

Exhibit 14 - Statement B  
**DAYTIME COVERAGE AND ALLOCATION CONSIDERATIONS**

prepared for  
KXO El Centro, California  
Facility Id 35969  
1230 kHz 1 kW ND-1 U

KXO, Inc. (“KXO”) licensee of Standard Broadcast Radio Station KXO, 1230 kHz, El Centro, California proposes to maintain its Class C, 1 kW operating power utilizing a new transmitter site 2.1 miles (3.4 km) due North from its presently licensed site. The proposed coverage contours are shown in **Exhibit 14-Figures 3 and 3A**. These contours utilize ground conductivities obtained from FCC Figure M3. Distances to contours and associated ground conductivity data for the proposed KXO facility are summarized in **Exhibit 14-Table 1**.

The locations of the protected and interfering contours of pertinent nearby domestic stations operating on the same channel, and within three channels above and below the proposed frequency of use, were predicted using the same methodology and M-3 conductivity data. The locations of the contours for each of these stations are shown on **Exhibit 14-Figures 4A, 4B, 5, and 6**, the radiation and conductivity assumptions, along with the resulting distances to the identified contours, are tabulated in **Exhibit 14-Table 2, Sheets A-N**. Where appropriate, notations are included in the data tabulations as to facility status or operational considerations.

### **Class C Allocations**

**Exhibit 14-Figure 4A** shows the interference *caused* to other pertinent Class C stations operating on 1230 kHz and 1240 kHz. This analysis is done considering other Class C stations operating at 1 kW and the proposed facility operating at 250 watts. As shown, there is no interference *caused* to any other domestic Class C station from the facility proposed herein.

Similarly, **Exhibit 14-Figure 4B** shows the interference *received* from other pertinent Class C facilities. This analysis was done considering the proposed station and all other Class C stations operating at 250 watts. As shown, there is no interference *received* from any other domestic Class C station when using this method.

Exhibit 14 - Statement B  
**DAYTIME COVERAGE AND ALLOCATION CONSIDERATIONS**  
(page 2 of 4)

The KXO licensed and proposed 0.025 mV/m contours overlap the 0.5 mV/m contours of KOY and KAAA assuming the actual operating power for both stations. As shown in **Exhibit 14-Figure 4A**, there is no overlap when the proposed facility is considered at 250 watts.

### **Other Allocation Considerations**

**Exhibit 14-Figures 5 and 6** demonstrate that the proposed minor relocation will have no detrimental effect on an 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> adjacent stations near KXO. Note that the two stations shown in **Exhibit 14-Figure 5** are both Class C facilities operating on 1240 kHz. The coverage and interfering contours for both facilities as well as the proposed KXO facility are predicted using actual 1 kW operating power levels. As shown, there is no caused or received interference to these facilities.

A “Tech Box” application, file number BNP-20040130BMZ, for a new AM facility at Desert Hot Springs, California (Facility Id 161373) was filed in the 2004 Auction 84 filing window. This application proposed operation on 1200 kHz (3<sup>rd</sup> adjacent to KXO.) According to that applicant, in an effort to eliminate a mutual exclusivity with other applications filed in the 2004 filing window, a subsequent, complete Form 301 application was filed (file number BNP-20051031AGQ) that proposes a change in frequency to 1220 kHz, 1<sup>st</sup> adjacent frequency to KXO. Due to the more recent frequency change request, only the 1220 kHz facility is considered in this allocation study as shown in **Exhibit 14-Figure 5**. The 3<sup>rd</sup> adjacent 1200 kHz facility is well removed from the KXO proposal and does not represent a limitation to the proposed KXO operation.

### **Section 73.37 Waiver Request**

There is existing interference to KXO in the form of contour overlap of the proposed Desert Hot Springs 0.5 mV/m contour with the KXO 0.25 mV/m contour. The area of this existing overlap is 29 square kilometers. The instant proposal will increase this area of

Exhibit 14 - Statement B  
**DAYTIME COVERAGE AND ALLOCATION CONSIDERATIONS**  
(page 3 of 4)

overlap to 213 square kilometers as shown in **Exhibit 14-Figure 5**, most of which is over the unpopulated Salton Sea area.

In actual practice, the proposed overlap area receives no protected service from the licensed KXO and in fact, since the Desert Hot Springs facility is only a pending application for a new station that has not been accepted for filing by the Commission, there will be no actual interference. Further, KXO will not cause interference to the proposed Desert Hot Springs protected coverage area as shown in **Exhibit 14-Figure 5**.

To the extent a waiver of Section 73.37 of the Rules is required with respect to the Desert Hot Springs interfering contour overlap to the KXO operation proposed herein, one is hereby respectfully requested on behalf of the applicant.

#### **Mexican Allocations Issues**

**Exhibit 14 - Figure 7** shows two Mexican facilities that impact the existing operation of KXO; cochannel, Class C station XESCT at Ensenada, Baja California (CDBS Facility Id 102713) and a long standing, proposed operation, XENVA2 on 1220 kHz at San Felipe, Baja California (CDBS Facility Id 102702). The contours in **Exhibit 14 - Figure 7** and associated distances in **Exhibit 14 - Table 3A, 3B, and 3C** are calculated based on Region 2 conductivity map as stated in the 1986 AM Agreement between the United States and Mexico.

Cochannel station XESCT is located 143.4 km from the licensed KXO site. The proposed KXO facility will be 146.1 km from XESCT, 2.7 km *farther*. As shown in **Exhibit 14 - Figure 7**, the entire 0.025 mV/m interfering contour of the licensed KXO facility entirely encompasses the coverage area of XESCT and therefore there is no increase in the contour overlap to XESCT by the proposed KXO operation. As demonstrated by the licensed and proposed 0.5 mV/m KXO contours, the signal toward XESCT will be maintained or reduced by the proposed KXO facility.

Exhibit 14 - Statement B  
**DAYTIME COVERAGE AND ALLOCATION CONSIDERATIONS**  
(page 4 of 4)

The instant application proposes to locate at a site that is also farther from the proposed 1220 kHz Mexican station at San Felipe. The licensed KXO is 201.5 km from the XENVA2 site. The new site for KXO will be 204.6 km distant, an increase of 3.1 km. As shown in **Figure 7**, when using Region 2 conductivity assumptions, there is existing contour overlap to the licensed KXO 0.5 mV/m contour by the proposed XENVA2 0.5 mV/m contour. The contour from the new KXO facility will essentially duplicate this existing contour overlap.

KXO has operated from its presently licensed location since 1928. According to previous agreements between the United States and Mexico, the KXO operation predates all Mexican stations and allocations on this channel; therefore more recently constructed Mexican facilities created the grandfathered overlap. Nevertheless, this necessary relocation of KXO proposes a site farther away from both Mexican facilities will cause no meaningful increase in interference.

### **Conclusion**

Based upon these tables and figures, it is believed that this 2 mile relocation is compliant with the appropriate allocation requirements of the Commission's Rules and policies. Further, the maintaining the station's 1 kW operating power will not cause additional interference to any operating station and is therefore clearly in the public interest.