

## Request for Waiver of 47 C.F.R. Section 73.509(a)

The Applicant proposes to operate on FM channel 213A with an effective radiated power of 0.88 kW ERP from an antenna site on Noah Butte near Coos Bay, Oregon. EXHIBIT 16A is an allocation interference study for channel 213A. The only prohibited contour overlap is with FM station KJCH in Coos bay licensed to operate on channel 215C2. The proposed channel 213A 100 dBu contour is within the 60 dBu contour of KJCH as shown in EXHIBIT 16B.

On June 3, 2005 CSN International (CSN), Licensee of KJCH, tendered an application to the FCC to increase the antenna power for KJCH to 3.5 kW ERP, BPED-20050603ACC. This power increase caused an overlap of the proposed KJCH 60 dBu contour with the 100 dBu contour for the existing FM application on channel 213A previously tendered by the Applicant, FCC File No. BPED-19970909MD. CSN requested a waiver of 47 C.F.R. Section 73.509 to permit this contour overlap as explained in EXHIBIT 16C. The FCC GRANTED this waiver of 47 C.F.R. Section 73.509(a) and a construction permit and license were issued to CSN for the KJCH power increase.

Therefore, the Applicant requests that a continuation of the previously FCC granted Waiver of 47 C.F.R. Section 73.509(a) again be granted for this application. The area within the 100 dBu contour has not changed from the originally tendered application BPED-19970909MD and this contour area contains no homes or population as shown on the Noah Butte antenna site map EXHIBIT 16D.

**EXHIBIT 16A**  
**McClanathan & Associates, Inc.**  
**Portland, Or**

BIAfn/Dataworld FM Interference Study

**Title: Coos Bay**

Channel: 213 A (90.5 MHz)      ERP: 0.88 kW      HAAT: 156.0 m  
 Database: FCC 9/6/2007 12:00:00 AM

Latitude: N 43° 23' 27.0"  
 Longitude: W 124° 07' 47.0"  
 Safety Zone: 30.0 km

Call	Auth	Licensee name	Chan	HAAT(m)	ERP	Latitude	Br-to	Dist	Req
City of License		St	FCC File Number	Freq	HAMSL(m)	(kW)	Longitude	-from (km)	(km)
KOIN	LIC	MONTECITO PORTLAND LICENSE, LLC	6 II	490.5	100	N 45° 30' 58.0"	24.6	261.0	132.4
PORTLAND		OR	BLCT-20041216ADG	82	568.5	W 122° 43' 58.0"	205.6	128.6	CLEAR
Proposed Channel 213 A 69.5 dBuV/m F(50,10) Interfering contour = 12.8 km					KOIN Channel 6 2 47 dBuV/m F(50,50) Service contour = 119.6 km				
KBPS-FM	LIC	KBPS PUBLIC RADIO FOUNDATION	*210 C2	440.0	3.7 H	N 45° 30' 59.0"	24.6	261.1	50.77
PORTLAND		OR	BLED-20050506ACJ	89.9	529.0	3.7 V W 122° 43' 58.0"	205.6	210.3	CLEAR
Proposed Channel 213 A 100 dBuV/m F(50,10) Interfering contour = 1.7 km					KBPS-FM Channel 210 C2 60 dBuV/m F(50,50) Service contour = 49.0 km				
Proposed Channel 213 A 60 dBuV/m F(50,50) Service contour = 22.3 km					KBPS-FM Channel 210 C2 100 dBuV/m F(50,10) Interfering contour = 3.8 km				
KSOR	LIC	ST OF OR ACTING B/T OR ST BRD OF	*211 C	810.0	38 H	N 42° 41' 30.0"	136.4	106.9	90.99
ASHLAND		OR	BMLD-20010926ABP	90.1	1636.0	38 V W 123° 13' 44.0"	317.0	15.88	CLOSE
DA: ODD ODD860113IF @ 0.0°					KSOR Channel 211 C 60 dBuV/m F(50,50) Service contour = 89.3 km				
Proposed Channel 213 A 100 dBuV/m F(50,10) Interfering contour = 1.7 km					KSOR Channel 211 C 100 dBuV/m F(50,10) Interfering contour = 10.9 km				
Proposed Channel 213 A 60 dBuV/m F(50,50) Service contour = 22.3 km									
KWBX	LIC	CORBAN COLLEGE	*212 A	14.0		N 44° 52' 57.0"	29.0	190.4	39.41
SALEM		OR	BLED-20020326AAB	90.3	127.0	0.135 V W 122° 57' 34.0"	209.8	151.0	CLEAR
Proposed Channel 213 A 54 dBuV/m F(50,10) Interfering contour = 33.3 km					KWBX Channel 212 A 60 dBuV/m F(50,50) Service contour = 6.1 km				
Proposed Channel 213 A 60 dBuV/m F(50,50) Service contour = 22.3 km					KWBX Channel 212 A 54 dBuV/m F(50,10) Interfering contour = 8.7 km				
970909MD	APP	ST BD OF HIGHER ED FOR THE BENEF	*213 A	156.0	0.88 H	N 43° 23' 27.0"	0.0	0.000	90.26
COOS BAY		OR	BPED-19970909MD	90.5	283.0	0.88 V W 124° 07' 47.0"	0.0	-90.3	SHORT
Proposed Channel 213 A 40 dBuV/m F(50,10) Interfering contour = 67.9 km					970909MD Channel 213 A 60 dBuV/m F(50,50) Service contour = 22.3 km				
Proposed Channel 213 A 60 dBuV/m F(50,50) Service contour = 22.3 km					970909MD Channel 213 A 40 dBuV/m F(50,10) Interfering contour = 67.9 km				
980318MI	APP	WILLIAM PATRICK DONNELLY MINISTR	*213 C2	338.0	9.4 H	N 43° 17' 36.0"	96.7	88.15	147.2
ROSEBURG		OR	BPED-19980318MI	90.5	802.0	9.4 V W 123° 03' 03.0"	277.5	-59.1	SHORT
Proposed Channel 213 A 40 dBuV/m F(50,10) Interfering contour = 67.9 km					980318MI Channel 213 C2 60 dBuV/m F(50,50) Service contour = 52.0 km				
Proposed Channel 213 A 60 dBuV/m F(50,50) Service contour = 22.3 km					980318MI Channel 213 C2 40 dBuV/m F(50,10) Interfering contour = 124.9 km				
KMWR	LIC	PACIFIC CASCADE COMMUNICATIONS C	*214 A	376.0	0.1 H	N 42° 07' 23.0"	185.7	141.5	53.36
BROOKINGS		OR	BLED-20021104AED	90.7	540.0	0.1 V W 124° 17' 56.0"	5.5	88.15	CLEAR
Proposed Channel 213 A 54 dBuV/m F(50,10) Interfering contour = 33.3 km					KMWR Channel 214 A 60 dBuV/m F(50,50) Service contour = 20.1 km				
Proposed Channel 213 A 60 dBuV/m F(50,50) Service contour = 22.3 km					KMWR Channel 214 A 54 dBuV/m F(50,10) Interfering contour = 30.0 km				
KJCH	LIC	CSN INTERNATIONAL	*215 C2	445.8	3.5 H	N 42° 57' 32.0"	193.7	49.38	50.56
COOS BAY		OR	BLED-20061211ACY	90.9	689.0	3.5 V W 124° 16' 23.0"	13.6	-1.18	SHORT
Proposed Channel 213 A 100 dBuV/m F(50,10) Interfering contour = 1.7 km					KJCH Channel 215 C2 60 dBuV/m F(50,50) Service contour = 48.8 km				
Proposed Channel 213 A 60 dBuV/m F(50,50) Service contour = 22.3 km					KJCH Channel 215 C2 100 dBuV/m F(50,10) Interfering contour = 3.7 km				
KWAX	LIC	ST OF OR ACTING B/T OR ST BRD OF	*216 C1	370.0	21.5 H	N 44° 00' 04.0"	50.0	106.4	63.62
EUGENE		OR	BLED-19930308KB	91.1	562.0	12.5 V W 123° 06' 45.0"	230.7	42.78	CLEAR
Proposed Channel 213 A 100 dBuV/m F(50,10) Interfering contour = 1.7 km					KWAX Channel 216 C1 60 dBuV/m F(50,50) Service contour = 61.9 km				
Proposed Channel 213 A 60 dBuV/m F(50,50) Service contour = 22.3 km					KWAX Channel 216 C1 100 dBuV/m F(50,10) Interfering contour = 7.0 km				
KAVJ	LIC	BROOKE COMMUNICATIONS, INC.	266 C3	262.0	3.6 H	N 43° 22' 19.0"	91.7	62.88	12.00
SUTHERLIN		OR	BLH-19981119KE	101.1	491.0	3.6 V W 123° 21' 15.0"	272.2	50.88	CLEAR
Required separation derived from section 73.207 of FCC rules					KAVJ Channel 266 C3 91 dBuV/m F(50,50) Service contour = 6.7 km				
Proposed Channel 213 A 91 dBuV/m F(50,10) Interfering contour = 3.5 km									

BIAfn/Dataworld FM Interference Study

**Title: Coos Bay**

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Call	Auth	Licensee name	Chan	HAAT(m)	ERP	Latitude	Br-to	Dist	Req
City of License		St	FCC File Number	Freq HAMSL(m)	(kW)	Longitude	-from	(km)	(km)
	VAC			267 C1		N 44° 20' 48.0"	69.3	320.0	22.00
PRINEVILLE		OR	RM-rfs29*	101.3		W 120° 22' 29.0"	251.9	298.0	CLEAR

**Assumed ERP: 100 kW; HAAT: 299 m; Required separation derived from section 73.207 of FCC rules**

>> End of channel 213 A study <<

**EXHIBIT 16B**

60.0 dBu f(50,50)

60.0 dBu f(50,50)

100.0 dBu f(50,10)

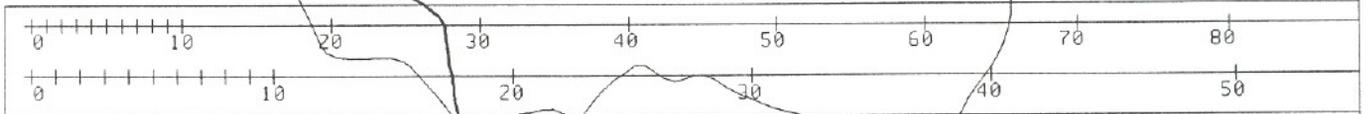
43:23:27.0N  
124:07:47.0W

**PACIFIC OCEAN**

100.0 dBu f(50,10) +

42:57:32.0N  
124:16:23.0W

Scale 1: 500000.



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# EXHIBIT 16C



CSN INTERNATIONAL  
4002 N. 3300 E. Twin Falls, Idaho 83301

COOS BAY, OREGON KJCH

May 2005

## Request for Waiver of 47 C.F.R. Section 73.509

CSN International ("CSN") desires to increase the power and service area of KJCH, Coos Bay, Oregon, which is a fully licensed FM station under BLED-20050323AFX. CSN is seeking a grant of this minor modification and waiver request, which will better serve the growing demand of the public interests of Coos Bay, OR. This proposal is engineered so as to **NOT CAUSE** interference to any existing station, known application or allocation. However, the proposed increased service area would RECEIVE interference from two existing adjacent full power applications, as follows:

Facility ID	Application #	City of License	Related Attached Exhibit
88257	BPED-19970909MD	Coos Bay, Oregon	Exhibit 15, (a) - 2 <sup>rd</sup> Adjacent
91353	BPED-19980810MC	Coos Bay, Oregon	Exhibit 15, (b) - 2 <sup>nd</sup> Adjacent

This proposal will not cause interference to the above referenced applicants as the 100 dBu F(50,10) interfering contour of KJCH will not overlap either stations' 60 dBu F(50,50) protected contour. However, KJCH's proposed protected 60 dBu F(50,50) would receive prohibited overlap from both BPED-19970909MD and BPED-19980810MC. The area of overlap received from the above referenced facilities will be approximately:

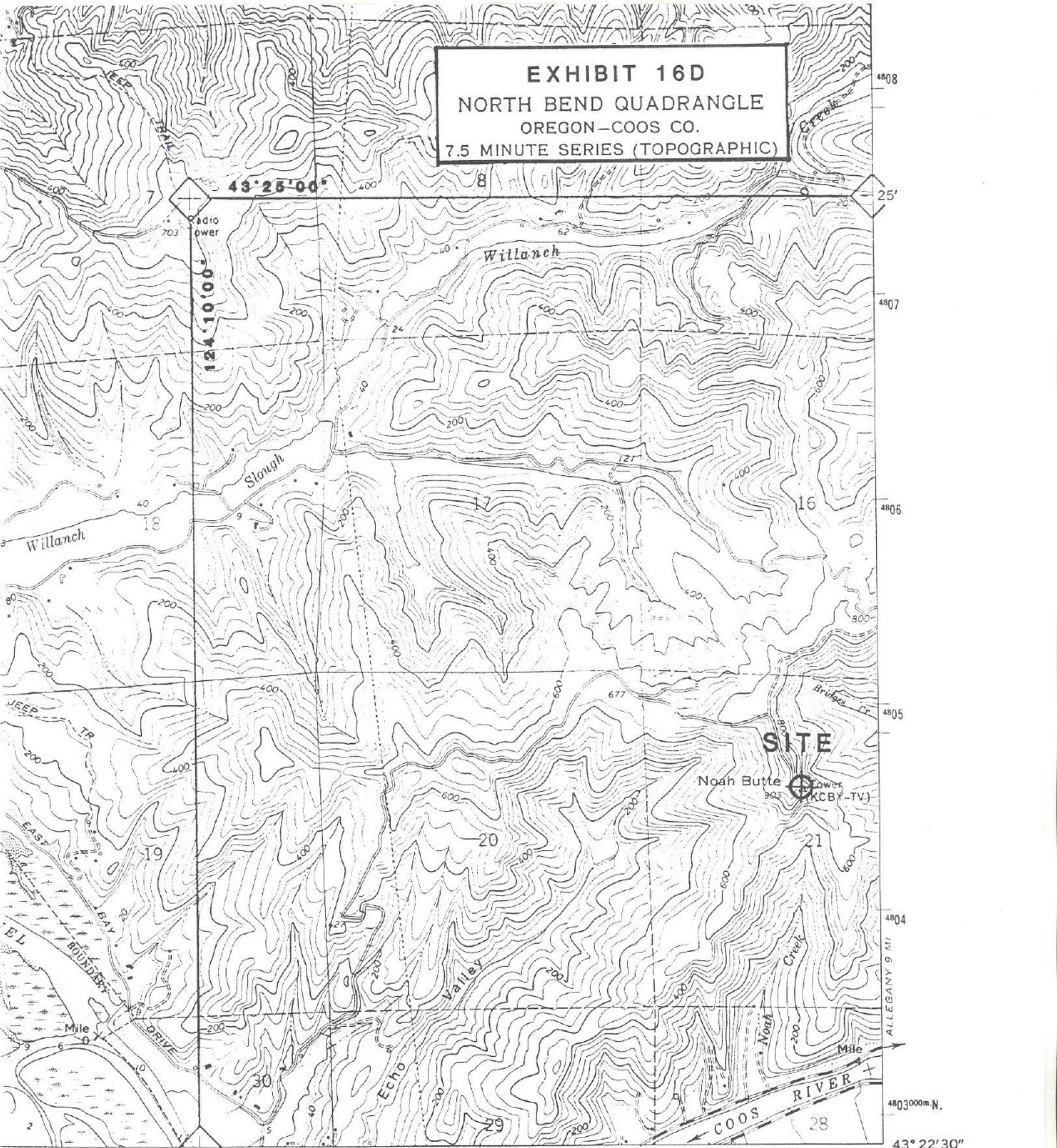
Call Sign	Square km	Total area of KJCH's proposed 60 dBu Overlap
BPED-19970909MD	9.8	.13%
BPED-19980810MC	11.6	.15%

Presently the current 60 dBu F(50,50) contour of KJCH contains 873.3 sq. km and the grant of this waiver request will allow KJCH to increase its overall coverage area to 7762.9 sq. km, which is an increase of nearly 789%. It will provide service to an estimated 30,700 more persons, an increase of more than 118%. This waiver request is nearly identical to the request made by the licensee of WCPE(FM) in Educational Information Corporation, 6 FCC Rcd 2207 (1991). WCPE(FM) requested a waiver in its application to permit *de minimus* overlap "received," and in the same proceeding WCCE(FM) requested a waiver in its application to permit *de minimus*

overlap “caused.” Please note that CSN is not requesting overlap “caused”, **ONLY** overlap “received”. More recently the Commission granted this type of a waiver to Educational Media Foundation in its minor change application of KYLV, Oklahoma City, OK, BPED-20040210AAQ, granted in less than 4 months. In Educational Media Foundations’ requested waiver, applications BPED-19941026MA, Norman, OR, BPED-19950714MD, Norman, OK and BPED-19970313ML, Crescent, OK, as well as licensed station KALU, Langston, OK were allowed to permit *de minimus* “caused” to KYLV.

Because the Commission has recognized the importance of affording noncommercial educational stations the flexibility to expand and meet the growing demand for service, CSN International believes that its instant request for KJCH, Coos Bay, Oregon fully satisfies the criteria established by the Commission for a waiver of Section 73.509 of the rules as it pertains to overlap received. Clearly, this benefit heavily outweighs the potential for interference in an area that would be a total of less than .3% of KJCH’s proposed service area. Accordingly CSN International respectfully submits its requested waiver of Section 73.509(a) of the Commission’s rules is justified in this instance.

**EXHIBIT 16D**  
**NORTH BEND QUADRANGLE**  
**OREGON—COOS CO.**  
**7.5 MINUTE SERIES (TOPOGRAPHIC)**



INTERIOR—GEOLOGICAL SURVEY, WASHINGTON, D.C.—1974  
 EASTSIDE 3.7 MI. 408000m E. 124° 07' 30" 43° 22' 30" ALLEGANY 9 MI. 4803000m N.

