAT	D	LIC	272.61	39.14 dB	25447

