



**ENGINEERING STATEMENT**  
**OF**  
**BENJAMIN L. PIDEK, P.E.**  
**IN SUPPORT OF**  
**AMENDMENT TO PENDING APPLICATION FOR CONSTRUCTION PERMIT**  
**KXTS-LP**  
**VICTORIA, TX**

**Background**

SAGA Broadcasting, LLC (SAGA) is the licensee of television translator station KXTS-LP, Ch. 41, (BLTTL-20010511AAZ, Facility ID. 57866) at Victoria, TX. SAGA was granted a construction permit (BPTTL-20041122AIN) to displace the analog facility from Ch. 41 to Ch. 28 with an ERP of 25 kW. Given that the full-service DTV transition has been completed, rather than build-out the analog facility, SAGA decided to file an application to displace KXTS to Ch. 25 and flashcut to digital with an ERP of 15 kW (BDISDTL-20090213ACZ). SAGA subsequently decided that KXTS would be better served to use Ch. 28 for digital operation rather than Ch. 25 and, therefore, SAGA filed an application to flashcut KXTS to digital operation on Ch. 28 with an ERP of 15 kW (BDFCDTL-20090824AHV) <sup>1/</sup>.

SAGA, through conversations with the FCC staff, discovered that its flashcut application on Ch. 28 (BDFCDTL-20090824AHV) would likely not receive approval for Mexican coordination before the expiration date (December 8, 2009) of its analog construction permit on Ch. 28 (BPTTL-20041122AIN); therefore, at the request of the FCC staff, SAGA filed a new

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<sup>1/</sup> SAGA, simultaneously with the filing of application BDFCDTL-20090824AHV, by letter from its legal counsel, requested that the pending application for Ch. 25 (BDISDTL-20090213ACZ) be dismissed.



application (BDISDTL-20091207ACC) to displace and flashcut the licensed analog facility on Ch. 41 (BLTTTL-20010511AAZ) to digital operation on Ch. 28. The application specified the same parameters as those specified in BDFCDTL-20090824AHV.

On September 15, 2010, the Commission issued a letter indicating that the new KXTS application (BDISDTL-20091207ACC) did not comply with its interference rules as the proposed facility was predicted to cause impermissible interference to K29JI (Ch. 29, Victoria, TX, BNPDTT-20090825BRJ). SAGA, in its instant application, is submitting an amendment to the pending KXTS application to reduce the proposed ERP from 15 kW to 8 kW and specify the use of a stringent mask filter. These changes to the proposed facility will bring the predicted interference into compliance with the Commission's interference rules. All other previously proposed parameters will remain the same.

### **Antenna System, Tower, and Operating Parameters**

SAGA proposes to use an existing Dielectric TUA-O4SP-14/55-1-T-R omni-directional antenna for the facility. The antenna is top-mounted on a registered tower (ASR#1238711) and no change in the overall height of the structure (360.3m AMSL) is necessary; therefore, no notification to the FAA or modification of the ASR is required. The radiation center of the antenna is 308m AGL (351.3m AMSL) and the facility ERP will be 8 kW. The 51 dBu F(50,90) contour of the proposed facility will completely encompass the area of Victoria, TX.

### **Interference**

An interference study was conducted using the proposed facility parameters with software that emulates that used by the Commission. The results of the study show that the proposed facility would not cause more than the allowable interference to any full-service DTV station (0.49% limit), Class A station (0.49% limit) or low power station (1.99% limit) as specified in the Commission's rules.



### **Environmental/RFR**

This report addresses only the conditions specified in 47CFR1.1307 that deal with Radio Frequency Radiation. Any other non-RFR conditions that might require the preparation of an EA are beyond the scope of this report; since the structure that the proposed facility antenna is mounted on is existing and registered, such conditions should not present issues requiring further consideration.

The location of the proposed construction is a multi-user site and it is assumed that the site is currently "in compliance" with FCC guidelines for human exposure to RFR (as defined in OET-65). The additional worst case ground level RFR contributed to the site by this proposal in public areas is calculated to be  $0.000028 \text{ mW/cm}^2$ , which is less than 5% (and, in fact, much less than 1%) of the MPE for public exposure ( $0.371333 \text{ mW/cm}^2$ ) at Ch. 28 (554 MHz – 560 MHz). The contribution to the overall RFR from the proposed facility is negligible and, therefore, the site will remain "in compliance" with FCC guidelines.

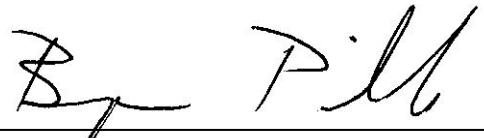
SAGA agrees to comply with the Commission's requirements regarding power adjustments or cessation of operation as may be necessary to ensure a compliant environment for worker access. Workers will be trained on RFR issues and encouraged to wear personal RFR monitors when on the structure. The tower base is enclosed by a locked security fence and appropriate signage warning of potential RFR hazards is posted.

### **Certification**

I hereby certify that the foregoing report or statement was prepared by me but may include work performed by others under my supervision or direction. The statements of fact contained therein are believed to be true and correct based on personal knowledge, information and belief unless otherwise stated; with respect to facts not known of my own

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personal knowledge, I believe them to be true and correct based on their origin from sources known to me to be generally reliable and accurate. I have prepared this document with due care and in accordance with applicable standards of professional practice.



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Benjamin L. Pidek, P.E.



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John F. X. Browne, P.E.  
October 4, 2010