DENNY & ASSOCIATES, P.C.
CONSULTING ENGINEERS
OXON HILL, MARYLAND

SECTION 73.213
PUBLIC INTEREST SHOWING
APPLICATION FOR MODIFICATION OF
CONSTRUCTION PERMIT
FCC FILE NUMBER BMPH-19990820IF
PREPARED FOR
SECRET COMMUNICATIONS II, LLC
STATION WKKJ(FM)
CHILLICOTHE, OHIO
CH 227B 33 KW (MAX-DA, H&V) 182 METERS

By this application for modification of construction permit (FCC File Number BMPH-19990820IF), Secret Communications II, LLC, (Secret) is requesting permission to relocate the transmitter site and improve the facilities of broadcast station WKKJ(FM), (Channel 227), Chillicothe, Ohio.

WKKJ is licensed (FCC File Number BLH-880405KA) to operate on channel 227B (93.3 megahertz (MHz)) with effective radiated power (ERP) of 50 kilowatts (kW), circularly polarized, and antenna radiation center height above average terrain (HAAT) of 106 meters, at a site identified by the geographic coordinates 39° 19′ 52″ North Latitude, 82° 59′ 49″ West Longitude, referenced to the 1927 North American Datum (NAD 27).

WKKJ is authorized (FCC File Number BMPH-19990820IF) to operate on channel 227B with ERP of 19.5 kW, circularly polarized, and antenna radiation center HAAT of 243 meters, at a site identified by the geographic coordinates 39° 37′ 17″ North Latitude, 82° 53′ 13″ West Longitude, referenced to NAD 27. Secret has been unable to secure local zoning approval to construct the authorized WKKJ site.

Secret proposes herein to relocate WKKJ to an existing antenna tower site located at geographic coordinates 39° 35′ 30″ North Latitude, 83° 06′ 38″ West Longitude, referenced to NAD 27. The instant application proposes WKKJ operation of Channel 227B with maximum ERP of 33 kW, circularly polarized, and antenna radiation center HAAT of 182 meters

Station WKKJ and co-channel Station WAKW(FM), Cincinnati, Ohio, are short-spaced on grandfathered basis. See Exhibit 25, Section 73.213 Study. Accordingly, Section 73.213 governs the processing of this application.

WKKJ's existing transmitter site is a location authorized prior to November 16, 1964, that did not meet the separation distances required by Section 73.207 of the FCC Rules and has remained continuously short-spaced since that time. Thus under section 73.213(a), WKKJ may be modified or relocated with respect to WAKW if either (i) any area predicted to receive interference lies completely within any area currently predicted to receive cochannel interference calculated in accordance with Section 73.213(a)(1) or (ii) a showing is provided pursuant to Section 73.213(a)(2) that demonstrates that the public interest would be served by the proposed changes.

As Exhibit 25 of the instant application demonstrates, some area that is predicted to receive interference as a result of the facilities change, lies outside the area predicted to receive cochannel interference. Therefore, the instant application is not being filed pursuant to section 73.213(a)(1) of the FCC Rules. Rather, it is being filed pursuant to Section 73.213(a)(ii) and (a)(2).

The purpose of this Exhibit is to provide the Commission with the required showing of public interest under Section 73.213(a)(ii) and (a)(2). See Exhibit 25, Section 73.213 Study, Allocation Study. Specifically,

1. The total area and population subject to cochannel interference, caused and received, would be decreased.

   (a) The total area of grandfathered predicted interference between the licensed WKKJ facility and the WAKW facility is 5,567 square kilometers. The total area of grandfathered predicted interference between the proposed WKKJ operation and the WAKW operation is 5,225 square kilometers. A grant will reduce the total area of grandfathered predicted interference, referenced to the licensed WKKJ facility, by 342 square kilometers, or by 6.1 percent. See Exhibit 25, Section 73.213(a) Study, Figure 1.

   (b) The total population predicted to be subject to interference between the licensed WKKJ facility and WAKW is 360,527 persons. The total population predicted to be subject to interference between the proposed WKKJ facility and WAKW is 281,096 persons. A grant will reduce the total population subject to interference, referenced to the licensed

WKKJ facility, by 79,431 persons, or by 22.0 percent. See Exhibit 25, Section 73.213(a) Study, Figure 1.

2. The area and population subject to cochannel interference caused by the proposed facility to WAKW is not increased.

(a) The predicted area of interference caused to WAKW by the proposed WKKJ facility lies entirely within the predicted area of interference caused to WAKW by the licensed WKKJ facility. Accordingly, the area of interference caused to WAKW is decreased, and no new area of interference caused to WAKW is created by this proposal. See Exhibit 25, Section 73.213(a) Study, Figure 3.

(b) The population predicted to be subject to cochannel interference caused by the licensed WKKJ facility to WAKW is 255,217 persons. The population predicted to be subject to cochannel interference caused by the proposed WKKJ facility to WAKW is 215,532 persons. A grant will reduce the

population predicted to be subject to cochannel interference caused by the WKKJ facility to WAKW, referenced to the licensed WKKJ facility, by 39,685 persons, or by 15.5 percent. See Exhibit 25, Section 73.213(a) Study, Figure 1.

3. Any area predicted to lose service as a result of new cochannel interference has adequate aural service remaining, i.e., 5 or more AM or FM services. See Exhibit 25, Section 73.213(a) Study, Figures 4 and 5.

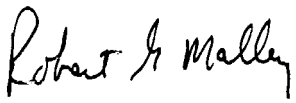
4. The licensed WKKJ facility is predicted to provide signal strength of 0.5 mV/m (54 dBμ) or greater within the area where the ratio of the desired WKKJ signal strength to the undesired WAKW signal strength is predicted to be equal or greater than 20 dB to 262,416 persons residing in an area of 7,845 square kilometers. Figure 1 of this exhibit is a portion of the Kentucky, Ohio, and West Virginia USGS 1:1,000,000-scale state maps on which the proposed WKKJ predicted 54 dBμ F(50,50) contour and the area of interference received by the proposed WKKJ facility from WAKW

within the proposed WKKJ predicted 54 dBμ F(50,50) contour are plotted. Using a computer program that enumerates the population of those census divisions with centroids located within the specified contour or boundary and another computer algorithm that estimates the area within an irregular polygon, the proposed WKKJ facility is predicted to provide signal strength of 0.5 mV/m (54 dBμ) or greater within the area where the ratio of the desired WKKJ signal strength to the undesired WAKW signal strength is predicted to be equal or greater than 20 dB to 1,305,380 persons residing in an area of 10,155 square kilometers. A grant will increase the population predicted to provide signal strength of 0.5 mV/m (54 dBμ) or greater within the area where the ratio of the desired WKKJ signal strength to the undesired WAKW signal strength is predicted to be equal or greater than 20 dB by 1,042,964 persons, or by 397.0 percent, referenced to the licensed WKKJ facility. A grant will increase the area predicted to provide signal strength of 0.5 mV/m (54 dBμ) or greater within the area where the ratio of the desired WKKJ signal strength to the undesired WAKW signal strength is predicted to be equal or

greater than 20 dB by 2,310 square kilometers, or by 29.47 percent, referenced to the licensed WKKJ facility.

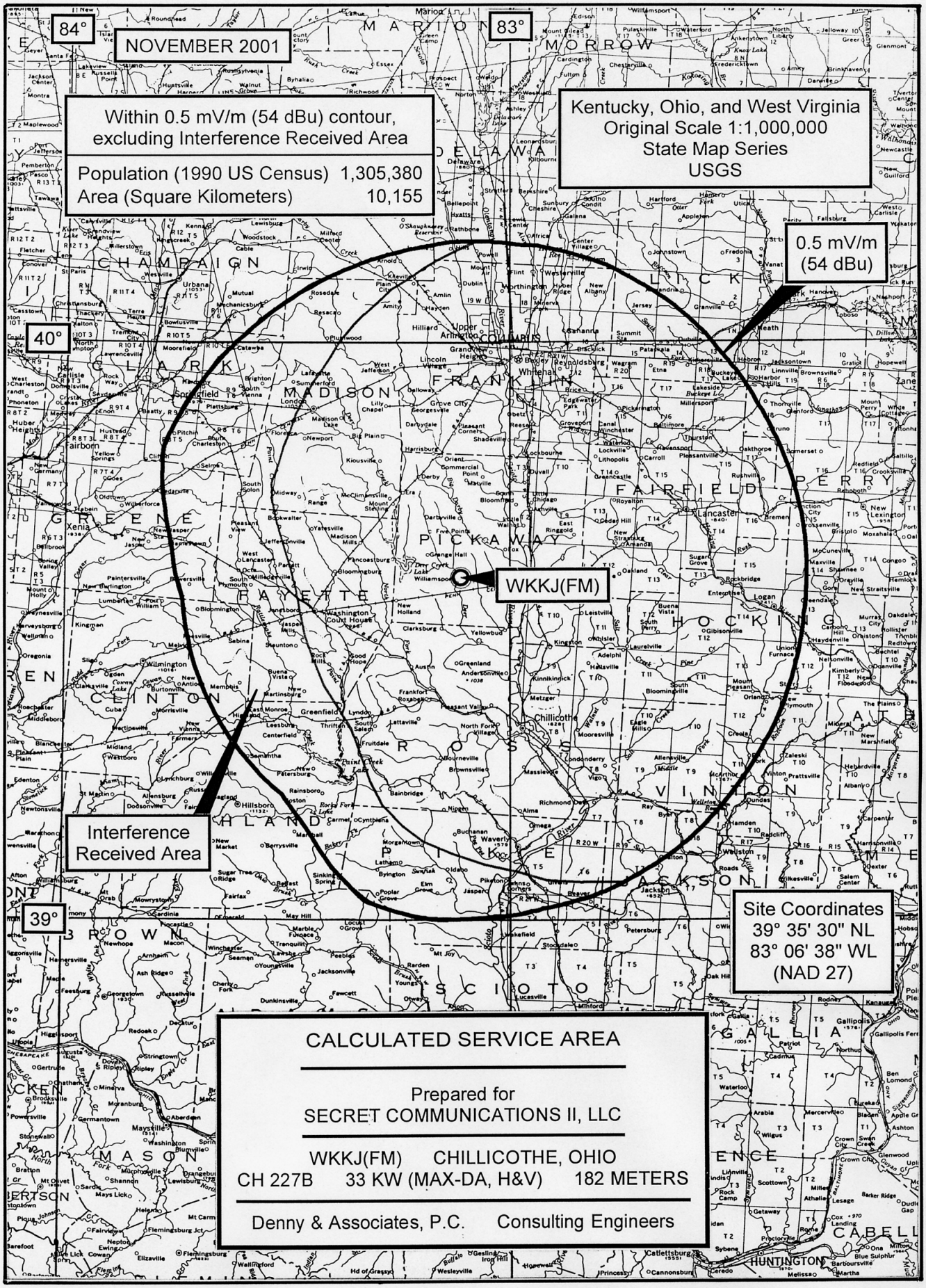
CERTIFICATION

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on November 20, 2001.



Robert G. Mallery

Figure 1


84°
83°
40°
39°
NOVEMBER 2001
Within 0.5 mV/m (54 dBu) contour,
excluding Interference Received Area
Population (1990 US Census) 1,305,380
Area (Square Kilometers) 10,155
Kentucky, Ohio, and West Virginia
Original Scale 1:1,000,000
State Map Series
USGS
0.5 mV/m
(54 dBu)
WKKJ(FM)
Interference
Received Area
Site Coordinates
39° 35' 30" NL
83° 06' 38" WL
(NAD 27)
CALCULATED SERVICE AREA
Prepared for
SECRET COMMUNICATIONS II, LLC
WKKJ(FM) CHILLICOTHE, OHIO
CH 227B 33 KW (MAX-DA, H&V) 182 METERS
Denny & Associates, P.C. Consulting Engineers
10 0 10 20 30 40 Miles
10 0 10 20 30 40 50 Kilometers