

# CALVARY CHAPEL OF TWIN FALLS, Inc.

WUJC St. Marks, FL BLED-20050804ACX

May 2013

## Request for Waiver of 47 C.F.R. Section 73.509

Calvary Chapel of Twin Falls, Inc.(CCTF), desires to increase the service area of WUJC St. Marks, which is on the air and fully licensed FM station under BLED-20050804ACX. CCTF is seeking a grant of this minor modification and waiver request, which will better serve the growing demand of the public interest. This proposal is engineered so as to **NOT CAUSE** interference to any existing station, known application or allocation. However, the proposed increased service area would RECEIVE interference from one existing adjacent full power FM station, as follows:

Facility ID	Licensed File #	Call Sign	City of License	Related Attached Exhibit
21755	BLED-19910701KB	WANM	Tallahassee	EX 16 (A) – 2 <sup>nd</sup> Adjacent

This proposal will not cause interference to the above referenced FM station as the 100 dBu F(50,10) interfering contour of WUJC will not overlap either of WANM's 60 dBu F(50,50) protected contours as seen in EX 16(C). However, WUJC's proposed protected 60 dBu F(50,50) would receive prohibited overlap from WUJC, Tallahassee. The area of overlap received from the above referenced is calculated as follows:

WANM.LIC's 100dBu F(50,10) Interference contour, which is an area of 8 Sq. km, covers a population of 17,542 or **8.74%** of WUJC's Proposed 60 dBu F(50,50) Contour.

**Presently the current 60 dBu F(50,50) contour of WUJC contains 2,570 sq. km and the grant of this minor change application will allow WUJC to increase its overall coverage area to 3,690 sq. km. Presently WUJC provides service to an estimated 6,279 persons and this proposal will provide service to an estimated 200,791 persons. This is an increase of 183,249 more persons (this figure reflects the 17,542 lost in received interference), an increase of more than 29%. This waiver request is similar to the request made by the licensee of WCPE(FM) in Educational Information Corporation, 6 FCC Red 2207 (1991). WCPE(FM) requested a waiver in its application to permit de minimus overlap "received" and in the same proceeding WCCE(FM) requested a waiver in its applications to permit de minimus overlap "caused". Please note that CCTF is not requesting overlap "caused", **ONLY** overlap "received". More recently the Commission granted this type of a waiver to Educational Media Foundation in its minor change application of KYLV, Oklahoma City, OK BPED-20040210AAQ, to CSN International in its minor change applications of KJCH Coos Bay, OR BPED-20050603AAC and to Calvary Chapel of Twin Falls, Inc., KWCF Sheridan under BMPED- 20080508ACA.**

Because the Commission has recognized the importance of affording noncommercial educational stations the flexibility to expand and meet the growing demand for service, Calvary Chapel of Twin

Falls, Inc. believes that its instant request for WUJC, St. Marks, Florida fully satisfies the criteria established by the Commission for a waiver of Section 73.509 of the rules as it pertains to overlap received. Clearly, this benefit heavily outweighs the potential for interference in an area that would be a total of only **8.74%** of WUJC's proposed service area. Accordingly Calvary Chapel of Twin Falls, Inc. respectfully submits that its requested waiver of Section 73.509(a) of the Commissions rules is justified in this instance.