

[Exhibit 12]

## **Non-Interference Compliance**

For an Open Site

Regarding FCC File Number: BNPFT-20030317CXS

### **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:

- 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.

Frequency Finder

Callsign	State	City	Channel	ERP_w	Licensee	ARN	Class	Status	Distance_km	Clr	Facility_id
NEW	CA	CAMP NACIMIENTO	287	250	KING CITY COMMUNICATIONS CORPORATION	BNPFT20030317EHT	D	APP	28.94	1.27 dB	152853
KOCN	CA	PACIFIC GROVE	286	1800	CLEAR CHANNEL BROADCASTING LICENSE	BLH19950801KD	A	LIC	71.68	8.93 dB	8082
KOCN	CA	PACIFIC GROVE	286	0	CLEAR CHANNEL BROADCASTING LICENSES, INC.		B1	USE	65	9.21 dB	8082
970825TI	CA	SOLEDAD	288	10	THE ASSOC. FOR COMMUNITY EDUC.,	BPFT19970825TI	D	APP	34.38	13.35 dB	88248
NEW	CA	SOLEDAD	288	10	FOUNDATION OF CALIFORNIA STATE	BNPFT20030317IHM	D	APP	34.38	13.31 dB	156698
KIQO	CA	ATASCADERO	283	4700	AMERICAN GENERAL MEDIA OF TEXAS	BLH20021017AAU	B	LIC	102.5	18.27 dB	42066
NEW	CA	LOS BANOS	286	55	EDGEWATER BROADCASTING INC.	BNPFT20030317CYG	D	APP	102.08	19.03 dB	150261
KLBN	CA	AUBERRY	286	600	LOTUS COMMUNICATIONS CORP.	BLH19980309KA	B1	LIC	178.62	20.98 dB	38455
KHTN	CA	LOS BANOS	284	50000	BUCKLEY COMMUNICATIONS, INC.	BLH19800506AG	B	LIC	120.96	20.48 dB	20334
NEW	CA	PATTERSON	286	10	THE ASSOCIATION FOR COMMUNITY EDUCATION	BNPFT20030311AEA	D	APP	129.03	23.98 dB	139100
NEW	CA	HANFORD	286	250	ROBERT J. CONNELLY, JR.	BNPFT20030317FBH	D	APP	130.58	23.98 dB	155515
KWOL	CA	SAN JOAQUIN	288	25000	MESOSPHERE BROADCASTING LIMITED PARTNERSHIP	BLH20011002AAM	B1	LIC	109.63	25.58 dB	64144
KWOL	CA	SAN JOAQUIN	288	25000	MESOSPHERE BROADCASTING LIMITED PARTNERSHIP	BPH20000927ACB	B1	CP	109.63	25.58 dB	64144
KEMR	CA	SANTA CLARA	289	50000	HBC LICENSE CORPORATION	BMLH19930914KG	B	LIC	140.17	26.03 dB	19532
	CA	CAMBRIA	287	0		RMrf46	A	APP	72.42	28.11 dB	0
KWSZ	CA	LOMPOC	286	420	MAPLETON COMMUNICATIONS, LLC	BMLH20020730ABN	A	LIC	184.88	29.58 dB	38306
K285EW	CA	SAN LUIS OBISPO	285	10	CALVARY CHAPEL OF TWIN FALLS, INC.	BLFT19991208ACT	D	LIC	97.3	30.97 dB	72004
KNCI	CA	SACRAMENTO	286	50000	INFINITY RADIO SUBSIDIARY OPERATIONS, INC.	BMLH19960111KN	B	LIC	270.33	30.97 dB	20353
870408KC	CA	AUBERRY	286	0	CATHARINA LOUISE OSBORN		B1	USE	175.06	30.24 dB	9316
KNCI	CA	SACRAMENTO	286	50000	INFINITY RADIO SUBSIDIARY OPERATIONS, INC.	BLH19840815CB	B	LIC	270.33	30.97 dB	20353
KITS	CA	SAN FRANCISCO	287	15000	INFINITY BROADCASTING OPERATIONS, INC.	BLH6240	B	LIC	202.31	31.98 dB	18510
NEW	CA	LOS OSOS	287	100	SPIRIT OF TRUTH MINISTRY	BNPL20000601ADI	LP100	APP	99.61	32.00 dB	124000
KKDJ	CA	DELANO	287	35000	CLEAR CHANNEL BROADCASTING LICENSE	BLH19871231KD	B	LIC	200.62	33.09 dB	37774
KITS	CA	SAN FRANCISCO	287	16500	INFINITY BROADCASTING OPERATIONS, INC.	BLH19930707KA	B	LIC	202.31	33.89 dB	18510
KHTN	CA	PLANADA	284	1950	BUCKLEY COMMUNICATIONS, INC.	BPH20030520AAR	B	APP	176.19	34.69 dB	20334
KCNL	CA	SUNNYVALE	285	6000	CHASE RADIO PROPERTIES, L.L.C.	BLH20030131AFM	A	LIC	136.49	34.03 dB	54478
KWSZ*	CA	LOMPOC	286	0		FM ALLOTMENT	A	USE	186.7	35.10 dB	96168
KWOL	CA	SAN JOAQUIN	288	0	MESOSPHERE BROADCASTING LIMITED PARTNERSHIP		B1	USE	60.89	38.59 dB	64144
KIQO	CA	ATASCADERO	283	0	AMERICAN GENERAL MEDIA OF TEXAS, INC.		B	USE	102.56	38.44 dB	42066
K288BO	CA	PASO ROBLES	288	10	CALVARY CHAPEL OF TWIN FALLS, INC.	BLFT20020304AHP	D	LIC	70.77	39.37 dB	72012
KFOG	CA	SAN FRANCISCO	283	13500	KFFG LICO, INC.	BLH19980619KE	B	LIC	209.14	39.67 dB	54770
KFOG	CA	SAN FRANCISCO	283	13500	KFFG LICO, INC.	BLH19830711AM	B	LIC	209.16	39.67 dB	54770
KFOG	CA	SAN FRANCISCO	283	7100	KFFG LICO, INC.	BLH19980619KD	B	LIC	209.14	39.88 dB	54770
KCNL	CA	SUNNYVALE	285	0	CHASE RADIO PROPERTIES, L.L.C.	RM10332	A	USE	137.74	39.89 dB	54478
KCRZ	CA	TIPTON	285	2300	WESTCOAST BROADCASTING, INC.	BLH19951107KC	A	LIC	167.59	39.89 dB	37015