

[Exhibit 12]

## **Non-Interference Compliance**

For an Open Site

Regarding FCC File Number: BNPFT-20030317KTK

Channel: 296

### **Description of Exhibit 12 Contents**

This exhibit demonstrates that the proposed facility complies with contour overlap and interference protection provisions in all the applicable rule sections and that this application for a construction permit is in full compliance with 47 CFR 74.1204.

Page 2 of this exhibit is an explanation of the tabulated data, which is included as evidence on page 3 of this exhibit.

Page 3 of this exhibit is the tabulated data from the interference analysis, which shows all stations that this application must consider for contour protection. These tabulated values were generated using high resolution 3 arc second terrain data for the best possible accuracy.

**Let it be noted that should any actual real world interference occur, the applicant certifies that it will promptly suspend operation of this translator in accordance with 47 CFR 74.1203.**

## **Explanation of Frequency Finder Results**

The interference analysis for this application was performed using the "Frequency Finder" module in RadioSoft's Comstudy, version 2.2.

Frequency Finder analyzes data taken directly from the FCC's FM database and looks for prohibited overlap with contours of adjacent stations and prohibited proximity to stations 53 or 54 channels from the proposed station (IF) using 3 arc second terrain data and the FCC's contour algorithms. The results tabulated are the stations returned from that analysis. (Note: Because Comstudy was looking at the FCC's FM database, it took into account the proposed translator when doing the analysis and returned it in the tabulated results. For the sake of simplicity, that record has been deleted from all tabulated results.)

The first several columns of the table are self-explanatory. They give various data on the stations in question. The column labeled "Clr" gives the proposed translator's "clearance" with respect to the tabulated station, either in dB or km. The values listed with no units are given in km and are for stations located on an IF to the proposed site's channel.

**A negative value in the "Clr" column does NOT necessarily represent prohibited contour overlap as explained below.**

A negative value listed in the "Clr" column would indicate either overlap of interference and protected contours or prohibited proximity to an IF station except in the following situations:

- Since the proposed station's Effective Radiated Power (ERP) is 75 watts, a negative value in km (no units listed in the table) does not represent a violation of the CFR, according to 47 CFR 1204(g), which states that "FM translator stations and booster stations operating with less than 100 watts ERP will be treated as class D stations and will not be subject to intermediate frequency separation requirements."

- A second or third adjacent LP100 station cannot represent a violation of the CFR, as 47 CFR 74.1204(a)(4) requires protection of only co-channel and first adjacent LP100 stations.

- 47 CFR 74.1204(a) requires only the protection of "AUTHORIZED commercial or noncommercial educational FM broadcast stations, FM translators, ..." Any entry with a status listed as "RSV," "USE" or "APP" does not represent an authorized station and therefore is not protected under 47 CFR 74.1204. The one exception is the case of LP100 applications. The note to 47 CFR 74.1204(a)(4) states that "LPFM applications and permits that have not yet been licensed must be considered as operating with the maximum permitted facilities." Therefore, any first adjacent or co-channel LP100 station, no matter the status, is protected.

Callsign	State	City	Channel	ERP_w	Licensee	ARN	Facility_id	Class	Status	Distance_km	Clr
KQTY-FM	TX	BORGER	294	6000	ZIA BROADCASTING COMPANY	BLH19990802KB	74566	A	LIC	42.23	9.98 dB
NEW	TX	SPEARMAN	296	170	GREAT PLAINS CHRISTIAN RADIO, INC.	BNPFT20030311AFJ	142297	D	APP	77.59	13.29 dB
KPUR-FM	TX	CANYON	296	6000	CUMULUS LICENSING CORP.	BLH19960722KB	72038	A	LIC	98.41	13.65 dB
NEW	TX	DUMAS	296	92	RADIO ASSIST MINISTRY INC.	BNPFT20030317LHH	155694	D	APP	100.67	17.40 dB
	TX	WELLINGTON	296	0		RMbh-1*	0	C3	APP	101.81	19.99 dB
KPUR-FM	TX	CANYON	296	0	CUMULUS LICENSING CORP.		72038	A	USE	98.5	21.82 dB
NEW	TX	DUMAS	295	170	GREAT PLAINS CHRISTIAN RADIO, INC.	BNPFT20030311AGQ	142239	D	APP	99.37	29.28 dB
NEW	TX	BORGER	298	100	RIOS DE AGUA VIVA	BNPL20010612AGX	134459	LP100	APP	42.13	31.71 dB
KSCB-FM	KS	LIBERAL	298	100000	SEWARD COUNTY BROADCASTING CO., INC.	BMLH19941207KA	59801	C1	LIC	170.02	33.32 dB
KKYN-FM	TX	PLAINVIEW	295	50000	EQUICOM, INC	BLH19990419KA	57462	C2	LIC	153.43	34.19 dB
950213MJ	TX	BORGER	294	0	ROMERO BROADCASTING		57501	A	USE	41.52	35.19 dB