

352N
REISSUED 11/19/92 to reflect a correction in the antenna height above average terrain.

United States of America
FEDERAL COMMUNICATIONS COMMISSION

File No. BLH-850521KC

Call Sign: KHYL(FM)

FM BROADCAST STATION LICENSE

10144

Subject to the provisions of the Communications Act of 1934, as amended, treaties, and Commission Rules, and further subject to conditions set forth in this license, ¹ the LICENSEE

National Radio Partnership, L.P.

is hereby authorized to use and operate the radio transmitting apparatus hereinafter described for the purpose of broadcasting for the term ending 3 a.m. Local Time:

December 1, 1997

The licensee shall use and operate said apparatus only in accordance with the following terms:

1. Frequency (MHz): 101.1
2. Transmitter output power: 18.5 kW
3. Effective radiated power: 36.0 kW (H&V)
4. Antenna height above
average terrain (feet): 176 meters (H&V)
5. Hours of operation: Unlimited
6. Station location: Auburn, California
7. Main studio location: 1230 High Street, Suite 120
Auburn, California
8. Remote Control point: 1230 High Street, Suite 120
Auburn, California
9. Antenna & supporting structure: North Latitude: 38° 51' 28"
West Longitude: 121° 01' 39"
- 9(a) Overall tower height above ground level (including lighting): 80 meters
10. Transmitter location: Catecroft Lane
Pilot Hill, California
- 10(a) Antenna Description: ERI G5CPS-4AE, four sections circularly polarized,
side-mounted on the #2 Tower of Kahi.
11. Transmitter(s) (See Sections 73.1660, 73.1665 and 73.1670 of Commission's Rules): Type Accepted
12. Obstruction markings specifications in accordance with the following paragraphs of FCC Form 715: 1,3,11,21
13. Conditions:

None.

The Commission reserves the right during said license period of terminating this license or making effective any changes or modification of this license which may be necessary to comply with any decision of the Commission rendered as a result of any hearing held under the rules of the Commission prior to the commencement of this license period or any decision rendered as a result of any such hearing which has been designated but not held, prior to the commencement of this license period.

This license is issued on the licensee's representation that the statements contained in licensee's application are true and that the undertakings therein contained so far as they are consistent herewith, will be carried out in good faith. The licensee shall, during the term of this license, render such broadcasting service as will serve public interest, convenience, or necessity to the full extent of the privileges herein conferred.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the license nor the right granted hereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934. This license is subject to the right of use or control by the Government of the United States conferred by section 606 of the Communications Act of 1934.

¹ This license consists of this page and pages

Dated: July 30, 1985

LR

FEDERAL
COMMUNICATIONS
COMMISSION



FCC Form 352-A
January 1980

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

7 AUG 1992

IN REPLY REFER TO:
1800B3-1R

Delta Communications Corporation
2826 IDS Center
Minneapolis, MN 55402

In re: KHYL (FM), Auburn, CA
Delta Communications Corporation
BPH-880825IB
Petition for Reconsideration

Dear Applicant:

This letter is in reference to the above-captioned petition for reconsideration filed by Delta Communications Corporation ("Delta") seeking reinstatement and grant of application BPH-880825IB for an auxiliary facility. On November 10, 1988 this application was dismissed as the proposed 1 mV/m contour (60 dBu contour) extended past the 1 mV/m contour of KHYL's main facility, in violation of 47 C.F.R. § 73.1675(a). On December 9, 1988 the present petition for reconsideration was filed. On June 9, 1992 KHYL filed a request for special temporary authority (STA) to operate with the auxiliary facilities specified in application BPH-880825IB.

Your petition for reconsideration argues that the antenna height above average terrain (HAAT) of the licensed main facility (File No. BLH-850521KC) is incorrectly listed on the authorization as 173 meters thereby resulting in dismissal of application BPH-880825IB. Specifically, the correct HAAT as listed in KHYL's construction permit BPH-811208AM is 176 meters. The petition states that this error came about as a typographical error in the license application.¹ Given this argument, you believe that reinstatement of the application and correction of KHYL's main license BLH-850521KC is warranted.

Upon review of your petition for reconsideration, the staff concurs that the HAAT is incorrectly listed on license BLH-811208AM as 173 meters and should be corrected to a value of 176 meters. An engineering review of license BLH-850521KC and construction permit BPH-811208AM reveals that the values of the antenna radiation above mean sea level and above ground level are listed as 574 meters in both the license and construction permit applications. Since the HAAT was the only inconsistent value for the radiation center in both of these applications, we agree that an error exists in the HAAT listed in license BLH-811208AM. Therefore, license BLH-811208AM is concurrently being reissued to reflect a correction in the HAAT. The authorization will follow under separate cover. With this correction made, the proposed auxiliary facility is no longer in violation of 47 C.F.R. § 73.1675.

error - should be 850521KC

¹ The HAAT listed in the license application is 567 feet (173 meters) while the value listed in the application for construction permit is 577 feet (176 meters).

Accordingly, your petition for reconsideration IS HEREBY GRANTED and your auxiliary application IS HEREBY REINSTATED with the original file number BPH-880825IB.² These actions are taken pursuant to 47 C.F.R. § 0.283.

Further engineering review of application BPH-880825IB reveals that a discrepancy exists between the radiation center height above average terrain (HAAT) given in Section V-B, Item (7) (b) (3) and the average HAAT obtained from the radial values in Item 19. Item (7) (b) (3) states that the HAAT is 174 m while the average of the radials in Item 19 is 176 m. It appears as though you may have inadvertently submitted the radial values for KYHL's main facility. This discrepancy is not an acceptability defect and may be corrected by amendment.

In addition, you propose to use an existing FM antenna presently side-mounted on the #3 tower of station KAH1 (AM), Auburn, CA. However, an engineering review reveals that you did not sufficiently address the issue of potential occupational hazards caused by the proposed facility. In situations like yours where there are multiple contributors to radiofrequency radiation, it is necessary to submit a certification that an agreement will be in effect requiring all stations to reduce power or cease operations as necessary to assure worker safety with respect to radiofrequency radiation when construction or maintenance is to be performed at the site. Therefore, you must amend your application to include such a certification.

Further action on this application will be withheld for a period of thirty days from the date of this letter to provide you an opportunity to submit the requested information. Failure to respond within this time period will result in the dismissal of the application pursuant to 47 C.F.R. § 73.3568 (b). Please note that the amendment must be submitted in triplicate to the Secretary of the Commission and signed in the same manner as the original application.

Sincerely,

Dennis Williams

Dennis Williams
Chief, FM Branch
Audio Services Division
Mass Media Bureau

HR
DEB

cc: Crowell & Moring
Ronald J. Kazda

² Since KYHL's STA request specifies the same facilities proposed in application BPH-880825IB, this request is pending until KYHL resolves any discrepancies that may be associated with this application.