



## **ENGINEERING STATEMENT**

**In support of a**

**Minor Change to a Licensed Facility**

**For Digital Channel 9**

**KTSM El Paso, TX**

**65 kW ERP 577 m HAAT**

### **PURPOSE**

MARSAND, INC. has been retained by Comcorp of El Paso License Corp. (the "Licensee") Licensee of KTSM digital Channel 9 of El Paso, TX (the "Station"), to prepare this engineering statement in support of a Minor Change to a Licensed Facility for digital television service on Channel 9. The License on file with the Federal Communications Commission (the "Commission") is BLCDT-20090612AIL. The Licensee seeks to obtain a waiver to increase the Effective Radiated Power (ERP) to 65 kW.

### **DISCUSSION**

The Licensee presently operates on Channel 9 at 34 kW ERP on the existing, top mount, dual Channel 9 & 7 antenna which it shares with KVIA-DT CH7. The antenna manufacturer's specifications can be found in the Appendix. Upon commencing digital service on the VHF channels, both KTSM and KVIA experienced a significant loss of coverage to their audience previously covered by their analog facilities. Documentation of this loss and the temporary, remedial actions taken to alleviate the loss of service are documented in the Station's application for Special Transmission Authority (STA), BDSTA-20090715AIG. The Station was granted this "extraordinary relief" from the Commission along with several other VHF stations who experienced similar loss of coverage.

The Station cooperated with KVIA-DT to study the reasons for loss of coverage and to determine the best solution. A power increase on Channel 9 is the MOST RATIONAL plan to

provide a permanent solution to the LOSS OF COVERAGE experienced after the digital transition. With a grant of this application, there may be no need for an extension of the STA.

The Station requests a Waiver of the Commission’s rules in Section 73.622(f)(7). The proposed 65kW ERP would exceed the maximum allowable ERP for Channel 9 at the requested height of radiation center above mean sea level (RCAMSL). The Commission has recently granted a similar request of waiver for WTVD(TV), Durham, NC.

The predicted 36 dBu F(50,90) contour of the proposed digital facility would fall within the allotment facility that was submitted for coordination with Mexico (see **Figure 1**). **Table 1** shows the tabulation of the predicted contours of the proposed facility vs. the allotment contour. No coordination with Mexico is anticipated, and, in fact, the proposed 65 kW ERP was chosen with special regard for an increase in power that would not require coordination with Mexico.

FCC(50,90) Contour Tabulations based on V-Soft 3 second US Terrain				
Bearing (deg)	Proposed CH9 65kW ERP		CH9 Allotment Mexican Coordination Distance (km)	Difference (km)
	43 dBu Distance (km)	36 dBu Distance (km)		
0	93.5	106.4	107.5	-1.1
45	115.3	132.8	133.9	-1.1
90	115.4	133.0	134.1	-1.1
135	118.1	135.8	136.7	-0.9
180	116.3	134.1	135.1	-1.0
225	112.0	127.7	129.0	-1.3
270	115.8	133.5	134.5	-1.0
315	113.3	129.8	131.0	-1.2

**Table 1**

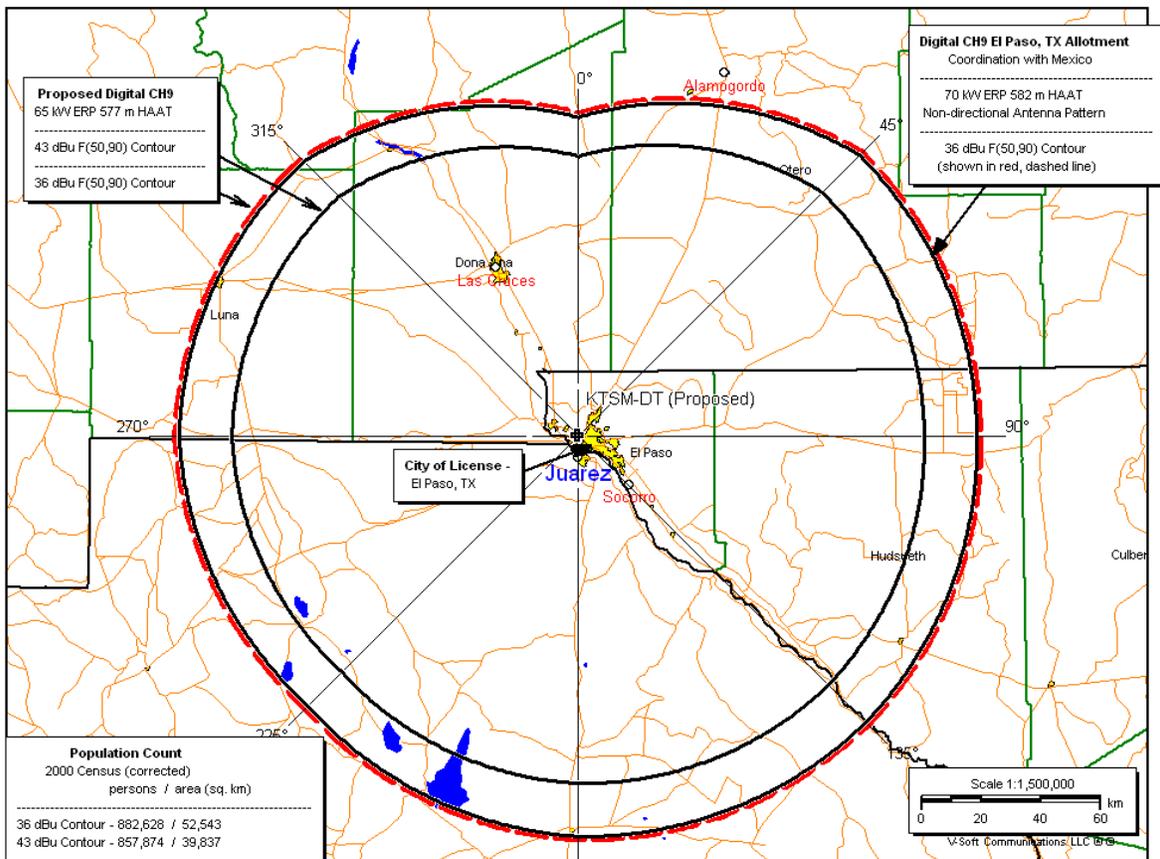
An interference study using the TV Process by Meintel, Sgrignoli & Wallace (a software program which is familiar to the Commission that is written in Fortran and run on a Sun Microsystems workstation and employs the methods outlined in the OET 69 Bulletin), confirms that the proposed facility would not exceed 0.5% new interference to any other station or any applications or CP’s on file to date. The study results are listed in the Appendix. A summary of the interference study is included below in **Table 2**.

**Stations Potentially Affected by Proposal**

Channel	Call Sign	City/State	Distance (km)	Status	Application Reference No.	New Interference
9	KGUN-TV	TUCSON AZ	404.3	CP	BPCDT-20080213AGK	Proposal causes no interference
9	KGUN	TUCSON AZ	404.3	PLN	DTVPLN-DTVP0176	Proposal causes no interference
9	KGUN-TV	TUCSON AZ	404.3	APP	BMPCDT-20090918ABY	0.00%
9	KWES-TV	ODESSA TX	340.7	CP	BPCDT-20080317ADS	0.00%
9	KWES-TV	ODESSA TX	340.7	PLN	DTVPLN-DTVP0221	0.00%
10	KOVT	SILVER CITY NM	202.7	CP MOD	BMPCDT-20080619AAN	Proposal causes no interference
10	KOVT	SILVER CITY NM	202.7	PLN	DTVPLN-DTVP0273	Proposal causes no interference

**Table 2**

The calculated F(50,90) 43 dBu contour would encompass the principal community, El Paso, TX, entirely as shown in **Figure 1**. Also shown in **Figure 1** is the F(50,90) 36 dBu contour.



**Figure 1**

A population study under the 36 dBu contour predicts service to 882,628 people. This figure is derived using the corrected 2000 Census.

The proposal is clear of any FCC monitoring stations, quiet zones, and Table Mountain. It is also further than 3.2 km from the nearest AM station. The proposal is 4.5 km from the Mexican Border, however, no need for coordination with Mexico is anticipated for the reasons mentioned earlier.

**RF Radiation Exposure Statement**

The requirements of Section 73.1307(b) of the FCC Rules regarding human exposure to radio frequency (RF) energy are met under this instant application for the post-transition digital television facility proposed herein.

The proposed KTSM-DT facility utilizes the existing analog top mount antenna located on an existing, multi-use tower structure (ASR 1051409) located on Ranger Peak in El Paso, TX. The site is restricted access. The station agrees to maintain full compliance with the safety precautions to workers on the tower (controlled) and the general public (uncontrolled) by reducing or removing radiated power during the time of construction or maintenance on or near the antenna. The station also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from Radiofrequency Electromagnetic exposure in excess of FCC guidelines.

**Table 3** shows the calculations of RF level 2m above ground level for the General Public / Uncontrolled (GP/U) would not exceed 5% of the Maximum Permissible Exposure (MPE) limit. The calculations are shown in the Appendix. The proposed facility is therefore a negligible contributor to the RF environment at all ground level locations and is excluded from the routine environmental evaluation pursuant to Section 1.1307(b) of the FCC Rules.

Call Letters	Channel / Frequency	Distance from RCAGL to 2 m AGL	Worst Case Downward Radiation (Relative Field)	Calculated Power Density (uW/cm <sup>2</sup> )	GP/U MPE (uW/cm <sup>2</sup> )	Percentage of GP/U MPE
KTSM-DT	CH9 186-192 MHz	100 m	0.15	4.89	200	2.44 %

**Table 3**

**CONCLUSION**

It is respectfully requested that the Commission grant this request for waiver and instant application for a minor change for the proposed transmission facility as indicated in the Tech Box of the accompanying Instant Application Form 301.

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**DECLARATION**

Matthew A. Sanderford, Jr., P.E., declares and states that he is a graduate Electrical Engineer with a Bachelor of Science Degree in Electrical Engineering from the University of Texas at El Paso, a Licensed Professional Engineer in the State of Texas, and his qualifications are known to the Federal Communications Commission, and that he is President of MARSAND, INC., a Registered Professional Engineering firm in the State of Texas, and that firm has been retained by the Licensee, to perform the engineering support as contained in this report.

All facts contained herein are true of his own knowledge except where stated to be on information or belief provided by the Licensee, and as to those facts, he believes them to be true.

\_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.



\_\_\_\_\_

Matthew A. Sanderford, Jr., P.E.

President - MARSAND, INC.

Executed this 3<sup>rd</sup> day of May, 2010

State of Texas

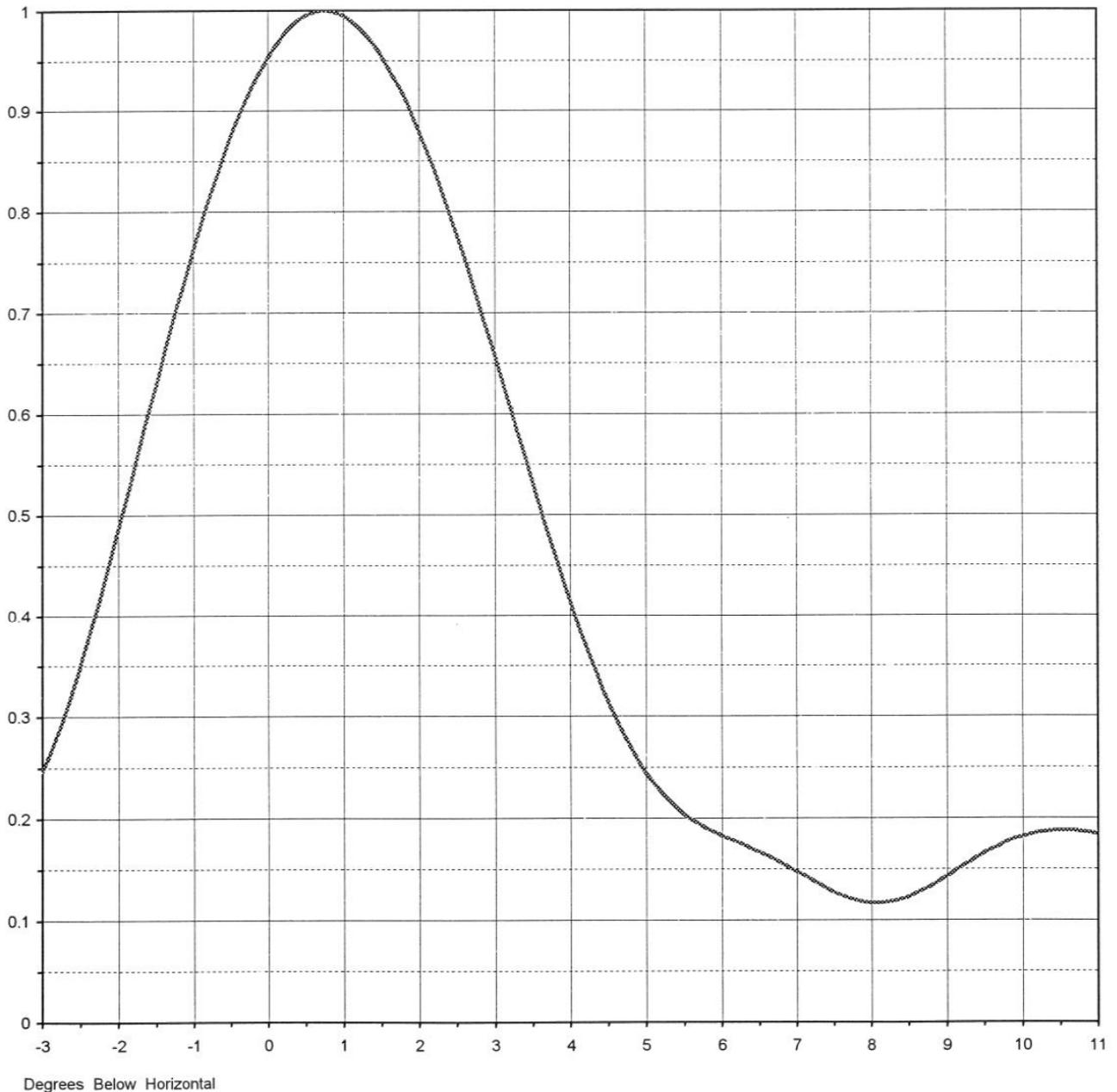
# Appendix



Proposal Number **DCA-7564**  
Date **25-Sep-00**  
Call Letters **KVIA-DT** Channel **9**  
Location **EL PASO, TX**  
Customer **KVIA-TV**  
Antenna Type **TF-12BH(S)**

**ELEVATION PATTERN**

RMS Gain at Main Lobe	<b>10.00 ( 10.00 dB )</b>	Beam Tilt	<b>0.75 deg</b>
RMS Gain at Horizontal	<b>9.10 ( 9.59 dB )</b>	Frequency	<b>189.00 MHz</b>
Calculated / Measured	<b>Calculated</b>	Drawing #	<b>12S100075</b>

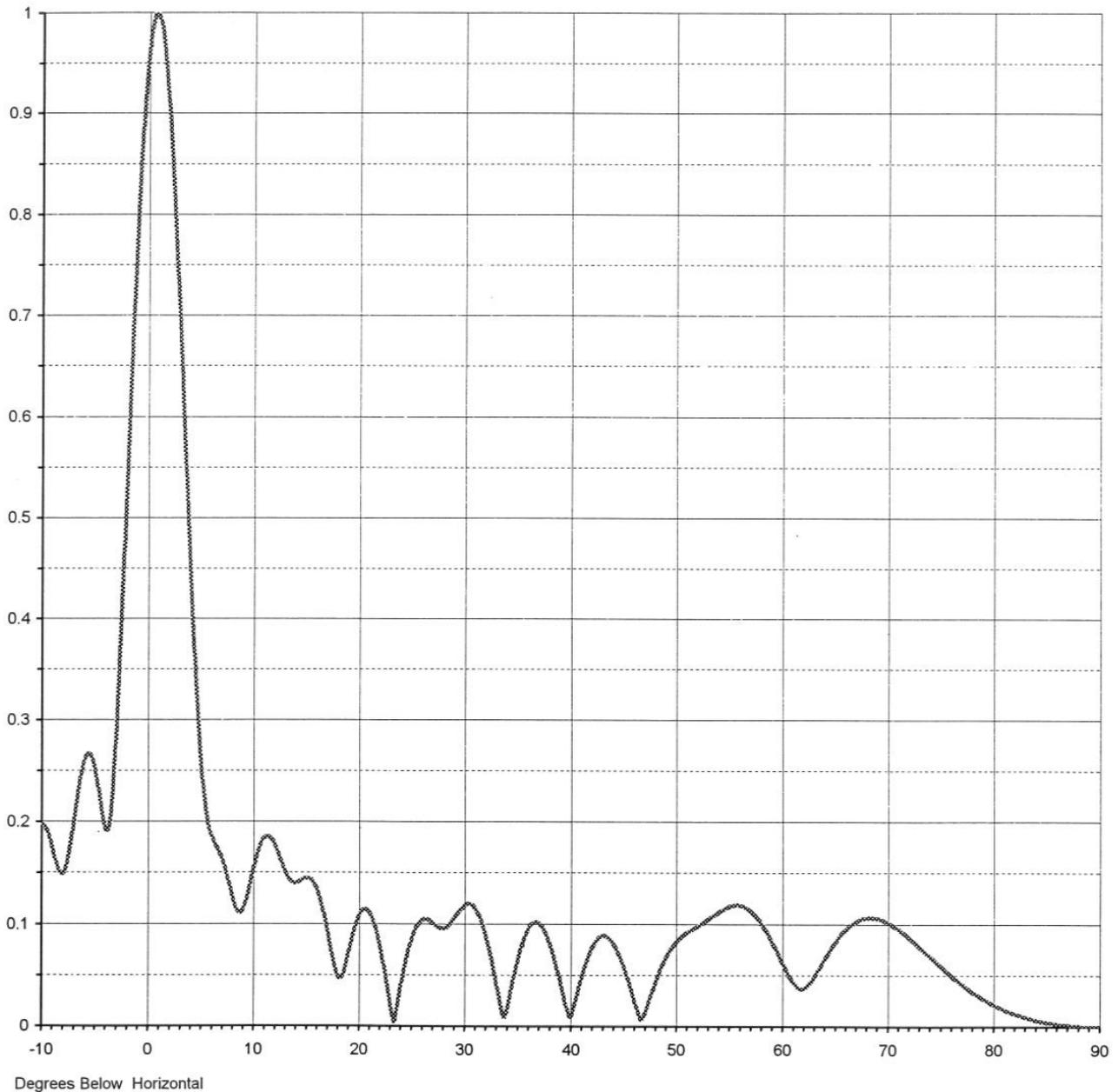




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Calculated / Measured	<b>Calculated</b>	Drawing #	<b>12S100075-90</b>





Proposal Number **DCA-7564**  
 Date **25-Sep-00**  
 Call Letters **KVIA-DT** Channel **9**  
 Location **EL PASO, TX**  
 Customer **KVIA-TV**  
 Antenna Type **TF-12BH(S)**

**TABULATION OF ELEVATION PATTERN**

Elevation Pattern Drawing #: **12S100075-90**

Angle	Field										
-10.0	0.182	2.4	0.801	10.6	0.188	30.5	0.062	51.0	0.152	71.5	0.042
-9.5	0.203	2.6	0.756	10.8	0.188	31.0	0.032	51.5	0.151	72.0	0.037
-9.0	0.205	2.8	0.708	11.0	0.186	31.5	0.011	52.0	0.146	72.5	0.033
-8.5	0.192	3.0	0.659	11.5	0.176	32.0	0.036	52.5	0.139	73.0	0.029
-8.0	0.172	3.2	0.609	12.0	0.164	32.5	0.064	53.0	0.128	73.5	0.026
-7.5	0.161	3.4	0.559	12.5	0.154	33.0	0.087	53.5	0.115	74.0	0.023
-7.0	0.173	3.6	0.509	13.0	0.152	33.5	0.103	54.0	0.099	74.5	0.021
-6.5	0.205	3.8	0.461	13.5	0.155	34.0	0.110	54.5	0.083	75.0	0.019
-6.0	0.241	4.0	0.416	14.0	0.159	34.5	0.109	55.0	0.067	75.5	0.017
-5.5	0.266	4.2	0.373	14.5	0.158	35.0	0.099	55.5	0.057	76.0	0.015
-5.0	0.270	4.4	0.334	15.0	0.148	35.5	0.082	56.0	0.057	76.5	0.014
-4.5	0.253	4.6	0.300	15.5	0.128	36.0	0.059	56.5	0.067	77.0	0.012
-4.0	0.221	4.8	0.270	16.0	0.100	36.5	0.032	57.0	0.083	77.5	0.011
-3.5	0.204	5.0	0.245	16.5	0.069	37.0	0.008	57.5	0.101	78.0	0.010
-3.0	0.246	5.2	0.226	17.0	0.047	37.5	0.028	58.0	0.120	78.5	0.009
-2.8	0.282	5.4	0.211	17.5	0.056	38.0	0.053	58.5	0.137	79.0	0.008
-2.6	0.326	5.6	0.199	18.0	0.082	38.5	0.075	59.0	0.153	79.5	0.007
-2.4	0.375	5.8	0.190	18.5	0.106	39.0	0.091	59.5	0.167	80.0	0.006
-2.2	0.429	6.0	0.183	19.0	0.121	39.5	0.101	60.0	0.177	80.5	0.005
-2.0	0.485	6.2	0.177	19.5	0.125	40.0	0.103	60.5	0.186	81.0	0.005
-1.8	0.542	6.4	0.170	20.0	0.116	40.5	0.099	61.0	0.191	81.5	0.004
-1.6	0.600	6.6	0.164	20.5	0.095	41.0	0.088	61.5	0.194	82.0	0.003
-1.4	0.656	6.8	0.156	21.0	0.066	41.5	0.072	62.0	0.195	82.5	0.003
-1.2	0.710	7.0	0.148	21.5	0.032	42.0	0.052	62.5	0.193	83.0	0.002
-1.0	0.762	7.2	0.140	22.0	0.007	42.5	0.030	63.0	0.189	83.5	0.002
-0.8	0.810	7.4	0.132	22.5	0.041	43.0	0.009	63.5	0.183	84.0	0.002
-0.6	0.853	7.6	0.125	23.0	0.072	43.5	0.021	64.0	0.176	84.5	0.001
-0.4	0.892	7.8	0.120	23.5	0.095	44.0	0.043	64.5	0.166	85.0	0.001
-0.2	0.926	8.0	0.117	24.0	0.110	44.5	0.063	65.0	0.156	85.5	0.001
0.0	0.953	8.2	0.118	24.5	0.117	45.0	0.080	65.5	0.146	86.0	0.001
0.2	0.975	8.4	0.121	25.0	0.116	45.5	0.094	66.0	0.136	86.5	0.000
0.4	0.990	8.6	0.127	25.5	0.112	46.0	0.105	66.5	0.125	87.0	0.000
0.6	0.998	8.8	0.134	26.0	0.107	46.5	0.113	67.0	0.115	87.5	0.000
0.8	1.000	9.0	0.143	26.5	0.107	47.0	0.119	67.5	0.104	88.0	0.000
1.0	0.995	9.2	0.153	27.0	0.111	47.5	0.123	68.0	0.094	88.5	0.000
1.2	0.984	9.4	0.162	27.5	0.118	48.0	0.128	68.5	0.085	89.0	0.000
1.4	0.967	9.6	0.170	28.0	0.124	48.5	0.133	69.0	0.076	89.5	0.000
1.6	0.943	9.8	0.173	28.5	0.126	49.0	0.138	69.5	0.068	90.0	0.000
1.8	0.915	10.0	0.180	29.0	0.121	49.5	0.143	70.0	0.060		
2.0	0.881	10.2	0.184	29.5	0.108	50.0	0.148	70.5	0.054		
2.2	0.843	10.4	0.187	30.0	0.088	50.5	0.151	71.0	0.048		

**Effective Radiated Power Calculations for DTV**

Call letters:	<b>KTSM-DT</b>	Date:	<b>6/20/2008</b>
Location:	<b>El Paso, TX</b>		
Channel:	<b>9A</b>		
Frequency:	<b>189 MHz Mid-Band</b>	Pilot Freq:	<b>186.31</b>
Antenna:	<b>Dielectric TF-12BH(S)</b>		

Transmitter Power Output (TPO):	<b>7.5 kW avg.</b>	<b>8.75 dBk</b>
Filter Loss:		<b>0.4 dB</b>
TPO into Xmsn Line:	<b>6.8 kW</b>	<b>8.35 dBk</b>
Transmission Line:		
Loss per 100 ft.:	<b>0.066 dB Vert</b>	<b>0.066 dB Hor</b>
Line Length:	<b>300 ft. Vert</b>	<b>30 ft. Hor</b>
Total Line Loss:		<b>-0.22 dB</b>

Antenna Input Power:	<b>6.50 kW</b>	<b>8.13 dBk</b>
Efficiency:	<b>95.1086 %</b>	
Elevation Antenna Gain -		
<i>Horizontal -</i>		
<i>Hor. Polarization -</i>	<b>9.10 Gain</b>	<b>9.59 dB</b>
Maximum -		
Hor. Polarization -	<b>10.00 Gain</b>	<b>10.00 dB</b>
Azimuthal Antenna Gain -		
Hor. Polarization -	<b>1.00 Gain</b>	<b>0.00 dB</b>

<b><i>Horizontal ERP -</i></b>		
<b><i>Horizontal Polarization:</i></b>	<b>59.1 kW</b>	<b>17.7 dBk</b>

<b>Maximum ERP -</b>		
<b>Horizontal Polarization:</b>	<b>65.0 kW</b>	<b>18.13 dBk</b>

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**UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION  
ANTENNA STRUCTURE REGISTRATION**



OWNER: PINNACLE TOWERS LLC

**FCC Registration Number (FRN):** 0006156111

ATTN: REGULATORY DEPARTMENT PINNACLE TOWERS LLC 2000 CORPORATE DRIVE CANONSBURG, PA 15317	<b>Antenna Structure Registration Number</b>  1051409
	<b>Issue Date</b>  01-30-2008
<b>Location of Antenna Structure</b> RANGER PEAK EL PASO, TX	<b>Ground Elevation (AMSL)</b>  1716.0 meters
	<b>Overall Height Above Ground (AGL)</b>  113.1 meters
<b>Latitude</b> 31-48-18.4 N	<b>Longitude</b> 106-28-59.5 W
NAD83	<b>Overall Height Above Mean Sea Level (AMSL)</b>  1829.1 meters
<b>Painting and Lighting Requirements:</b> FAA Chapters 3, 4, 5, 13 Paint and Light in Accordance with FAA Circular Number 70/7460-1J	
<b>Conditions:</b>	

This registration is effective upon completion of the described antenna structure and notification to the Commission. **YOU MUST NOTIFY THE COMMISSION WITHIN 24 HOURS OF COMPLETION OF CONSTRUCTION OR CANCELLATION OF YOUR PROJECT, please file FCC Form 854.** To file electronically, connect to the antenna structure registration system by pointing your web browser to <http://wireless.fcc.gov/antenna>. Electronic filing is recommended. You may also file manually by submitting a paper copy of FCC Form 854. Use purpose code "NT" for notification of completion of construction; use purpose code "CA" to cancel your registration.

The Antenna Structure Registration is not an authorization to construct radio facilities or transmit radio signals. It is necessary that all radio equipment on this structure be covered by a valid FCC license or construction permit.

**You must immediately provide a copy of this Registration to all tenant licensees and permittees sited on the structure described on this Registration (although not required, you may want to use Certified Mail to obtain proof of receipt), and display your Registration Number at the site. See reverse for important information about the Commission's Antenna Structure Registration rules.**

FCC 854R  
August 2007

You must comply with all applicable FCC obstruction marking and lighting requirements, as set forth in Part 17 of the Commission's Rules (47 C.F.R. Part 17). These rules include, but are not limited to:

- **Posting the Registration Number:** The Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure. Materials used to display the Registration Number must be weather-resistant and of sufficient size to be easily seen at the base of the antenna structure. Exceptions exist for certain historic structures. See 47 C.F.R. 17.4(g)-(h).
- **Inspecting lights and equipment:** The obstruction lighting must be observed at least every 24 hours in order to detect any outages or malfunctions. Lighting equipment, indicators, and associated devices must be inspected at least once every three months.
- **Reporting outages and malfunctions:** When any top steady-burning light or a flashing light (in any position) burns out or malfunctions, the outage must be reported to the nearest FAA Flight Service Station, unless corrected within 30 minutes. The FAA must again be notified when the light is restored. The owner must also maintain a log of these outages and malfunctions.
- **Maintaining assigned painting:** The antenna structure must be repainted as often as necessary to maintain good visibility.
- **Complying with environmental rules:** If you certified that grant of this registration would not have a significant environmental impact, you must nevertheless maintain all pertinent records and be ready to provide documentation supporting this certification and compliance with the rules, in the event that such information is requested by the Commission pursuant to 47 C.F.R. 1.1307(d).
- **Updating information:** The owner must notify the FCC of proposed modifications to this structure; of any change in ownership; or, within 30 days of dismantlement of the structure.

Copies of the Code of Federal Regulations (which contain the FCC's antenna structure registration rules, 47 C.F.R. Part 17) are available from the Government Printing Office (GPO). To purchase CFR volumes, call (202) 512-1800. For GPO Customer Service, call (202) 512-1803. For additional FCC information, consult the Antenna Homepage on the internet at <http://wireless.fcc.gov/antenna> or call (877) 480-3201 (TTY 717-338-2824).

## Radio Frequency Radiation Human Exposure Calculations

Call letters: **KTSM-DT** Date: **11/2/2009**  
 City of License: **El Paso, TX**  
 Channel: **9A**

Reference:

**FCC Rules Section 73.1307(b) & 73.1310**  
**OET Bulletin No. 65 Edition 97-01, August, 1997**  
**OET Bulletin No. 56**

**DTV Average Power** **65,000 W ERP**

**Typical relative field factor** in the downward direction: **0.15**  
 (conservative estimate)

Antenna Radiation Center Above Ground Level (RCAGL): **102.0 m**

### **Occupational/Controlled (O/C) Exposure**

Highest Calculated Power Density: **4.70  $\mu$ W/cm<sup>2</sup>**

Maximum Permissible Exposure (MPE) for this Channel -

Frequency (middle of the band): **189 MHz**  
 MPE O/C Limit (6 minutes average): **1.0 mW/cm<sup>2</sup>**  
 Percentage of MPE O/C Limit: **0.47 %**

### **General Population/Uncontrolled (GP/U) Exposure**

Typical height of a person's head standing at ground level: **2 m**  
 Distance from head height to antenna radiation center: **100.0 m**  
 Highest Calculated Power Density: **4.89  $\mu$ W/cm<sup>2</sup>**

Maximum Permissible Exposure (MPE) for this Channel -

Frequency (middle of the band): **189 MHz**  
 MPE GP/U Limit (30 minutes average): **0.2 mW/cm<sup>2</sup>**  
 Percentage of MPE GP/U Limit: **2.44 %**

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0027 (April 2009)	FOR FCC USE ONLY
<b>FCC 301</b>		
<b>APPLICATION FOR CONSTRUCTION PERMIT FOR                  COMMERCIAL BROADCAST STATION</b>		FOR COMMISSION USE ONLY FILE NO.
Read INSTRUCTIONS Before Filling Out Form		-

**Section I - General Information**

1.	Legal Name of the Applicant COMCORP OF EL PASO LICENSE CORP.			
	Mailing Address 700 ST. JOHNS STREET SUITE 300			
	<table border="1" style="width: 100%;"> <tr> <td style="width: 45%;">City LAFAYETTE</td> <td style="width: 25%;">State or Country (if foreign address) LA</td> <td style="width: 30%;">ZIP Code 70505 -</td> </tr> </table>	City LAFAYETTE	State or Country (if foreign address) LA	ZIP Code 70505 -
City LAFAYETTE	State or Country (if foreign address) LA	ZIP Code 70505 -		
	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Telephone Number (include area code) 3372371142</td> <td style="width: 50%;">E-Mail Address (if available)</td> </tr> </table>	Telephone Number (include area code) 3372371142	E-Mail Address (if available)	
Telephone Number (include area code) 3372371142	E-Mail Address (if available)			
	<table border="1" style="width: 100%;"> <tr> <td style="width: 25%;">FCC Registration Number:</td> <td style="width: 25%;">Call Sign KTSM-TV</td> <td style="width: 50%;">Facility ID Number 67760</td> </tr> </table>	FCC Registration Number:	Call Sign KTSM-TV	Facility ID Number 67760
FCC Registration Number:	Call Sign KTSM-TV	Facility ID Number 67760		
2.	Contact Representative (if other than Applicant) KEVIN P. LATEK			
	Firm or Company Name DOW LOHNES PLLC			
	Mailing Address 1200 NEW HAMPSHIRE AVE. NW SUITE 800			
	<table border="1" style="width: 100%;"> <tr> <td style="width: 45%;">City WASHIINGTON</td> <td style="width: 25%;">State or Country (if foreign address) DC</td> <td style="width: 30%;">ZIP Code 20036 -</td> </tr> </table>	City WASHIINGTON	State or Country (if foreign address) DC	ZIP Code 20036 -
City WASHIINGTON	State or Country (if foreign address) DC	ZIP Code 20036 -		
	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Telephone Number (include area code) 2027762000</td> <td style="width: 50%;">E-Mail Address (if available) KLATEK@DOWLOHNES.COM</td> </tr> </table>	Telephone Number (include area code) 2027762000	E-Mail Address (if available) KLATEK@DOWLOHNES.COM	
Telephone Number (include area code) 2027762000	E-Mail Address (if available) KLATEK@DOWLOHNES.COM			
3.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Other <input type="radio"/> N/A (Fee Required)			
4.	<b>Application Purpose</b> <input type="radio"/> New station <input type="radio"/> Major Modification of construction permit <input type="radio"/> Minor Modification of construction permit <input checked="" type="radio"/> Major Amendment to pending application (a) File number of original construction permit:  (b) Service Type:  (c) DTV Type:  (d) Community of License: City: EL PASO (e) Facility Type:			
	<input type="radio"/> New Station with Petition for Rulemaking or Counterproposal to Amend FM Table of Allotments <input type="radio"/> Major Change in licensed facility <input type="radio"/> Minor Change in licensed facility <input checked="" type="radio"/> Minor Amendment to pending application BPCDT-20091104AFO <input type="checkbox"/> NA <input type="radio"/> AM <input type="radio"/> FM <input type="radio"/> TV <input checked="" type="radio"/> DTV <input type="radio"/> DTS <input type="radio"/> Pre-Transition <input checked="" type="radio"/> Post-Transition <input type="radio"/> Both  State: TX <input checked="" type="radio"/> Main <input type="radio"/> Auxiliary			
	If an amendment, <b>submit as an Exhibit</b> a listing by Section and Question Number the portions of the pending			
	[Exhibit 1]			

application that are being revised.

**NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.**

**Section II - Legal**

<p>1. <b>Certification.</b> Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
<p>2. <b>Parties to the Application.</b>                  a. List the applicant, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. If a corporation or partnership holds an attributable interest in the applicant, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. Create a separate row for each individual or entity. Attach additional pages if necessary.</p> <p>(1) Name and address of the applicant and each party to the application holding an attributable interest (if other than individual also show name, address and citizenship of natural person authorized to vote the stock or holding the attributable interest). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and other entities with attributable interests, and partners.                  (2) Citizenship.                  (3) Positional Interest: Officer, director, general partner, limited partner, LLC member, investor/creditor attributable under the Commission's <b>equity/debt plus</b> standard, etc.                  (4) Percentage of votes.                  (5) Percentage of total assets (equity plus debt).</p> <p>[Enter Parties/Owners Information]</p>	
<p>b. Applicant certifies that equity and financial interests not set forth above are non-attributable.</p>	<p><input type="radio"/> Yes <input type="radio"/> No  <input type="radio"/> N/A                  See Explanation in [Exhibit 2]</p>
<p>3. <b>Other Authorizations.</b> List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest.</p>	<p><input type="checkbox"/> N/A                  [Exhibit 3]</p>
<p>4. <b>Multiple Ownership.</b></p>	
<p>a. Is the applicant or any party to the application the holder of an attributable radio joint sales agreement or an attributable radio or television time brokerage agreement in the same market as the station subject to this application?                   If "YES," radio applicants must submit as an Exhibit a copy of each such agreement for radio stations.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No                  [Exhibit 4]</p>
<p>b. Applicant certifies that the proposed facility complies with the Commission's multiple ownership rules and cross-ownership rules.                   Radio applicants only: If "Yes," submit an Exhibit providing information regarding the market, broadcast station(s), and other information necessary to demonstrate compliance with 47 C.F.R. § 73.3555(a).</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No                  [Exhibit 5]</p>

	All Applicants: If "No," submit as an Exhibit a detailed explanation in support of an exemption from, or waiver of, 47 C.F.R. § 73.3555.	
c.	Applicant certifies that the proposed facility: (1) does not present an issue under the Commission's policies relating to media interests of immediate family members; (2) complies with the Commission's policies relating to future ownership interests; and (3) complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 6]
d.	Does the Applicant claim status as an "eligible entity," that is, an entity that qualifies as a small business under the Small Business Administration's size standards for its industry grouping (as set forth in 13 C.F.R. § 121-201), and holds: (1) 30 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet; or (2) 15 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet, provided that no other person or entity owns or controls more than 25 percent of the outstanding stock or partnership interests; or (3) more than 50 percent of the voting power of the corporation that will own the media outlet (if such corporation is a publicly traded company)? All applicants: If "Yes," submit as an Exhibit a detailed showing demonstrating proof of status as an eligible entity.	<input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 7]
5.	<b>Character Issues.</b> Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with: a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or b. any pending broadcast application in which character issues have been raised.	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 8]
6.	<b>Adverse Findings.</b> Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another government unit; or discrimination.	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 9]
7.	<b>Alien Ownership and Control.</b> Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 10]
8.	<b>Program Service Certification.</b> Applicant certifies that it is cognizant of and will comply with its obligations as a commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.	<input type="radio"/> Yes <input type="radio"/> No
9.	<b>Local Public Notice.</b> Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	<input type="radio"/> Yes <input type="radio"/> No
10.	<b>Auction Authorization.</b> If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable. <b>An exhibit is required unless this question is inapplicable.</b>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A [Exhibit 11]
11.	<b>Anti-Drug Abuse Act Certification.</b> Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No
12.	<b>Equal Employment Opportunity (EEO).</b> If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a	<input type="radio"/> Yes <input type="radio"/> No

	Model EEO Program Report on FCC Form 396-A.	<input type="radio"/> N/A
13.	<b>Petition for Rulemaking/Counterproposal to Add New FM Channel to FM Table of Allotments.</b> If the application is being submitted concurrently with a Petition for Rulemaking or Counterproposal to Amend the FM Table of Allotments (47 C.F.R. section 73.202) to add a new FM channel allotment, petitioner/counter-proponent certifies that, if the FM channel allotment requested is allotted, petitioner/counter-proponent will apply to participate in the auction of the channel allotment requested and specified in this application.	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing	Typed or Printed Title of Person Signing
Signature	Date

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

<b>SECTION III-D - DTV Engineering</b>	
<b>Complete Questions 1-5, and provide all data and information for the proposed facility, as requested in Technical Specifications, Items 1-13.</b>	
<p><b>Pre-Transition Certification Checklist:</b> An application concerning a pre-transition channel must complete questions 1(a)-(c), and 2-5. A correct answer of "Yes" to all of the questions will ensure an expeditious grant of a construction permit application to change pre-transition facilities. However, if the proposed facility is located within the Canadian or Mexican borders, coordination of the proposal under the appropriate treaties may be required prior to grant of the application. An answer of "No" will require additional evaluation of the applicable information in this form before a construction permit can be granted.</p> <p><b>Post-Transition Expedited Processing.</b> An application concerning a post-transition channel must complete questions 1(a), (d)-(e), and 2-5. A station applying for a construction permit to build its post-transition channel will receive expedited processing if its application (1) does not seek to expand the noise-limited service contour in any direction beyond that established by Appendix B of the Seventh Report and Order in MB Docket No. 87-268 establishing the new DTV Table of Allotments in 47 C.F.R. § 73.622(i) ("new DTV Table Appendix B"); (2) specifies facilities that match or closely approximate those defined in the new DTV Table Appendix B facilities; and (3) is filed within 45 days of the effective date of Section 73.616 of the rules adopted in the Report and Order in the Third DTV Periodic Review proceeding, MB Docket No. 07-91.</p>	
1.	The proposed DTV facility complies with 47 C.F.R. Section 73.622 in the following respects:
(a)	It will operate on the DTV channel for this station as established in 47 C.F.R. Section 73.622. <input checked="" type="radio"/> Yes <input type="radio"/> No
(b)	It will operate a pre-transition facility from a transmitting antenna located within 5.0 km (3.1 miles) of the DTV reference site for this station as established in 47 C.F.R. Section 73.622. <input type="radio"/> Yes <input checked="" type="radio"/> No
(c)	It will operate a pre-transition facility with an effective radiated power (ERP) and antenna height above average terrain (HAAT) that do not exceed the DTV reference ERP and HAAT for this station as established in 47 C.F.R. Section 73.622. <input type="radio"/> Yes <input checked="" type="radio"/> No
(d)	It will operate at post-transition facilities that do not expand the noise-limited service contour in any direction beyond that established by Appendix B of the Seventh Report and Order in MB Docket No. 87-268 establishing the new DTV Table of Allotments in 47 C.F.R. § 73.622 (i) ("new DTV Table Appendix B"). <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
(e)	It will operate at post-transition facilities that match or reduce by no more than five percent <input checked="" type="radio"/> Yes <input type="radio"/> No

	with respect to predicted population from those defined in the new DTV Table Appendix B.	<input type="radio"/> N/A
2.	The proposed facility will not have a significant environmental impact, including exposure of workers or the general public to levels of RF radiation exceeding the applicable health and safety guidelines, and therefore will not come within 47 C.F.R. Section 1.1307. Applicant must <b>submit the Exhibit</b> called for in Item 13.	<input checked="" type="radio"/> Yes <input type="radio"/> No
3.	Pursuant to 47 C.F.R. Section 73.625, the DTV coverage contour of the proposed facility will encompass the allotted principal community.	<input checked="" type="radio"/> Yes <input type="radio"/> No
4.	The requirements of 47 C.F.R. Section 73.1030 regarding notification to radio astronomy installations, radio receiving installations and FCC monitoring stations have either been satisfied or are not applicable.	<input checked="" type="radio"/> Yes <input type="radio"/> No
5.	The antenna structure to be used by this facility has been registered by the Commission and will not require registration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely effect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7.	<input checked="" type="radio"/> Yes <input type="radio"/> No

<b>SECTION III-D - DTV Engineering</b>	
<b>TECHNICAL SPECIFICATIONS</b>	
Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.	
<b>TECH BOX</b>	
1.	Channel Number: DTV <input type="text" value="9"/> Analog TV, if any <input type="text" value="9"/>
2.	Zone: <input type="radio"/> I <input checked="" type="radio"/> II <input type="radio"/> III
3.	Antenna Location Coordinates: (NAD 27) Latitude: Degrees 31 Minutes 48 Seconds 18 <input checked="" type="radio"/> North <input type="radio"/> South Longitude: Degrees 106 Minutes 28 Seconds 58 <input checked="" type="radio"/> West <input type="radio"/> East
4.	Antenna Structure Registration Number: 1051409 <input type="checkbox"/> Not Applicable <input type="checkbox"/> Notification filed with FAA
5.	Antenna Location Site Elevation Above Mean Sea Level: 1716 meters
6.	Overall Tower Height Above Ground Level: 113.1 meters
7.	Height of Radiation Center Above Ground Level: 102 meters
8.	Height of Radiation Center Above Average Terrain : 577 meters
9.	Maximum Effective Radiated Power (average power): 65 kW
10.	Antenna Specifications: a. Manufacturer DIE Model TF-12BH(S) b. Electrical Beam Tilt: 0.75 degrees <input type="checkbox"/> Not Applicable

c. Mechanical Beam Tilt:  
 degrees toward azimuth  
 degrees True  Not Applicable  
 Attach as an Exhibit all data specified in 47 C.F.R. Section 73.625(c). [Exhibit 43]

d. Polarization:  
 Horizontal  Circular  Elliptical

e. Directional Antenna Relative Field Values:  Not applicable (Nondirectional)

[For a composite directional (not off-the-shelf) antenna, press the following button to fill in the relative field values subform.]  
 [Relative Field Values]

**10e. Directional Antenna Relative Field Values**

[Fill in this subform for a composite directional (not off-the-shelf) antenna, only.]

e. Directional Antenna Relative Field Values:											
Rotation (Degrees): <input type="checkbox"/> No Rotation											
Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
0		10		20		30		40		50	
60		70		80		90		100		110	
120		130		140		150		160		170	
180		190		200		210		220		230	
240		250		260		270		280		290	
300		310		320		330		340		350	
Additional Azimuths											

[Relative Field Polar Plot](#)

If a directional antenna is proposed, the requirements of 47 C.F.R. Sections 73.625(c) must be satisfied. **Exhibit required.** [Exhibit 44]

11. Does the proposed facility satisfy the pre-transition interference protection provisions of 47 C.F.R. Section 73.623(a) (Applicable only if **Certification Checklist** Items 1(a), (b), or (c) are answered "No.") and/or the post-transition interference protection provisions of 47 C.F.R. Section 73.616?  Yes  No  
[Exhibit 45]  
 If "No," attach as an Exhibit justification therefor, including a summary of any related previously granted waivers.

12. If the proposed facility will not satisfy the coverage requirement of 47 C.F.R. Section 73.625, attach as an Exhibit justification therefor. (Applicable only if **Certification Checklist** item 3 is answered "No.") [Exhibit 46]

13. **Environmental Protection Act. Submit in an Exhibit** the following: [Exhibit 47]  
 If **Certification Checklist** Item 2 is answered "Yes," a brief explanation of why an Environmental Assessment is not required. Also describe in the Exhibit the steps that will be

<p>taken to limit RF radiation exposure to the public and to persons authorized access to the tower site.</p> <p>By checking "Yes" to <b>Certification Checklist</b> Item 2, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.</p> <p>If <b>Certification Checklist</b> Item 2 is answered "No," an Environmental Assessment as required by 47 C.F.R Section 1.1311.</p>
<p><b>PREPARERS CERTIFICATION ON SECTION III MUST BE COMPLETED AND SIGNED.</b></p>

**SECTION III - PREPARER'S CERTIFICATION**

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name MATTHEW A. SANDERFORD, JR., P.E.		Relationship to Applicant (e.g., Consulting Engineer) CONSULTING ENGINEER	
Signature		Date 5/3/2010	
Mailing Address PO BOX 485 6100 I-35W			
City ALVARADO	State or Country (if foreign address) TX	Zip Code 76009 -0485	
Telephone Number (include area code) 8177835566	E-Mail Address (if available) TVCOWBOY@MARSAND.COM		

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**Exhibits**

**Exhibit 47**  
**Description:** (SEE ENGINEERING STATEMENT)

**Attachment 47**

Description
<a href="#">Engineering Statement</a>