

[Exhibit 12]

## **Non-Interference Compliance**

For an Open Site

Regarding FCC File Number: BNPFT-20030317DAP

### **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	AR	MENA	254	62	RADIO ASSIST MINISTRY, INC.	BNPFT20030317DAC	D	APP	79.33	13.19 dB	150904
KTAL-FM	TX	TEXARKANA	251	100000	ACCESS.1 COMMUNICATIONS - SHREV	BLH4026	C	LIC	117.12	14.23 dB	33728
KMAG	AR	FORT SMITH	256	94000	CAPSTAR TX LIMITED PARTNERSHIP	BLH19900430KB	C	LIC	147.19	18.55 dB	22098
KLBQ	AR	EL DORADO	254	14000	EL DORADO BROADCASTING CO.	BLH19940318KH	C3	LIC	134.15	19.11 dB	19090
NEW	AR	ARKADELPHIA	255	115	EDGEWATER BROADCASTING INC.	BNPFT20030317BYW	D	APP	68.02	22.41 dB	150880
KURB	AR	LITTLE ROCK	253	99000	CITADEL BROADCASTING COMPANY	BLH19880727KA	C	LIC	154.82	23.44 dB	19559
KGAP	TX	CLARKSVILLE	253	50000	PETRACOM OF TEXARKANA, L.L.C.	BLH19960111KM	C2	LIC	116.09	24.65 dB	4045
KLBQ	AR	EL DORADO	254	0	EL DORADO BROADCASTING CO.		C3	USE	134.33	25.59 dB	19090
K254AM	AR	FORT SMITH	254	250	EDUCATIONAL MEDIA FOUNDATION	BLFT20020604AAH	D	LIC	158.3	27.76 dB	85710
KWDO	AR	WALDO	256	6000	GEORGE S. FLINN, JR.	BLH20020405AAE	A	LIC	83.88	27.10 dB	86171
KTUX	TX	CARTHAGE	255	100000	CITICASTERS LICENSES, L.P.	BLH19850412KC	C1	LIC	173.92	29.92 dB	35688
NEW	TX	TEXARKANA	257	250	MILLENNIUM BROADCASTING CORP	BNPFT20030317IUC	D	APP	62.79	31.01 dB	156882
NEW	TX	NASH	257	205	EDUCATIONAL MEDIA FOUNDATION	BNPFT20030314BUW	D	APP	62.06	31.45 dB	140540
NEW	TX	TEXARKANA	257	250	JUAN ALBERTO AYALA	BNPFT20030317ISP	D	APP	60.23	32.02 dB	156828
NEW	TX	TEXARKANA	257	250	E-STRING WIRELESS, LTD	BNPFT20030317JOQ	D	APP	58.05	32.86 dB	156971
KGAP	TX	CLARKSVILLE	253	0	PETRACOM OF TEXARKANA, L.L.C.		C2	USE	109.73	34.90 dB	4045
NEW	AR	PINEY	255	115	EDUCATIONAL MEDIA FOUNDATION	BNPFT20030314AFZ	D	APP	117.14	34.89 dB	144062
NEW	TX	TYLER	254	250	E-STRING WIRELESS, LTD	BNPFT20030317JNS	D	APP	224.1	37.74 dB	156829