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**ATLANTIC COAST COMMUNICATIONS, INC**

**HOLMDEL, NEW JERSEY**

**LICENSEE OF W26CE CHANNEL 26**

**NEW YORK, NEW YORK**

**FCC Facility ID #47855**

**FCC FILE Nos. BLTTL-20010927ABF  
BSTA-20061003ABI  
BESTA-20070412ACB**

**APPLICATION FOR AN EMERGENCY STA**

**TO SPECIFY A DIFFERENT TRANSMITTER SITE DUE TO LOSS  
OF EXISTING LEASE**

**ENGINEERING EXHIBIT 22**

**August 20, 2007**

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**ENGINEERING EXHIBIT 22**

**REQUEST FOR EXPEDITED PROCESSING AND THE EXTRAORDINARY  
CIRUMSTANCES REQUIREMENT STATEMENT FOR QUESTION 8**

This instant application for a slight engineering modification with respect to the existing approved STA, File Nos. BSTA-20061003ABI, as extended by BESTA-20070412ACB. The current STA extension expires on October 4, 2007.

W26CE has been operating under the terms of BSTA-20061003ABI and only recently has learned that the currently approved STA transmitter site, which the Licensee, Atlantic Coast Communications, Incorporated (ACC), had expected to be able to complete a final lease agreement and complete a formal CP application, will no longer be available for ACC's use. ACC has signed an Agreement with an adjacent tower owner for a permanent location for W26CE. The proposed transmitter location is 0.36 km from the current facilities authorized under BSTA-20061003ABI.

Concurrently with this request, we are submitting an application for a Construction Permit on FCC Form 346, to obtain authority to construct the permanent facility with the same parameters as proposed herein. This emergency STA is being submitted to allow the immediate relocation of the facility to the nearby tower. As background, the original STA was requested due to loss of lease on the presently authorized W26CE transmitter site as shown in BLTTL-20010927ABF. **We request emergency processing of this request so as to allow sufficient time to re-locate the**

**transmitting facilities of W26CE within the next 3-4 weeks.** The lateness of filing this application is a direct result of only determining recently that the presently utilized site is no longer available, and performing due diligence to be sure that this proposed site met all the requirements. ACC wishes to minimize the downtime to that necessary for the efficient transfer of the transmitter and antenna system to the site proposed herein. We expect that operation under this emergency STA would continue until the staff grants the Construction Permit application being filed simultaneously. The tower owner at the new site is cooperating with Atlantic Coast to expedite the re-installation of the transmitter and antenna in spite of the fact of a notification by the power utility of a two month lead time on the installation of separately metered power facilities.

Moreover, Atlantic Coast Communications, Incorporated (**Atlantic Coast**) will be filing a DTV flash cut or a displacement companion channel application for W26CE shortly. As shown on the Emergency STA application engineering section, Atlantic Coast has obtained permission to utilize a nearby transmitter site at 40-51-17.8N, 072-46-10.5W with the presently authorized directional antenna with the following parameters. Proposed STA ERP is 1.5 kW (DA) at 200 degrees utilizing a Bogner B8US with C/R at 79.2 meters AG and 153.5 meters AMSL. As shown in Figure 1, the proposed 74 dBu STA coverage area intersects the existing licensed W26CE 74 dBu coverage area. Both a contour overlap and a Longley-Rice study show no prohibited interference is caused to any full service, LPTV, or Class A station by this proposal. W26CE provides a unique service to this region. Granting of this proposal will serve the public interest by allowing W26CE to resume operations and to expeditiously convert to digital operation.

## **ENVIRONMENTAL STATEMENT**

There are no AM stations within 3.2 km of the W26CE site. The instant application is excluded under 1.1306. Using the procedures outlined in OET Bulletin 65,

Edition 97-01 and specifically Appendix A, Table 1 and Equation 9, Page 21, I have evaluated the RFR energy from the antenna system of W26CE (CH 26) as follows:

W26CE is the only station at this general location required to be considered by 47 CFR 1.1307(b).

**W26CE** W26CE is proposing STA operation on Channel 26 utilizing a maximum ERP of 1.50 kilowatts visual and 0.15 kilowatts aural with a directional antenna and horizontal polarization (1.1 kW average power). The Channel 26 transmitting antenna is a high gain unit with a power gain of 10x side mounted with a C/R 79.2 meters up the tower. With the resulting high elevation gain, the RFR energy at steep angles below the horizon is expected to be at least 10 dB below that of the main lobe. Utilizing Appendix A, Table 1 the maximum occupational/controlled exposure level at CH 26 is  $1,810 \text{ uW/cm}^2$ . Using Equation 10, Page 21, the distance to the  $1,810 \text{ uW/cm}^2$  contour is 1.4 meters. For general public/uncontrolled environment the maximum exposure level is  $362 \text{ uW/cm}^2$ . Again using Equation 10, the distance to the  $362 \text{ uW/cm}^2$  contour is 3.2 meters. Since the base of the antenna is at least 77 meters above the ground, the height of the structure limits the possible excessive radiation values to at least 73.8 meters above the ground.

Again using Equation 10, the predicted RFR energy levels at 2 meters above ground is calculated at  $0.66 \text{ uW/cm}^2$  or 0.2% of the FCC allowable for the general public/uncontrolled environment per FCC OET Bulletin 65.

Therefore the total level of the W26CE RFR source at all points on the ground is below that required for protection of both the employees and the general public as required by ANSI 95.1-1992 or FCC OET 65, Edition 97-01. The total RFR level from W26CE(STA) is calculated not to not exceed  $0.66 \text{ uW/cm}^2$  or 0.2 of the FCC allowable anywhere on the ground in the area of the tower. Neither workers nor the general public will be exposed to electromagnetic fields exceeding the maximum permissible expose

(MPE) levels set for in Section 1.1310 of the commission's Rules. **The total RFR levels from proposed W26CE are less than 5% of the general public/uncontrolled environment allowable, thus W26CE is excluded from contribution to this multiple use site.**

Where radio frequency fields in excess of FCC guidelines are predicted to be encountered (very near the station's transmission antenna), signs and protective devices shall secure the area affected from the general public. With respect to direct employees of this licensee, OSHA RFR guidelines will be observed. Contractors and other outside workers potentially exposed to such areas shall be advised of the hazard by posted notices or other means. The station will reduce power or cease operation, if necessary, in order to protect workers on the tower.

With these procedures in place, we believe the proposed W26CE (Channel 26) operation at this new site will be in compliance with the RFR energy requirements of 47 CFR 1.1307(b).