

## Statement of Compliance with § 73.3517(e)

This application proposes a change in the licensed operation of station WBTN-FM, Bennington, Vermont, Channel 232A, Facility ID No. 9310. WBTN-FM agrees to accept contour protection with respect to WDVT(FM) as provided for under § 73.215 of the FCC Rules.

No physical changes are otherwise requested in the WBTN-FM operating parameters. The applicant requests that the FCC staff simultaneously process this application with a contingent application which has been concurrently filed by WDVT (FM), Rutland, Vermont, Channel 233A, Facility ID No. 14719.

The parties are filing their applications as contingent pursuant to § 73.3517(e) of the Commission's Rules and Regulations. Annex 1 to this attachment comprises a Memorandum of Agreement among the parties concerning their respective applications.

**MEMORANDUM OF AGREEMENT**

6 Johnson Road Licenses, Inc., licensee of Station WDVT(FM), Rutland, Vermont and Vermont Public Radio, licensee of Station WBTN-FM, Bennington, Vermont are filing contingent applications pursuant to § 73.3517(e) of the Commission's Rules.

- 6 Johnson Road will file an application to relocate WDVT's main transmitter site to new coordinates 43° 34' 04" N, 73° 00' 32" W, using a directional antenna to fully protect the existing operating parameters of WBTN-FM under § 73.215 contour protection .
- Vermont Public Radio will file an application for WBTN-FM to accept § 73.215 contour protection to WDVT utilizing WBTN-FM's current operating parameters to allow the relocation of WDVT as specified above.

The two Applications being contingently filed are not contingent in any manner other than that stated above.

6 Johnson Road hereby certifies that it has entered into a binding agreement with Vermont Public Radio to file, prosecute and implement the above referenced applications.

IN WITNESS WHEREOF, on this \_\_\_\_ day of October, 2008, the parties hereto have caused this Memorandum to be executed by and through their duly authorized officers, principals or managers, as the case may be.

6 Johnson Road Licenses, Inc.

By:  \_\_\_\_\_

Michael Dufort, Asst. Secretary Treasurer

Vermont Public Radio

By:  \_\_\_\_\_

Mark A. Vogelzang, President