

EXHIBIT E-14  
Prepared for: Auburn Broadcasting Inc.  
Regarding: WAUB (AM) Request for Waiver

## BACKGROUND

The Applicant, Auburn Broadcasting Inc. respectfully requests a waiver of 47 C.F.R. Section 73.24(i) of the Federal Communication Commission's Rules. Specifically, the subpart that states "That for stations in the 535-1605 kHz band, 80% of the principal community is encompassed by the nighttime 5 mv/m contour or the nighttime interference free contour, whichever value is higher." The Applicant Auburn Broadcasting Inc. will endeavor to demonstrate that a waiver of the above referenced requirement would be reasonable and serve the public interest.

## DESCRIPTION OF PROPOSAL

Auburn Broadcasting Inc, is proposing in a Minor Modification of License to utilize the WAUB-AM daytime operating parameters and power level for both day and night modes of operation. This proposal was triggered by ongoing technical issues with switching between day and night parameters. The specifics of the technical issues will be detailed further in this exhibit.

## PRINCIPAL COMMUNITY COVERAGE

In the above referenced proposal the daytime parameters and operating power are unchanged and therefore satisfy the requirements of Section 73.24(i).

Utilizing the daytime parameters and operating power the nighttime interference free contour encompasses 77.9% of the principal community of license based on year 2010 US Census data. Therefore, the proposal fails to satisfy the requirements of Section 73.42(i) by 2.1%. Exhibit E-14A details the nighttime interference free contour and population of interest.

## APPLICANT'S PROPOSAL VS. POPULATION DYNAMICS

Included in this exhibit is the population study based on the year 2010 US Census data which has been referenced above. Also included is a population study that utilizes year 2000 US Census data. As can be seen by analyzing the year 2000 population study the applicant's current proposal satisfies the requirements of Section 73.24(i) in that the nighttime interference free contour encompasses 80.1% of the principal community of license.

## EQUIPMENT STATUS

As referenced above the applicant, Auburn Broadcasting Inc. has experienced ongoing equipment issues. The directional array switches between day and night modes of operation utilizing motorized RF contactors. At this point the contactors are failing on a regular basis. The contactors are approximately 30 years old and are currently not supported by the original manufacturer. The only option would be to entirely replace the units with non-motorized units. This would require in addition to the cost of the replacement contactors a complete reconstruction of the antenna tuning units and phasing compartment. It has been estimated that this would cost in excess of \$35,000.

## JUSTIFICATION OF WAIVER

Based on the included population analysis it is a point of fact that had this current proposal been filed prior to the year 2010 Census it would have met the requirements of Section 73.24(i). It can be reasonably argued that if this proposal were to be filed after the upcoming year 2020 Census it has a possibility of meeting the population requirements referenced above. It can also reasonably be asserted that the proposal possibly meets the population requirements at the time of this writing.

Due to the unpredictable shift in population dynamics in the City of Auburn, NY the Applicant argues that a grant of the requested waiver would not set a general precedent and would serve the public interest.

In addition, it is worthy of mention that in the October 2013 adopted NPRM to Revitalize AM Broadcast Radio Service the Commission has contemplated and sought comment on the reduction of the nighttime community coverage requirement to 50% of the population. It is clear that the Applicant's proposal meets and far exceeds this standard.

Of note, on a secondary basis is the fact that the equipment replacement referenced above imposes a financial hardship on the Applicant.

Respectfully Submitted By,  
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Diversified Communications Systems