

[Exhibit 12]

Non-Interference Compliance

For an Open Site

Regarding FCC File Number: BNPFT-20030317IAQ

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.

Since the proposed translator is 156.8 km from the Mexican border, 47 CFR 74.1235(d) has been taken into account and this applicant certifies that in the direction of the Mexican border, the proposed translator's 60 dBu F(50,50) contour does not lie within 116.3 km of the Mexican border. This application is therefore in full compliance with 47 CFR 74.1235(d)(2), which states that for translators between 125 and 320 km from the border, "in no event shall the location of the 60 dBu contour lie within 116.3 km of the Mexican border," and hence complies with 47 CFR 74.1204(h).

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
K220AN*	NM	TRUTH OR CONS	220	0		FM ALLOTMENT	A	APP	7.77	-2.2	95863
NEW	NM	WILLIAMSBURG	270	10	BIG BEND BROADCASTING	BNPFT20030314CFQ	D	APP	25.19	9.67 dB	147748
NEW	NM	WILLIAMSBURG	276	10	BIG BEND BROADCASTING	BNPFT20030314CFT	D	APP	25.19	9.67 dB	147766
KNFT-FM	NM	BAYARD	275	29000	RUNNELS BROADCASTING SYSTEM, LI	BPH20030619ABE	C1	APP	100.68	19.78 dB	28126
NEW	NM	TULAROSA	273	50	EDGEWATER BROADCASTING INC.	BNPFT20030317IAX	D	APP	112.53	19.55 dB	149468
NEW	NM	DEMING	273	140	EDGEWATER BROADCASTING INC.	BNPFT20030317HWT	D	APP	113.91	19.09 dB	149426
KNFT-FM	NM	BAYARD	275	26000	RUNNELS BROADCASTING SYSTEM, LI	BLH19890726KD	C1	LIC	100.77	19.79 dB	28126
	CH	LAS PALOMAS	273	50000			B		167.81	20.61 dB	95579
K220AN	NM	TRUTH OR CONS	220	55	REGENTS OF NEW MEXICO STATE UNI	BLFT19881020TA	D	LIC	25.15	25.1	55512
KIOT	NM	LOS LUNAS	273	20000	HBC LICENSE CORPORATION	BLH20030508ABM	C	LIC	235.3	28.09 dB	73117
NEW	NM	BOLES ACRES	272	10	BIG BEND BROADCASTING	BNPFT20030314CFB	D	APP	132.82	30.94 dB	147475
KPRR	TX	EL PASO	271	100000	CCB TEXAS LICENSES, L.P.	BLH19860813KB	C	LIC	171.34	32.69 dB	68688
	NM	TULAROSA	274	0		RM9632	C3	APP	114.69	36.76 dB	0