

**“Mattoon” Waiver Request
W264CJ – Facility ID 61051
Requesting Modification of CP BPFT-20131206BDI**

In order to effectuate a move to Knoxville, TN by FM Translator W264CJ, and to save the resources of the Commission, a “Mattoon” Waiver is being requested¹. A grant of this waiver will allow W264CJ to move to a location where it can be used with WKXV (AM) as the primary station. This move will be accomplished with only *one* Form 349 application as opposed to a series of short-term locations. The important areas are:

No History of Translator Hops – W264CJ has been successfully operated from its present site since 1989².

Mutual Exclusivity - Following this Waiver Request is the exhibit “Demonstration of Mutual Exclusivity”. This exhibit illustrates the licensed 60 dBu protected and the proposed 40 dBu interfering contours of W264CJ. These two contours produce an area that would be an interference area if both stations were allowed to operate simultaneously. Since both translators cannot operate simultaneously, they are mutually exclusive.

Fill-In for AM – This W264CJ proposal is to be a fill-in translator for WKXV (AM), Knoxville, TN. Exhibit 10 of Section III-A demonstrates the translator 60 dBu is totally within the WKXV (AM) 2.0 mV/m contour. The total translator 60 dBu is also within 25 miles of the WNSR (AM) tower.

Concerns Raised in LPFM Third Further Notice – The Low Power FM filing window has occurred. This proposal clears all LPFM licenses and applications.

It is respectfully requested that a “Mattoon” style waiver be allowed in order to provide fill in FM translator service for WKXV (AM) in a timely, efficient manner.

¹ See September 2, 2011 letter to John F. Garziglia, Esq. on behalf of The Cromwell Group, Inc. of Illinois and W263AQ, Mattoon, IL.

² Application BPFT-20121227AAB was filed to change channels but the site and city of license remained the same.