

MINOR CHANGE APPLICATION
ARSO RADIO CORPORATION
WRIO RADIO STATION
CH 266B - 101.1 MHZ - 50.0 KW
PONCE, PUERTO RICO
June 2004

EXHIBIT A

Present Channel 266B Spacing Issues
§73.213 Justification and Requested Waiver of §73.207.

Channel 266B was allotted to Ponce, Puerto Rico, prior to the implementation of revised spacing requirements implemented in MM Docket #80-90. Specifically, as presently licensed (Exhibit A1), WRIO does not meet the Commission's minimum distance separation requirements to WXYX, Channel 264B, Bayamon, Puerto Rico, and WKSA-FM, Channel 268B, Isabella, Puerto Rico. It is noted that Channel 264B at Bayamon and Channel 268B at Isabella were also allotted prior to the implementation of the revised spacing rules contained in MM Docket #80-90. Specifically, prior to the change in spacing rules, Class B stations operating on second adjacent channels were required to be 64.0 kilometers (40.0 miles) apart. The present §73.207 rules require 74.0 kilometers (45.98 miles) spacing. While the shortage between WRIO and WKSA-FM complies with the former 64.0 kilometer rules, the distance between WRIO and WXYX does not. In BPH-19810416AE, WXYX was granted a waiver of §73.207 allowing the station to be relocated to a site which is only 57.6 kilometers (35.8 miles) from the authorized WRIO site. WRIO has remained shortspaced to both WKSA-FM and WXYX (based on current §73.207 rules).¹

1) In BPH-19981002IC, the Commission allowed a correction of the coordinates of the licensed WRIO site, waiving the deminimus increase of the shortspace to WKSA-FM. That permit has since expired. WRIO is presently operating from its licensed auxiliary site, pending a relocation to a permanent licensed main site.

DISCUSSION

This instant application seeks to relocate WRIO to a new site at which a tower can be constructed and not be subject to the same soil conditions (and the potential for future failures) which have plagued the licensed WRIO site by causing tower failures. The proposed site, at which a 325 tower is to be constructed, is located at North Latitude 17° 58' 52" and West Longitude 66° 36' 49". This site is the authorized site of three Ponce, Puerto Rico, AM stations (WDEP, WLEO and WPRP). From the proposed site, as indicated on Exhibit A2, WRIO will eliminate the shortage to station WKSA-FM. It will, however, be 56.77 kilometers from WXYX instead of the current 57.56 kilometers, a decrease in the spacing distance of 0.79 kilometer (2,591 feet).

As indicated above, WRIO has continued to meet the former 64.0 kilometer spacing requirements to WXYX since it was originally authorized. It was, however, at the request of the licensee of WXYX that the spacing between the stations was reduced to less than 64.0 kilometers when it requested a waiver of the rules to relocate WXYX. The Commission approved the waiver request which allowed WXYX to be located only 57.56 kilometers from WRIO.

Therefore, Arso respectfully requests the Commission allow the relocation of WRIO to a permanent new site and grant a waiver of the spacing requirements with respect to WXYX to enable this relocation. The following is submitted in support of the request.

There are substantial terrain rises which exist between the licensed and proposed WRIO transmitter site and the authorized WXYX site. As shown on Exhibit A3, the terrain between the licensed WRIO and WXYX sites rises to over 800 meters. These same conditions also exist between the proposed WRIO site and licensed WXYX site, as shown on Exhibit A4. In fact, there is a line of terrain which runs east to west across the center of the island of Puerto Rico, with the WRIO site located south of the ridge line and WXYX located on the north side of the terrain. As such, the terrain rise between the two stations on the non-direct azimuths is similar. There is no direct line-of-sight between the proposed WRIO facility and licensed WXYX. It is further noted that the relocation of the center of radiation of the WRIO facility from 176.0 meters AMSL to 91.1 meters AMSL is a reduction of nearly half.

Additionally, the proposed WRIO facility will not deliver interference to nor receive interference from WXYX. As the Commission has long recognized, FM facilities operating in Puerto Rico are authorized with substantially larger facilities than their continental US counterparts.² To that end, the Commission, as part of the streamlining rules, recognized that the protected and interfering contours of FM stations in Puerto Rico are different than those of continental US stations.³ Using these protected and interfering contour values for Class B stations in Puerto Rico, as shown on Exhibit A5, the WXYX protected 64 dBu (50/50) contour, is not crossed by the WRIO interfering 104 dBu (50/10) contour from either the licensed or

2) Class B facilities in Puerto Rico can operate with a maximum power of 50 kilowatts at 472 meters, as compared to 50 kilowatts at 150 meters in the continental US.

3) The revised protected and interfering contours were developed prior to the streamlining docket for the use of §73.215 processing for stations in Puerto Rico. At the time, a waiver request was needed to use to changed contour values. These new values are now part of §73.215 of the Commissions rules.

proposed facility. Further, the WXYX interfering 104 dBu (50/10) contour does not overlap with the licensed or proposed WRIO protected 64 dBu (50/50) contour. As such, there is not presently any interference between the stations nor would there be based on the relocation of WRIO.

Therefore, this relocation will eliminate the grandfathered shortspace between WRIO and WKSA-FM. Further, there is no predicted interference between the authorized WXYX and the proposed WRIO; there is no line-of-sight between the stations; and the lessening of the distance between WRIO and WXYX is only 0.79 kilometer. As such, Arso respectfully requests the Commission waive §73.207 (or §73.213, if needed) of its rules to allow for the relocation WRIO and restoration of the main transmitter site for the station.

EXHIBIT A1

REFERENCE		DISPLAY DATES
18 01 40 N	CLASS = B	DATA 06-04-04
66 39 14 W	PR & VI Spacings	SEARCH 06-10-04
----- Channel 266 - 101.1 MHz -----		

Call N. Lat.	Channel W. Lng.	Location Ant	Power	Dist HAAT	Azi	FCC	Margin
WRIO	LIC 266B 18 01 40	Ponce 66 39 14	CN	PR 0.00 50.000 kW BLH-19860609KA	0.0 -14 M	241.0	-241.00
Arso Radio Corporation							
WXYX	LIC 264B 18 16 58	Bayamon 66 10 47	C	PR 57.56 50.000 kW BLH-19990915AVO	60.4 333 M	74.0	-16.44
Raad Broadcasting Corporation							
WKSAFM	LIC 268B 18 26 36	Isabela 67 08 50	CN	PR 69.55 50.000 kW BLH-19920107KA	311.6 129 M	74.0	-4.45
Isabela Broadcasting, Inc.							
WWKS	LIC 267B 18 20 30	Cruz Bay 64 43 59	CN	VI 206.16 50.000 kW BLH-19970310KC	79.9 374 M	169.0	37.16
Knight V.i. Radio Corp.							
WIDAFM	LIC-D 213B 18 06 48	Carolina 66 03 07	DCN	PR 64.42 25.000 kW BLED-19830711AI	81.4 579 M	20.0	44.42
Christian Broadcasting Corp.							
WVID	LIC 212B 18 19 00	Anasco 67 10 59	CN	PR 64.47 14.500 kW BLED-19910311KC	300.0 304 M	20.0	44.47
Centro Colegial Cristiano							

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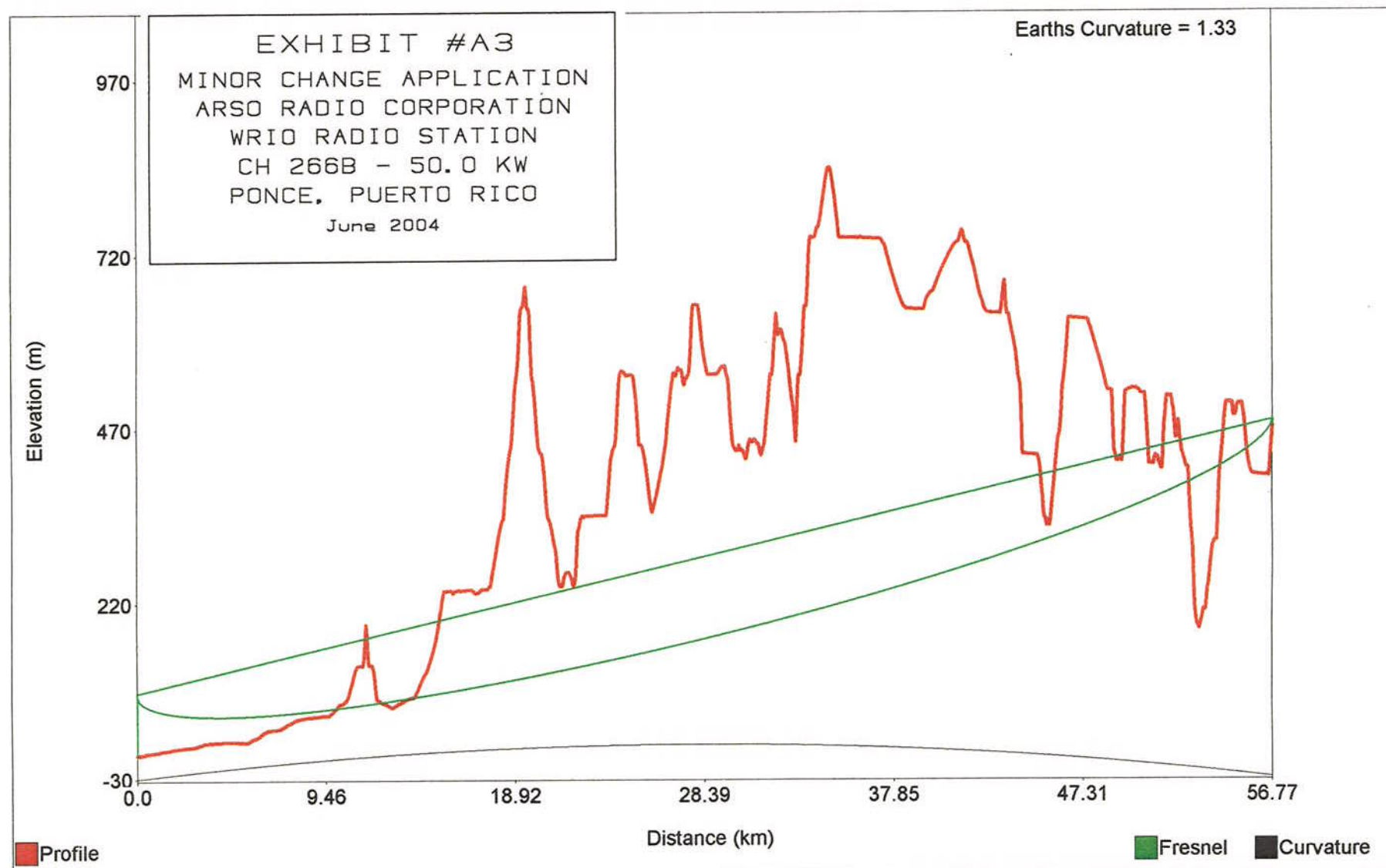
EXHIBIT A2

Clearance study for WRIO Ponce, Puerto Rico
Using proposed site as reference

REFERENCE				CLASS = B		DISPLAY DATES		
17 58 52 N				PR & VI		DATA		06-04-04
66 36 49 W				Spacings		SEARCH		06-10-04
----- Channel 266 - 101.1 MHz -----								
Call	Channel		Location		Dist	Azi	FCC	Margin
	N. Lat.	W. Lng.	Ant	Power		HAAT		

WRIO	LIC 266B	Ponce		PR 6.69	320.6	241.0	-234.31	
	18 01 40	66 39 14	CN	50.000 kW		-14 M		
	Arso Radio Corporation			BLH-19860609KA				
WXYX	LIC 264B	Bayamon		PR 56.77	53.7	74.0	-17.23	
	18 16 58	66 10 47	C	50.000 kW		333 M		
	Raad Broadcasting Corporation			BLH-19990915AVO				
WKSABM	LIC 268B	Isabela		PR 76.17	312.4	74.0	2.17	
	18 26 36	67 08 50	CN	50.000 kW		129 M		
	Isabela Broadcasting, Inc.			BLH-19920107KA				
WWKS	LIC 267B	Cruz Bay		VI 202.94	78.3	169.0	33.94	
	18 20 30	64 43 59	CN	50.000 kW		374 M		
	Knight V.i. Radio Corp.			BLH-19970310KC				
WIDAFM	LIC-D 213B	Carolina		PR 61.24	76.0	20.0	41.24	
	18 06 48	66 03 07	DCN	25.000 kW		579 M		
	Christian Broadcasting Corp.			BLED-19830711AI				
WVID	LIC 212B	Anasco		PR 70.78	301.9	20.0	50.78	
	18 19 00	67 10 59	CN	14.500 kW		304 M		
	Centro Colegial Cristiano			BLED-19910311KC				

Line-of-sight from WRIO Proposed to WXYX



Starting Latitude: 17-58-52 N
Starting Longitude: 066-36-49 W

End Latitude: 18-16-57.96 N
End Longitude: 066-10-47.06 W

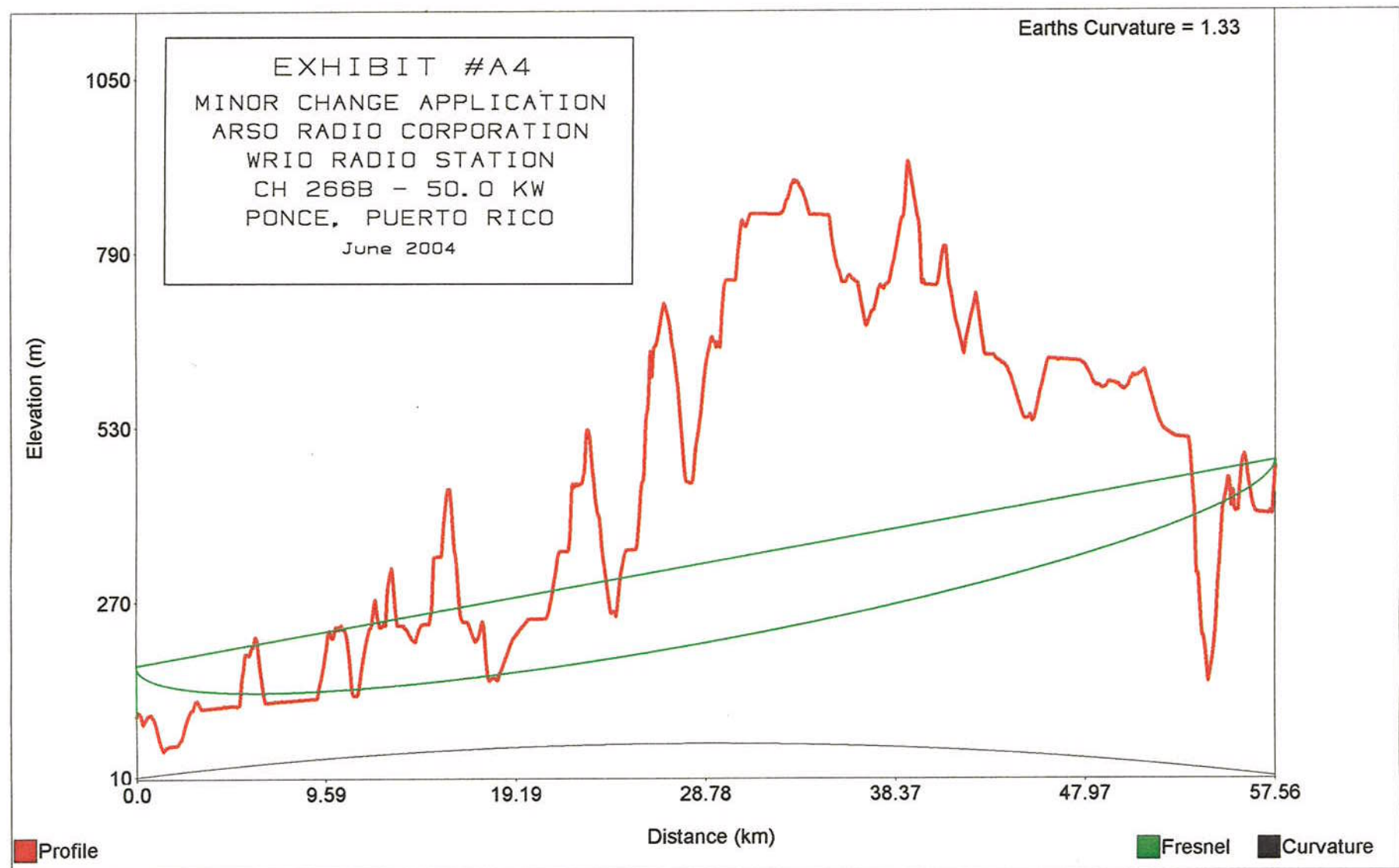
Distance: 56.77 km
Bearing: 53.911 deg

Transmitter Height (AG) = 88.1 m
Receiver Height (AG) = 9.1 m

Transmitter Elevation = 3.0 m
Receiver Elevation = 472.7 m

Frequency = 101.1 MHz
Fresnel Zone: 0.6

Line-of-sight from WRIO License to WXYX



Starting Latitude: 18-01-40 N
Starting Longitude: 066-39-14 W

End Latitude: 18-16-57.89 N
End Longitude: 066-10-47.17 W

Distance: 57.56 km
Bearing: 60.569 deg

Transmitter Height (AG) = 76.0 m
Receiver Height (AG) = 9.1 m

Transmitter Elevation = 99.9 m
Receiver Elevation = 471.2 m

Frequency = 101.1 MHz
Fresnel Zone: 0.6

Graham Brock, Inc. - Broadcast Technical Consultants

WRIO Proposed

Latitude: 17-58-52 N
Longitude: 066-36-49 W
ERP: 50.00 kW
Channel: 266B
Frequency: 101.1 MHz
AMSL Height: 91.1 m
Horiz. Pattern: Omni
Vert. Pattern: No
Prop Model: FCC

WRIO

BLH-19860609KA
Latitude: 18-01-40 N
Longitude: 066-39-14 W
ERP: 50.00 kW
Channel: 266B
Frequency: 101.1 MHz
AMSL Height: 176.0 m
Horiz. Pattern: Omni
Vert. Pattern: No
Prop Model: FCC

WXYX

BLH-19990915AVO
Latitude: 18-16-58 N
Longitude: 066-10-47 W
ERP: 50.00 kW
Channel: 264B
Frequency: 100.7 MHz
AMSL Height: 603.0 m
Elevation: 520.0 m
Horiz. Pattern: Omni
Vert. Pattern: No
Prop Model: FCC

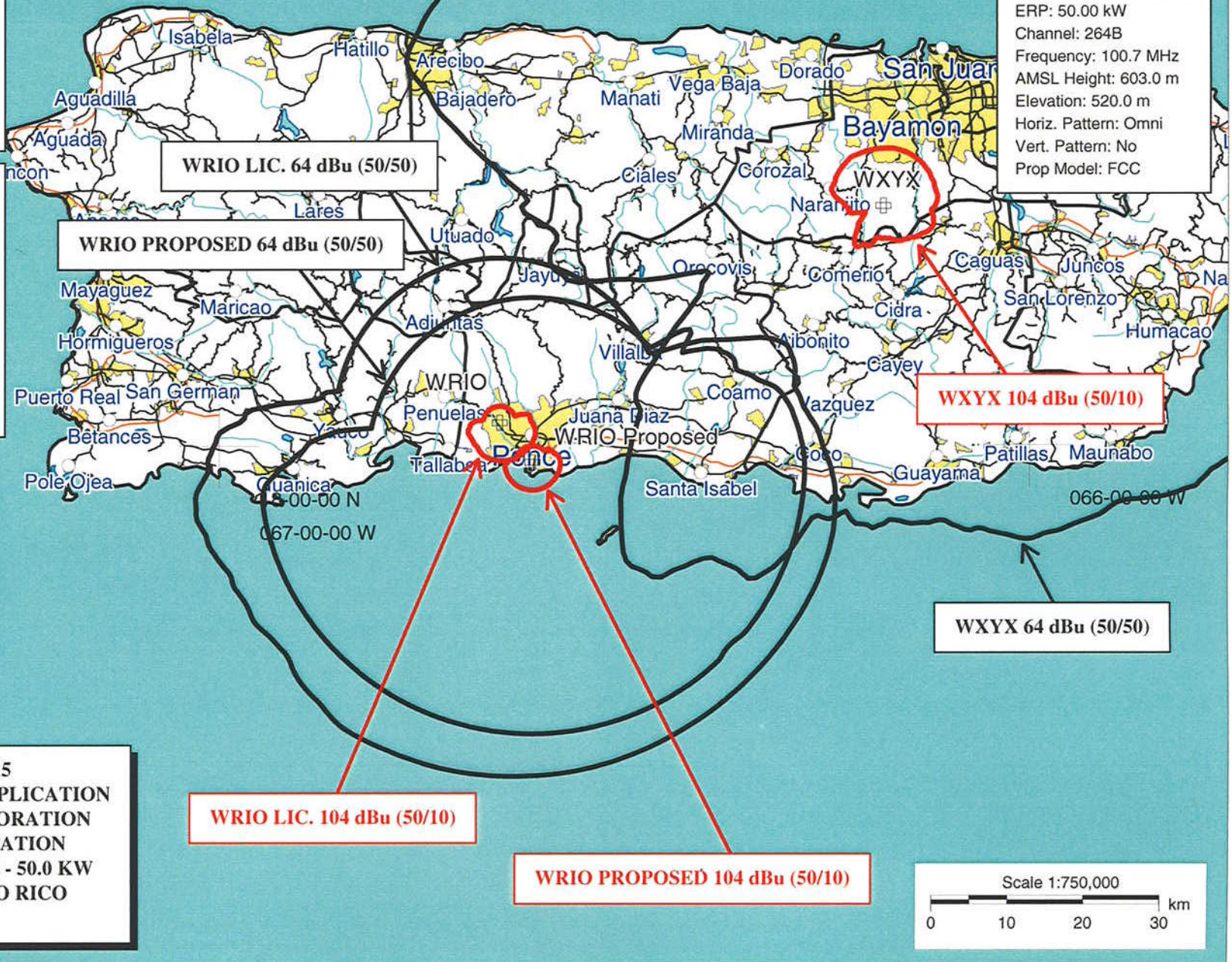


EXHIBIT A5
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