

Exhibits
in support of a
Minor Modification
to
FM Translator
K270BK (Okmulgee, OK)

November 11, 2014

REQUEST FOR WAIVER OF SECTION 74.1233(a)(1)

In accordance with Section 1.3 of the Commission's Rules, "[a] waiver is appropriate when special circumstances warrant a deviation from the general rule and such deviation will serve the public interest."¹ As with the recently granted Cromwell Waiver, Screen Door Broadcasting, LLC ("SDB") submits that such special circumstances are similarly present here.

The Media Bureau found that the Cromwell Waiver was in the public interest because (1) the licensee did not have a history of filing serial minor modification application; (2) the proposed site was mutually exclusive to the licensed facility; (3) the proposed move did not implicate the concerns raised by the Commission in the low-power FM proceeding; and (4) the translator would rebroadcast an AM station.²

First, as with the Cromwell Waiver and as supported by the Commission's CDBS Media Bureau records, SDB does not have a history of filing multiple or "serial" modification applications and is not attempting to relocate the translator to Tulsa via "hops." Rather, the direct result of the move proposed herein will be to provide service to Tulsa and no further moves are contemplated.

Furthermore, K270BK has operated since 2006³ at the location originally identified in the long-form application for a new construction permit that was filed in 2003.⁴

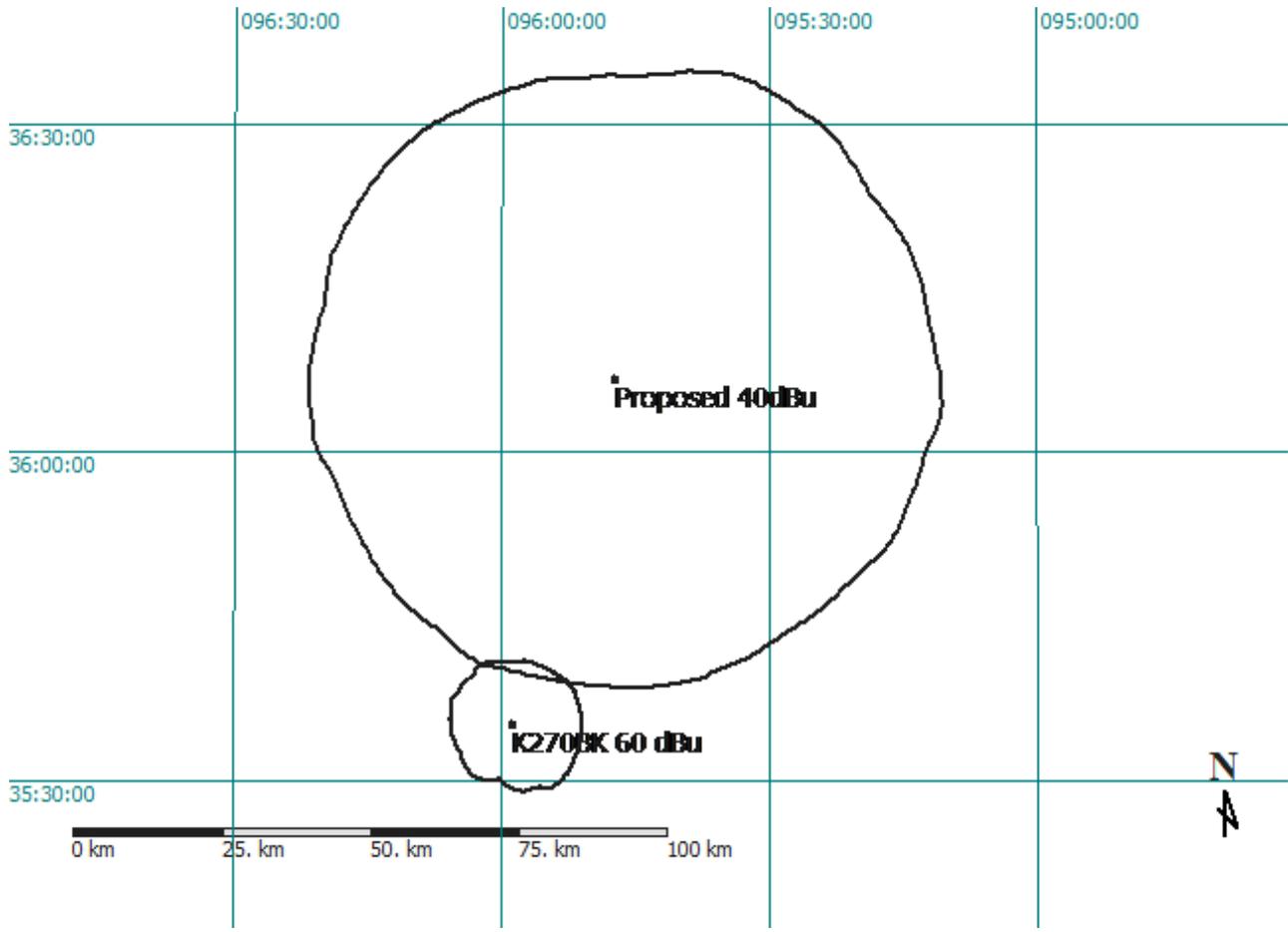
Second, the contour study below demonstrates that the instant application proposes facilities that are mutually exclusive with K270BK's licensed facilities. That is, K270BK's licensed 60 dBu F(50,50) primary service area overlaps the proposed 40 dBu F(50,10) interference area.

¹ Northwest Cellular Telephone Co. v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

² See letter to John F. Garziglia, Esq., In re: W263AQ, Mattoon, IL., DA 11-1495, September 2, 2011.

³ BLFT-20060717AAT

⁴ BNPFT-20030829AQQ



Third, the proposed move does not implicate the concerns raised by the Commission in the low-power FM proceeding. In the LPFM Third Further Notice, the Commission found that certain temporary restrictions on the modification of translator stations were necessary to preserve LPFM licensing opportunities in identified spectrum-limited markets, and directed the Media Bureau to suspend the processing of any translator modification application that proposed a transmitter site for the first time within those markets. Those temporary restrictions ceased with the close of the LPFM Window in November of 2013. Regardless, K270BK is already located within the Tulsa Metro as defined by Arbitron. Furthermore, there is currently one LPFM station and two LPFM construction permits in the Tulsa Market. The grant of at least one more LPFM construction permit is anticipated from an unresolved group of mutually exclusive LPFM applications. Therefore, the instant proposal does not implicate any LPFM concerns.

Fourth, the instant application proposes to change K270BK to be a fill-in for station KZLI (AM), Catoosa, Oklahoma. As recognized by the Media Bureau, the Commission's recent deregulatory measure to permit the use of certain FM translators to rebroadcast the signal of local AM stations has been an "unqualified success." The proposed use with KZLI (AM) is permissible and consistent with the Commission's efforts to revitalize the AM service and make the most efficient use of limited spectrum.

SDB is aware of the special operating condition⁵ contained on construction permits granted on the basis of a waiver of Section 74.1233(a)(1). SDB consents to the special operating condition and will comply with its terms.

For the foregoing reasons, SDB respectfully submits that the instant request satisfies the Commission's waiver standard and is consistent with the factors in the Cromwell Waiver.

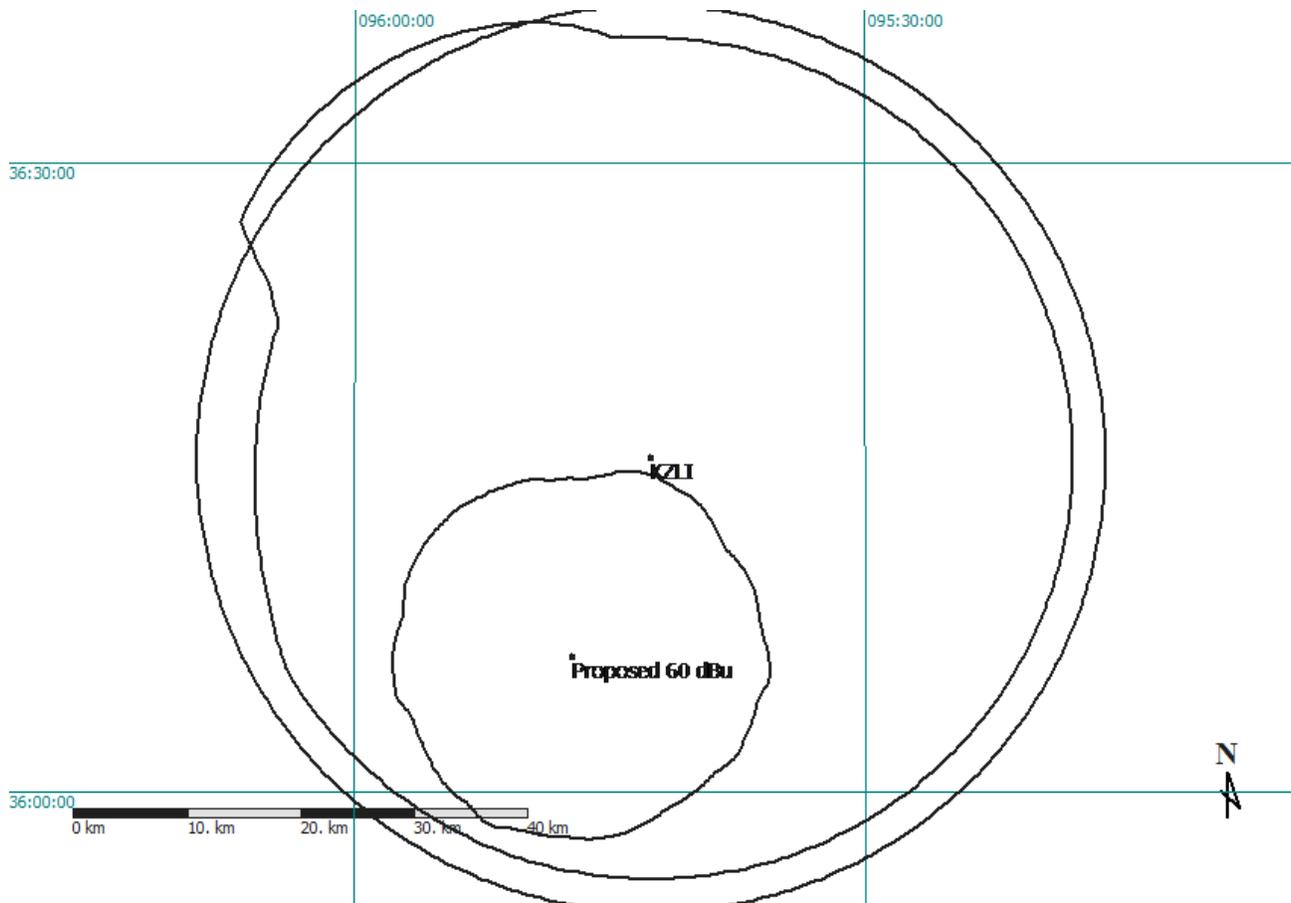
Based on the four Cromwell Waiver factors, the instant application presents special circumstances that warrant deviation from 74.1233(a)(1), and such deviation will serve the public interest by permitting K270BK to provide improved service to the public. Since the circumstances presented herein are comparable to those upon which relief was granted in the Cromwell case, it is appropriate for the Commission to extend comparable relief here.

⁵ "Pursuant to the waiver of 47 CFR Section 74.1233(a)(1) granted herein the permittee/licensee shall be subject to a holding period. From the grant of the construction permit and continuing until the facility has achieved four years of on-air operations rebroadcasting the AM station identified on this authorization, the permittee/licensee may NOT change the station being rebroadcast by this translator. Periods of station silence shall not count toward the fulfillment of this four-year requirement. During this same four year period the permittee/licensee may not assign or transfer the construction permit/license to another party, unless it is to the licensee of the AM station being rebroadcast. Minor modifications of this authorization are permitted, provided the translator will continue to rebroadcast the AM station for which the waiver was granted."

**AM FILL-IN ANALYSIS
K270BK
OKMULGEE, OK**

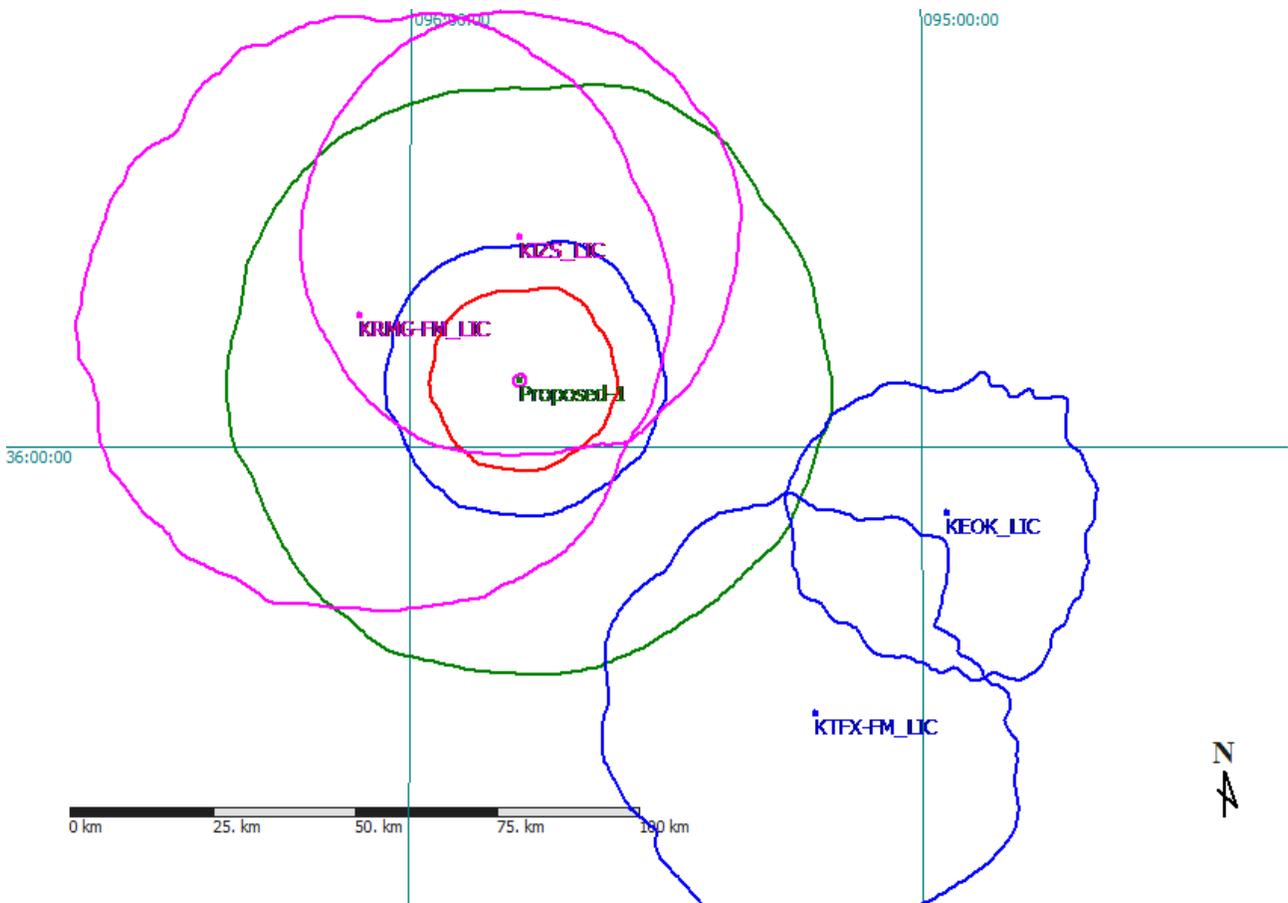
The Applicant proposes to utilize KZLI, Catoosa (FID #59978) as the primary station for the FM translator proposed in the instant application.

The following study demonstrates that the 60 dBu contour of the proposed FM translator is contained entirely within both the 2 mV/m daytime contour of KZLI, and a 25-mile radius centered at the transmitter site of KZLI.



**INTERFERENCE AND OVERLAP REQUIREMENTS
K270BK
OKKULGEE, OK**

The study below demonstrates that the proposed facility will not create prohibited overlap to any other licensed full-power facility or pending application other to second adjacent stations KIZC (FID #7669) and KRMG-FM (FID # 47107). The green contours represent co-channel interfering (40 dBu) to co-channel protected (60 dBu) contours. Blue contours represent first-adjacent channel interfering (54 dBu) to first-adjacent protected (60 dBu) contours. Magenta contours represent second and third-adjacent channel interfering (100 dBu) to second and third-adjacent protected (60 dBu) contours. Red contours represent co-channel protected (60 dBu) to co-channel interfering (40 dBu) contours.



KIZC is authorized to broadcast with 6.2 kilowatts at 200 meters HAAT from a site that is 25.18 kilometers from the proposed translator site. The predicted strength of KIZC at the proposed translator site is 68.3 dBu.

KRMG-FM is authorized to broadcast with 50 kilowatts at 150 meters HAAT from a site that is 30.51 kilometers from the proposed translator site. The predicted strength of KRMG-FM at the proposed translator site is 71.1 dBu.

Consequently, 108.3 dBu (66.6 dBu + 40 dBu) is the lowest value predicted to cause interference to either protected station.

The facility proposed herein will utilize a three-bay Shively 6812B antenna that employs half-wave spacing. The elevation pattern for the proposed antenna accompanies the application.

The table contained in this document depicts the predicted signal strength from the proposed translator both at ground level, and at receiving antenna locations up to 15 meters. The 15 meter “artificial plane” is significantly higher than any structure within the potential free-space zone of interference.

As can be determined by the columns colored green, at no location from ground level to 15 meters above the ground does the predicted signal of the proposed translator exceed that of either KIZC or KRMG-FM by 40 dBu or more.

Finally, the aerial image below illustrates that no nearby structures pierce the 15-meter artificial plane utilized in the table.



The Applicant respectfully submits that since a lack of population exists in the area of actual interference, the processing pursuant to 47 C.F.R § 74.1204(d) is appropriate for the instant application.

Proposed Antenna: Shively Labs 6812b 3-bay half-wave-spaced

Proposed Power: 0.25 kW

Antenna Height AGL: 118 meters

Interference Contour: 108.3 dBu

Artificial Rcv Antenna Height: 15 meters

Distance (Free Space) Equation: $= (10^{((106.92 - [\text{desired dBu}] + [\text{ERP in dBk}]) / 20)}) * 1000$

Field Strength (dBu) Equation: $= 106.92 - (20 * (\text{LOG}_{10}[\text{DistMeters} / 1000])) + [\text{ERP in dBk}]$

Depression				Distance				
Angle	Antenna			from Ant.	Distance	Field Streng	Distance	Field Strength
Below	Relative	ERP	ERP	to Interf	rom Ant. to	in dBu @	from Ant.	in dBu @
Horizon	Field	in kW	in dBk	Contour	Artificial Plane	Artificial Plane	to Ground Level	Ground Level
0°	1.000	0.250	-6.02	426.55 m	infinite		infinite	
-5°	0.979	0.240	-6.20	417.59 m	#####	99.26 dBu	#####	98.08 dBu
-10°	0.916	0.210	-6.78	390.72 m	593.15 m	104.67 dBu	679.53 m	103.49 dBu
-15°	0.820	0.168	-7.74	349.77 m	397.96 m	107.18 dBu	455.92 m	106.00 dBu
-20°	0.699	0.122	-9.13	298.16 m	301.15 m	108.21 dBu	345.01 m	107.03 dBu
-25°	0.565	0.080	-10.98	241.00 m	243.72 m	108.20 dBu	279.21 m	107.02 dBu
-30°	0.428	0.046	-13.39	182.56 m	206.00 m	107.25 dBu	236.00 m	106.07 dBu
-35°	0.299	0.022	-16.51	127.54 m	179.58 m	105.33 dBu	205.73 m	104.15 dBu
-40°	0.185	0.009	-20.68	78.91 m	160.24 m	102.15 dBu	183.58 m	100.97 dBu
-45°	0.092	0.002	-26.74	39.24 m	145.66 m	96.91 dBu	166.88 m	95.73 dBu
-50°	0.021	0.000	-39.58	8.96 m	134.46 m	84.77 dBu	154.04 m	83.59 dBu
-55°	0.029	0.000	-36.77	12.37 m	125.74 m	88.16 dBu	144.05 m	86.98 dBu
-60°	0.059	0.001	-30.60	25.17 m	118.93 m	94.81 dBu	136.25 m	93.63 dBu
-65°	0.072	0.001	-28.87	30.71 m	113.65 m	96.93 dBu	130.20 m	95.75 dBu
-70°	0.072	0.001	-28.87	30.71 m	109.61 m	97.25 dBu	125.57 m	96.07 dBu
-75°	0.062	0.001	-30.17	26.45 m	106.63 m	96.19 dBu	122.16 m	95.01 dBu
-80°	0.046	0.001	-32.77	19.62 m	104.59 m	93.76 dBu	119.82 m	92.58 dBu
-85°	0.025	0.000	-38.06	10.66 m	103.39 m	88.57 dBu	118.45 m	87.39 dBu
-90°	0.001	0.000	-66.02	0.43 m	103.00 m	60.64 dBu	118.00 m	59.46 dBu