

## **EXHIBIT 1**

### **LOUISVILLE, KY CH 261 APPLICATION BNPFT-20030317KCW LPFM NON-PRECLUSION STUDY AND REQUEST FOR WAIVER OF §74.1233(a)(1)**

The Louisville, KY channel 261 application is amended to a new site and ERP as a fill in for AM station WCND (facility ID # 60083) at Shelbyville, KY. The new site is beyond the 32 km LPFM co-channel preclusion radius (based on the 0.25 kW and 12 radial 69 meter HAAT 60 dBu of 10.8 km) to the Louisville, KY 20X20 “spectrum limited” grid. (see exhibit 1A). In accordance with the Commission’s notice (DA 13-427) this short form amendment and LPFM non-preclusion showing are submitted. A request for a “Mattoon Waiver” is included below.

#### **LPFM grid points and site tests:**

The co-channel 32 km preclusion circle does encompass any portion of the Louisville, KY grid. The LPFM6 output included below shows there are protected channel 261 channel points in the grid.

The proposed site is in Shelby County which is a part of the Louisville ARB metro market. Therefore, an LPFM site test is included as exhibit 1B demonstrating that there are seven (7) LPFM channels available at the site ignoring 2<sup>nd</sup> adjacent channels per Commission staff instructions.

It is concluded that the Louisville, KY channel 261 application as amended passes the “grid test” and the “site test”. It does not preclude any LPFM channel point in an Appendix A market and does not preclude the only LPFM at site.

**Request for Waiver of §74.1233(a)(1):**

This application requests a waiver to permit a one-step move to a new site to serve as a fill in translator for WCND(AM) in accordance with the waiver granted for W263AQ's move to Effingham, IL (DA-11-1495) and subsequent grants commonly referred to as the *Mattoon Waiver*.

A waiver of Section 74.1233(a)(1) of the Commission's rules is requested to permit this single move of the new translator from its current site to the ASR#1043144. This waiver, when granted, will provide FM translator fill-in service for an AM station on a timely and economical basis, and will accomplish a Commission objective of providing new program services and assisting AM radio stations.

In accordance with the waiver granted for the move of W263AQ (DA-11-1495), the proposed channel 261 facility is mutually exclusive with the short form facility because the proposed 40 dBu (50:10) interfering contour overlaps the short form 60 dBu (50:50) contour (see exhibit E1C).

It is also noted that the short form application as situated cannot avoid LPFM preclusion in the Louisville, KY "spectrum limited" market. Only by grant of this waiver is the 2003 application preserved to function as an AM fill-in translator. The proposal as amended has no prohibited LPFM preclusion impact (see exhibit 1).

It is respectfully submitted that the use of the now routine *Mattoon Waiver* for FM translators is appropriate for short form applications in the same way that the *Living Way* waiver is routinely used.



Charles M. Anderson 04-17-2013

## GRID TEST:

LOUISVILLE, KY

Latitude 38-15-15

Longitude 085-45-34

Grid Size 21 x 21

Micro FM 100 Watts at 30m HAAT

Co-Channel and 1st Adjacent Protected

2nd Adjacent Channel Not Protected

3rd Adjacent Channel Not Protected

I.F. Not Protected

TV Channel 6 Protected

CP Records Protected

APP Records Protected

FM Translators Protected

TV Channel 6 Translators/LP Protected

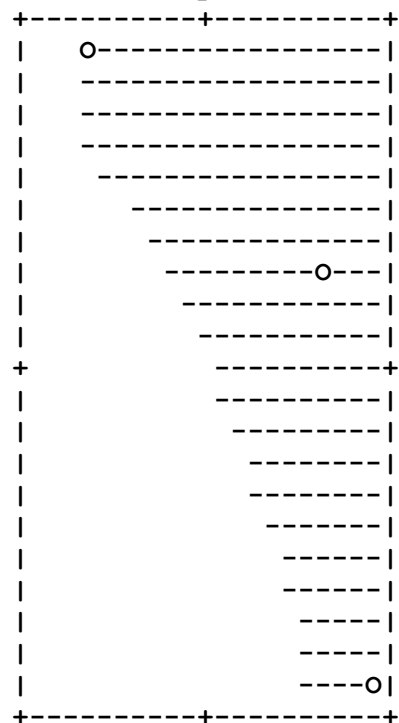
Auc83 FX App Records Not Protected

Chan	Avail	Chan	Avail	Chan	Avail	Chan	Avail	Chan	Avail
200	0	220	0	240	0	260	0	280	0
201	0	221	0	241	342	261	233	281	0
202	0	222	408	242	0	262	0	282	0
203	0	223	75	243	0	263	0	283	0
204	0	224	12	244	0	264	0	284	0
205	0	225	0	245	119	265	53	285	0
206	0	226	0	246	330	266	0	286	0
207	0	227	0	247	0	267	0	287	0
208	0	228	4	248	0	268	0	288	0
209	0	229	0	249	0	269	0	289	0
210	0	230	0	250	0	270	113	290	0
211	26	231	0	251	5	271	0	291	0
212	0	232	0	252	57	272	0	292	150
213	0	233	0	253	191	273	0	293	438
214	0	234	0	254	0	274	31	294	0
215	0	235	0	255	0	275	0	295	0
216	0	236	0	256	0	276	0	296	0
217	0	237	10	257	115	277	0	297	197
218	0	238	0	258	0	278	0	298	0
219	0	239	0	259	0	279	0	299	0
								300	0

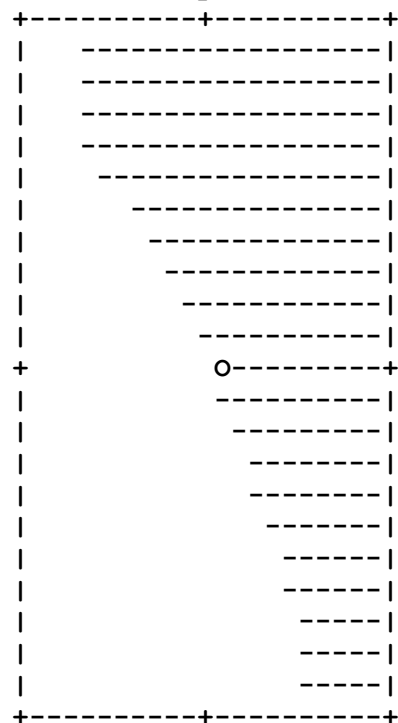
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Total 2909

Total allotments, least preclusive spacing: 40  
 Total allotments, most preclusive spacing: 24

LOUISVILLE, KY  
 Latitude 38-15-15  
 Longitude 085-45-34  
 Least preclusive siting  
 Availability of Channel 261 (X)



LOUISVILLE, KY  
 Latitude 38-15-15  
 Longitude 085-45-34  
 Most preclusive siting  
 Availability of Channel 261 (X)



Point #001 at 38-05-15 085-35-34  
 Point #378 at 38-25-15 085-52-34  
 Point #077 at 38-18-15 085-38-34

Point #200 at 38-15-15 085-44-34

# EXHIBIT 1A

LOUISVILLE 20X20  
SPECTRUM LIMITED GRID (GRAY)  
CENTERED AT N 38-15-15 W 85-45-34

Floyd

New Albany

Louisville

Jefferson

Clark

Oldham

Henry

NEW  
Shelby

SITE IN SHELBY COUNTY  
IN LOUISVILLE ARB METRO

Spencer

Bullitt

Meade

Harrison

Crawford

## NEW

Latitude: 38-12-49 N  
Longitude: 085-10-16 W  
ERP: 0.25 kW  
Channel: 261  
Frequency: 100.1 MHz  
AMSL Height: 307.0 m  
Elevation: 247.0 m  
Horiz. Pattern: Directional

PROPOSED 32 KM CO-CHANNEL  
LPFM PRECLUSION RADIUS DOES NOT  
REACH THE LOUISVILLE LPFM GRID.

32 KM BASED ON 0.25 KW  
AND 12 RADIAL HAAT OF 60 METERS  
PRODUCING A 60 DBU OF 10.8 KM.

Scale 1:500,000

0 7 14 21 km



## Audio Division

### Low Power FM (LPFM) Channel Finder

(202)-418-2700

[FCC](#) > [MB](#) > [Audio Division](#) > [LPFM Channel Finder](#) [LPFM Info](#)

[FCC site map](#)

Wed Apr 17 12:55:55 2013

EXCLUDES second-adjacent channel spacings  
EXCLUDES intermediate frequency (I.F.) spacings

Input options:

Latitude, Longitude: 38° 12' 49", 85 10' 16"

Google Map: [5.6 km radius \(approximate 60 dBu service contour coverage\)](#)



**CONDITIONAL.** The requested latitude and longitude meet the PROPOSED LPFM spacing requirements for one or more second adjacent and/or intermediate frequency (I.F.) channels.

These proposed spacing rules are not yet in effect.

#### **Channels Available for LPFM LP100 Stations** **[Channels 201 to 300, [corresponding to 88.1 to 107.9 MHz](#)]**

Channel	223	----	92.5	MHz
Channel	235	----	94.9	MHz
Channel	253	----	98.5	MHz
Channel	257	----	99.3	MHz
Channel	287	----	105.3	MHz
Channel	293	----	106.5	MHz
Channel	297	----	107.3	MHz

EXHIBIT 1B

EXHIBIT 1C MATTOON OVERLAP  
W&b Broadcasting, Inc.

FMCommander Single Allocation Study - 04-17-2013 - FCC NGDC 30 Sec  
NEW's Overlaps (In= 1.36 km, Out= -3.03 km)

NEW CH 261 D DA  
Lat= 38 12 49.0, Lng= 85 10 16.0  
0.25 kW 69.3 M HAAT, 307 M COR  
Prot.= 60 dBu, Intef.= 40 dBu

649579 CH 261 D DA BNPFT20030317KCW  
Lat= 38 06 25.0, Lng= 85 42 40.0  
0.099 kW 146 M HAAT, 310 M COR  
Prot.= 60 dBu, Intef.= 40 dBu

