

As required by the Commission's Rules, in the event of any complaints that the proposed translator interferes with reception, the applicant will take the required steps to eliminate the interference, including, if necessary, reducing power or cessation of translator operation.

Proposed Keene, New Hampshire Translator on Channel 251.

Section 74.1204 Contour Studies to Pertinent Co-Channel and Adjacent Channel Facilities.

All facilities not meeting the spacing requirements of Section 73.202 were studied. These are:

<u>Call Sign</u>	<u>Location</u>	<u>Channel No.</u>
WINQ	Winchendon, MA	249A
WOQL	Winchester, NH	254A
WJJR	Rutland, VT	251C2
WHAI	Greenfield, MA	252A

The attached figures illustrate the absence of prohibited overlap between the proposed translator interfering contour and the pertinent service contours.

The applicant is requesting herein to amend its proposal to specify operation on Channel 251. The applicant's auction window short form filing on March 17, 2003, requested Channel 250. This is a minor change contemplated by the *Broadcast Auction First Report and Order*, 13 FCC Rcd at 15991.

The reason for this change is that subsequent to the applicant's initial filing, first adjacent station WINQ filed a Form 301 minor change application to move to a location from which it would place a 60 dBu service contour over, and beyond, the applicant's proposed translator site. Although the applicant believes that under Section 74.1204(a) it does not have to protect the pending WINQ application since it has not been granted as of this filing, as a practical matter, should the WINQ application be granted, WINQ and the applicant's proposed translator can co-exist under Section 74.1204(d) as discussed herein, because the translator can avoid any "real world" interference to the WINQ application on Channel 249 by moving to second adjacent Channel 251. (There is no interference to the presently licensed WINQ facility in any event.)

In changing channels, the proposed translator on Channel 251 must now also protect third adjacent WOQL on Channel 254. The applicant proposes to avoid interference to WOQL similarly under Section 74.1204(d) as described below.

The applicant believes it is wiser to anticipate the need to protect WINQ than to amend its proposal later, thus conserving the Commission's time and resources. The applicant respectfully requests an opportunity to amend its application should the Commission not concur.

With respect to both the WINQ application and WOQL, the proposed translator 100 dBu F(50,10) interfering contour falls within both stations' 60 dBu service contours. The proposed facility will operate with a maximum ERP of 0.010 kW at an HAAT of 170 meters. Considering the 12 cardinal radials, the maximum height is 305 Meters above the 180 degree radial. Based on the Commission's free space equation The 100 dBu F(50,10) interfering contour of the proposed facility will extend 0.222 km. from the antenna along this radial. As shown in the attached figure, obtained from a current USGS topographical map of the area, the proposed facility is located in a remote, mountainous area, and there are no residences within 0.222 km. In fact, the closest residence is over 0.6 km distant. The applicant therefore believes that the instant application meets the requirements of Section 74.1204(d) with respect to "other factors" insuring no actual interference to either the facility proposed by WINQ, or to WOQL.