

TECHNICAL EXHIBIT

APPLICATION FOR MODIFICATION OF LICENSE
FOR NON-RESERVED CHANNEL
FM TRANSLATOR STATION
K252EH

PARK CITY, UTAH
CH 260D 115 WATTS -115 M

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MARIO HIEB, P.E.
CONSULTING ENGINEER
SALT LAKE CITY, UT

INTRODUCTION

This technical exhibit has been prepared on behalf of Phasor Physics, Inc. in support of an application requesting a modification of the license for FM Translator Station K252EH, Park City, Utah.

This proposal would not be subject to environmental processing in accordance with Section 1.1306. It is evidenced herein that this proposal conforms to all applicable environmental rules and regulations of the FCC.

This application requests that a waiver of the FCC's Rules be granted so that K252EH may relocate to FM Channel 260. Presently, College Creek Media, LLC, the licensee of Station KADQ-FM, Evanston, Wyoming, has pending, in FCC File No. BPH-20080325AIH, an application to modify KADQ-FM's license to operate on co-channel 252. In the event that application is granted, K252EH would cause impermissible interference to KADQ-FM and K252EH would have to discontinue operations in service to the public of Park City.

As evidenced by the appended information, K252EH has considered possible channel relocations in order to deal with this displacement situation and has determined that there are no first, second, third adjacent channels or IF channels that the Station can apply for without causing or suffering impermissible interference. Figures 1-6 show that prohibited overlap would occur on each of these channels.

Figure 1 shows that, if K252EH were moved to Channel 249, the interfering contour would overlap with KBZN and KBZN-1.

Figure 2 shows that, if K252EH were moved to Channel 250, the interfering contour would overlap with KBZN and KBZN-1.

Figure 3 shows that, if K252EH were moved to Channel 251, the interfering contour would overlap with KBZN and KBZN-1.

Figure 4 shows that, if K252EH were moved to Channel 253, the interfering contour would overlap with KBEE.

Figure 5 shows that, if K252EH were moved to Channel 254, the interfering contour would overlap with KBEE.

Figure 6 shows that, if K252EH were moved to Channel 255, the interfering contour would overlap with KBEE.

There are no IF channels to K252EH.

Considering the facts previously described, K252EH hereby requests that the Commission waive the provisions of Section 74.1233(a)(1) of the Commission's Rules that would otherwise treat a relocation to Channel 260 to be a "major change," which would require the opening of a window before an application could be filed for it. K252EH submits that since there are no available channels that are less than third adjacent or IF channels, the effect of KADQ-FM's proposed operation on Channel 252 would be to require the termination of the operations of K252EH until a major change window opened. However, Section 312(g) of the Communications Act of 1934, as amended, provides that a station that fails to transmit a broadcast signal for more than one year is deemed to have had its license treated as expired. In that K252EH provides a valuable service to the community of Park City, listeners in Park City should not lose the service and only a waiver of Section 74.1233(a)(1) would permit K252EH's broadcast service to remain in operation.

A waiver of the rules, to allow K252EH to migrate to Channel 260, will enable K252EH to continue to operate and will serve the interests of the Station and its listeners. Accordingly, the public interest will be well served by allowing a change to Channel 260 to be permitted given the unique circumstances attendant to this request. On the basis of the unique circumstances presented and that the public interest is well-served by a waiver of the major change rule in order to permit the Station to continue to serve the public,

K252EH submits that it has overcome the high hurdle for waiver requests and is entitled to the waiver it is requesting. *See WAIT Radio v. FCC*, 418 F. 2d 1153, 1157 (D.C. Cir. 1969), *cert denied*, 409 U.S. 1027 (1972).

Proposed Station Data

Output Frequency: 99.9 MHz.

Input Frequency: 88.1 MHz.

Channel: 260

ERP: 115 watts

Class: D

Proposed Antenna Location

The geographic coordinates (NAD 27) of the proposed site are as follows:

North Latitude: 40-40-58 N

West Longitude: 111-31-20 W

Transmitting Antenna

ANTENNA: Scala model FMV, single bay.

Interference

Overlap with the pertinent contours of the proposed station and any first, second, third adjacent and IF channel stations, is shown in Table 1. The pertinent interfering contour of

the proposed station and nearby co-channel stations is shown in Figure 7. This figure shows that there is no prohibited contour overlap.

The pertinent interfering contours of the proposed station and nearby 1st adjacent stations are shown in Figure 8. This figure shows that there is no prohibited contour overlap.

The pertinent interfering contours of the proposed station and second adjacent channels are shown in Figures 9 and 10. Although contour overlap occurs, the area of overlap is entirely over unpopulated area. As demonstrated on the quadrangle map in Figure 11, there are no populated structures or highways within the contours. The contours encompass a road, but it is a dirt road for access to the transmitter site. Hence, in accordance with 47 CFR § 74.1204 (d) and in FCC 02-244, a lack of population has been demonstrated within the area of interference.

Regarding IF channel spacing, 47 CFR § 74.1204 (g) states that “...*translator stations will be treated the same as Class A stations...*” Table 1 shows that the pertinent FM translator stations have the required spacing with the proposed station.

Unattended Operation

The proposed station will comply with all rules and requirements regarding unattended operation.

Multiple Translators

The applicant certifies that it does not have any interest in an FM translator that serves substantially the same area and that rebroadcasts the same signal as the proposed translator.

Environmental Considerations

The station will operate with an effective radiated power of 115 watts from a single-bay non-directional antenna, mounted on an existing tower.

The station will operate with an effective radiated power of 115 watts using a Scala FMV vertically polarized antenna. The non-ionizing RFR analysis was conducted utilizing the FCC FM Model software program. Results of this analysis are shown in Figure 12.

The worst-case, predicted power density for the proposed station at two meters above ground level is estimated to be $47 \mu\text{W}/\text{cm}^2$, which will occur at a horizontal distance of 4.8 meters from the base of the tower and within the fenced compound.

Since the permitted power density for occupational/controlled exposure (OCE) in the FM band is $1000 \mu\text{W}/\text{cm}^2$, the predicted power density of the proposed site is 4.7% of the GPE. As this level is below the 5% threshold established in 47 CFR § 1.1307 (b) (3), and only stations contributing 5% or more than the applicable standard need comply, the proposed facility does not need to be considered in determining site RFR compliance.

Access to the transmitting site is restricted and appropriately marked with warning signs. When it becomes necessary for workers to ascend the tower, appropriate measures, such as reduction or shut down of power if necessary, shall be taken to ensure that the human exposure to radio-frequency radiation will not exceed the FCC guidelines.

Callsign	ST	City	Freq	Channel	ERP_w	Class	Status	Distance_km
KSFI-FM1	UT	PARK CITY	100.3	262	500	D	CP	0.05
KJMY	UT	BOUNTIFUL	99.5	258	39000	C	LIC	54.51
KJMY-FM2	UT	PARK CITY	99.5	258	1000	D	LIC	19.53
KSFI	UT	SALT LAKE CITY	100.3	262	25000	C	LIC	57.48
KSFI	UT	SALT LAKE CITY	100.3	262	13500	C	LIC	57.48
KJMY	UT	BOUNTIFUL	99.5	258	5000	C	LIC	54.51
NEW	UT	TOOELE	99.9	260	10	D	APP	57.55
NEW	UT	RIVERTON	99.9	260	10	D	APP	35.63
NEW	UT	OREM	99.9	260	34	D	APP	49.04
KJMY	UT	BOUNTIFUL	99.5	258	0	C	USE	54.51
KBYU-FM	UT	PROVO	89.1	206	8000	C	LIC	54.52
KBYU-FM	UT	PROVO	89.1	206	30000	C	LIC	54.52
KSFI	UT	SALT LAKE CITY	100.3	262	0	C	USE	57.48
NEW	UT	RURAL UTAH COUNTY	99.9	260	10	D	APP	70.7
NEW	UT	NORTH OGDEN	99.9	260	48	D	APP	83.79
NEW	UT	WELLSVILLE	99.7	259	250	D	APP	102.48
	UT	FOUNTAIN GREEN	99.9	260	0	A	APP	117.52
NEW	UT	LOGAN	99.9	260	10	D	APP	120.8
K261CL	UT	ROOSEVELT	100.1	261	91	D	LIC	122.5
KLZX	ID	WESTON	99.9	260	25000	C3	CP	134.2
	ID	WESTON	99.9	260	0	C3	RSV	134.2
NEW	UT	NEPHI	100.1	261	10	D	APP	134.75
NEW	UT	NEPHI	99.7	259	10	D	APP	134.75
K260AD	ID	MONTPELIER	99.9	260	10	D	LIC	189.89
KSIT	WY	ROCK SPRINGS	99.7	259	99000	C	LIC	218.68
KZDX	ID	BURLEY	99.9	260	27000	C	LIC	252.75

TABLE 1: Pertinent first, second, third adjacent, and IF channel stations spaced with the proposed station.