

[Exhibit 12]

## **Non-Interference Compliance**

For an Open Site

Regarding FCC File Number: BNPFT-20030317HZR

Channel: 237

### **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.

At the end of this exhibit are plots of the protected and interference contours of the proposed translator and any other stations from which the applicant is willing to accept interference. These contours were plotted using 3 arc second terrain data for the highest degree of accuracy possible.

**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.**

## **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:

- Since the proposed station's Effective Radiated Power (ERP) is 28 watts, a negative value in km (no units listed in the table) does not represent a violation of the CFR, according to 47 CFR 1204(g), which states that "FM translator stations and booster stations operating with less than 100 watts ERP will be treated as class D stations and will not be subject to intermediate frequency separation requirements."

- 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.

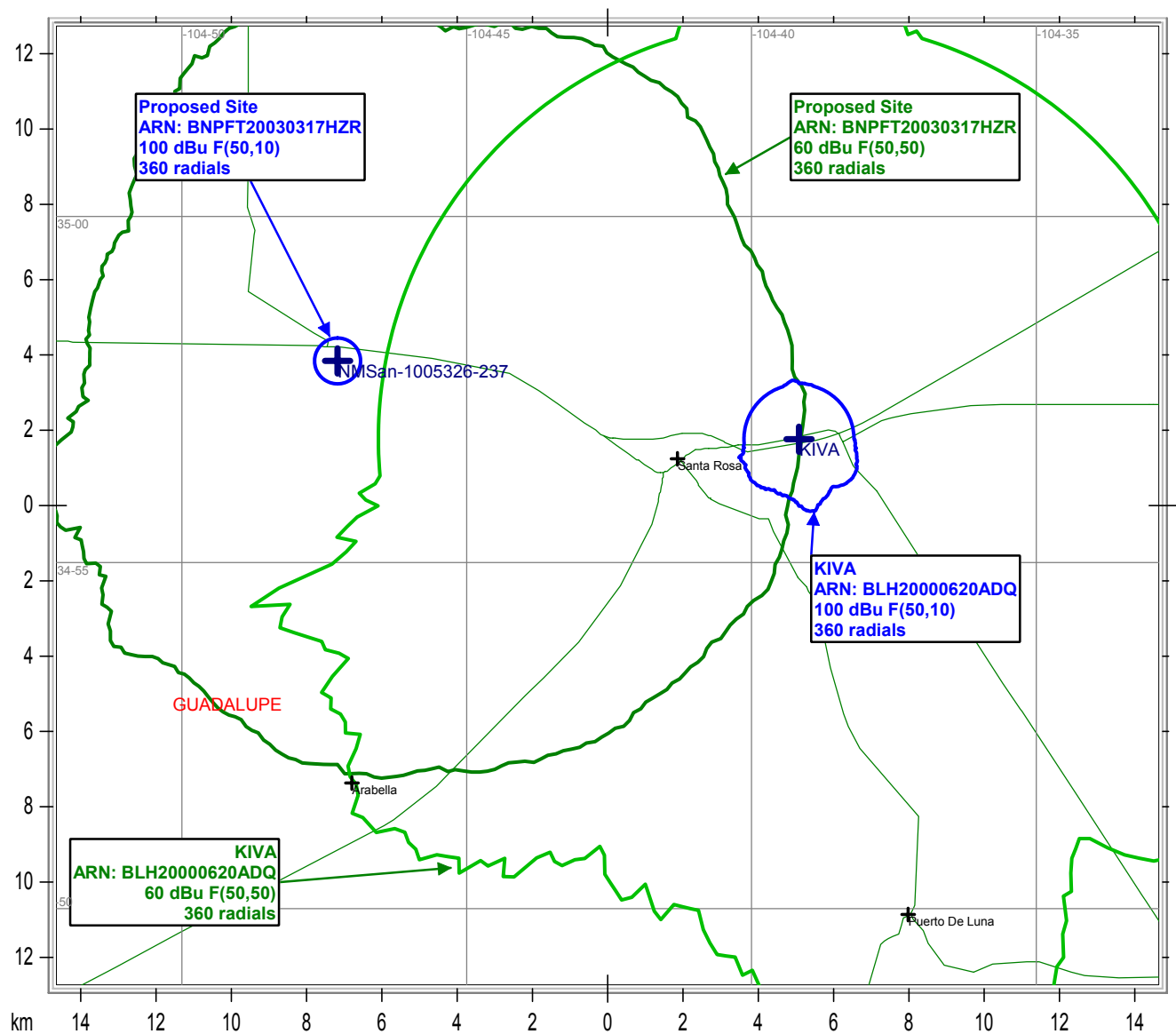
- 47 CFR 74.1204(a) requires only the protection of "AUTHORIZED commercial or noncommercial educational FM broadcast stations, FM translators, ..." Any entry with a status listed as "RSV," "USE" or "APP" does not represent an authorized station and therefore is not protected under 47 CFR 74.1204. The 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.

- Entries highlighted in blue are those that were returned in the results because of interference caused to this proposed translator. Contours were plotted by RadioSoft's Comstudy, version 2.2, using the FCC's contour algorithms, and these are included at the end of this exhibit showing that interference is caused only to the proposed translator and not by it.

# Frequency Finder

Callsign	State	City	Channel	ERP_w	Licensee	ARN	Class	Status	Distance_km	Clr	Facility_id
KIVA	NM	SANTA ROSA	240	1500	KNXX INC	BLH20000620ADQ	A	LIC	12.51	-0.34 dB	84190
KRSO-LP	NM	SANTA ROSA	291	100	NEW MEXICO STATE HIGHWAY AND TR	BNPL20010612AFP	LP100	CP	10.28	3.3	133588
DKSSR-FM	NM	SANTA ROSA	240	0	DON R. DAVIS		A	USE	9.68	7.92 dB	17159
NEW	NM	TUCUMCARI	237	28	EDGEWATER BROADCASTING INC.	BNPFT20030317IAS	D	APP	101.08	18.84 dB	147980
KSEL-FM	NM	PORTALES	237	6000	ROONEY MOON BROADCASTING, INC.	BMLH20020816AAG	A	LIC	159.08	27.75 dB	4816
KHFM	NM	SANTA FE	238	17500	AGM-NEVADA L.L.C	BMLH20000920ABF	C1	LIC	182.09	30.55 dB	52813
KBOM	NM	SANTA FE	234	100000	A.G.M.-NEVADA, L.L.C.	BMPH19990622IC	C1	CP MOI	167.94	31.77 dB	31801
KSYU	NM	CORRALES	236	100000	CITICASTERS LICENSES, INC.	BLH19981014KB	C1	LIC	182.14	31.74 dB	39265
KSEL-FM	NM	PORTALES	237	0	ROONEY MOON BROADCASTING, INC.		A	USE	159.08	31.85 dB	4816
KBOM	NM	SANTA FE	234	100000	A.G.M.-NEVADA, L.L.C.	BLH20000410ABA	C1	LIC	167.94	31.77 dB	31801
KBOM	NM	SANTA FE	234	100000	A.G.M.-NEVADA, L.L.C.	BMPH19970731IF	C1	CP MOI	167.94	31.82 dB	31801
NEW	NM	ROSWELL	237	62	EDGEWATER BROADCASTING INC.	BNPFT20030317HYY	D	APP	178.27	34.67 dB	147972
KBIM-FM	NM	ROSWELL	235	100000	KING BROADCASTING COMPANY	BMLH19831221AF	C	LIC	229.91	35.83 dB	34854
KGRW	TX	FRIONA	234	50000	AMIGO RADIO, LTD.	BPH20020301ACE	C2	CP	171.09	37.72 dB	858
NEW	NM	ARTESIA	237	250	EDGEWATER BROADCASTING INC.	BNPFT20030317HVE	D	APP	229.2	39.80 dB	147956
KGRW	TX	FRIONA	234	50000	AMIGO RADIO, LTD.	BLH19941109KF	C2	LIC	171.09	39.59 dB	858

## Map Header



## Map Footer

County Borders   State Borders   Highways   Lat/Lon Grid