

Engineering Statement and Interference Analysis

This technical statement supports this application to make changes in K41JN on channel 41 in Caliente, California. FCC File No. BMPTTL-20060403ARI, Facility ID 128238.

In this application, the Applicant is proposing to modify the facility by moving it to a transmitter site to Mt. Breckenridge and to request a waiver of geographic restriction. The proposed channel 41 facilities were studied using the Techware's tv_process_dlptv software on a Sun Blade 1500. The study performed a Longley-Rice study in accordance with FCC rules 74.705, 74.706 and 74.707.

Waiver of Geographic Restrictions

In the Notice and Filing Requirements Regarding July 31 through August 4, 2000 Limited Low Power Television/Television Translator/Class A Television Auction Filing Window (herein "Notice"), the FCC announced an auction filing window for applications for new construction permits and for major changes in existing facilities for low power television and television translator stations (LPTV). The Notice specified a geographic restriction for these applications, such that transmitting antenna site coordinates could not be located within 121 kilometers (75 miles) of the reference coordinates of the top 125 markets. Nevertheless, the Notice provided for waiver of the geographic restriction where an applicant demonstrates that a proposed facility is shielded by terrain barriers from the applicable television market cities. Through this extension of the commission's policy on terrain shielding, the FCC ensured that "opportunities will not be foreclosed for additional low power TV and TV translator service in locales that are completely insulated from TV signals emanating from the applicable TV market cities due to substantial terrain obstructions."

The FCC explained in the Notice that the geographic restriction was necessitated by the Commission's implementation of the digital television (DTV) service, and that the geographic

restriction was necessary to minimize the extend to which LPTV and TV translator service might be disrupted by existing or future DTV station operations.

At least four August 2000 Window applicants have filed for new or improved facilities at the Breckenridge Mountain (aka Mt. Adelaide) antenna farm outside of Caliente, California. This site lies just short of the 121 kilometer restriction set forth in the Notice. The Commission granted construction permits to three of the four applicants, most recently, KJOI-LP, Facility ID 130272, BMPTVL-20051223AAG, on December, 2006. By this amendment, the Applicant requests a waiver of the geographic restriction. This waiver would be consistent with the Notice and the Commission's actions on K41JN's competitors' substantially similar applications.

(1) Minimal Intrusion of Geographic Restriction

The proposed site is located 115.8 kilometers from the Visalia reference coordinates listed in Attachment A of the Public Notice. It is believed this is a minimal intrusion into the restricted area, as the requirement is 121 kilometers and the proposed site falls only 5.2 kilometers short of the requirement. This only amounts to 4% of the required distance. At least one of the previous applicants who was granted a similar waiver, KJOI-LP, Caliente, CA (Facility ID 130272) was short-spaced 10.3 kilometers.

(2) Terrain Shielding Toward Visalia

The Notice indicated that requests for a terrain shielding waiver must be supported by an appropriate number of profiles showing the terrain between the proposed community of service (Caliente) and the applicable TV market cities, and that the signals of full-service stations in these cities could not be directly received in the proposed community.

(a) Terrain Profiles from Caliente to Visalia

Attachment A is a map showing three evenly spaced radials (radials 328°, 331°, and 334°) from the reference point (N 35-17-28 W118-37-37) of Caliente, California through the city limits of Visalia, California. *Attachments B, C, and D* are terrain profiles along these three radials. As shown, there is significant terrain between the K41JN community of license and Visalia.

(b) No Visalia Full-Power TV Stations Provide Service to Caliente

According to the FCC CDBS, NTSC stations KNXT-TV and KMPH-TV are the only two full service TV stations licensed to Visalia, California. *Attachments E, F, G, and H* are maps depicting the Longley-Rice predicted coverage for the NTSC and DTV operations of stations KNXT and KMPH-TV. The Longley-Rice Predicted Coverage maps were generated assuming without consideration given to loss due to clutter. Clear areas on the maps show where a Longley-Rice predicted Grade B (64 dBu) or Noise Limited (41 dBu) signal is predicted, and blue shaded areas are areas where the signal is predicted to be less than a Grade B or Noise-Limited signal. As shown on the maps, none of the NTSC or DTV facilities are predicted to provide a Grade B or Noise-Limited signal to Caliente.

(3) No Predicted DTV Interference to be Caused or Received

At this point in time, the DTV channel election process is essentially complete. An interference analysis of the proposed facility shows that no interference is predicted to be caused to any authorized, licensed, or certified post transition operations of any first adjacent or co-channel DTV operations. In addition, the proposal is not predicted to receive any interference from either current or post transition DTV operations. Thus it is believed the proposal will not adversely impact and will not be adversely impacted by any DTV operations.

(4) The FCC Has Approved Substantially Similar Applications

The Commission has authorized three other LPTV stations in K41JN's local market that were initially filed during the August 2000 filing window, and subsequently have relocated to site locations which do not meet the minimal geographic distance restriction toward Visalia. Specifically, during the August 2000 filing window, the FCC received the initial applications for LPTV station K13YV on channel 13, Bakersfield, CA (BNPTVL-20000830AWQ), LPTV station KEBK-LP on channel 47, Bakersfield, CA (BNPTTL-20000831ATV), and most recently, KJOI-LP on channel 12, Caliente, CA (BMPTVL-20051223AAG). K41JN competes directly with these stations, which makes commensurate geographic coverage necessary to place K41JN on a level playing field.

K13YV, KEBK-LP, and KJOI-LP, have been authorized to co-locate at a site located either 110.7 kilometers or 115.8 kilometers from the Visalia reference coordinates, that is, as much as 5.2 kilometers closer to the Visalia reference coordinates than the instant K41JN proposal.

This amendment demonstrates that a waiver of the geographic restriction is justified because there would be minimal intrusion into the geographically restricted area, Caliente is terrain shielded from Visalia, the signals of the full-service stations licensed to Visalia are not receivable in Caliente, and the proposed facility is not predicted to impact or be impacted by any DTV operations.

TV Broadcast Analog System Protection

The proposed operation causes less than 0.5% interference to surrounding analog authorized facilities (i.e., “*de minimis*”). It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards. If necessary, a waiver of the FCC rules is respectfully requested for this analog allocation study based on use of the OET-69 procedures, and all possible variance from FCC rules.

Digital TV Station Protection

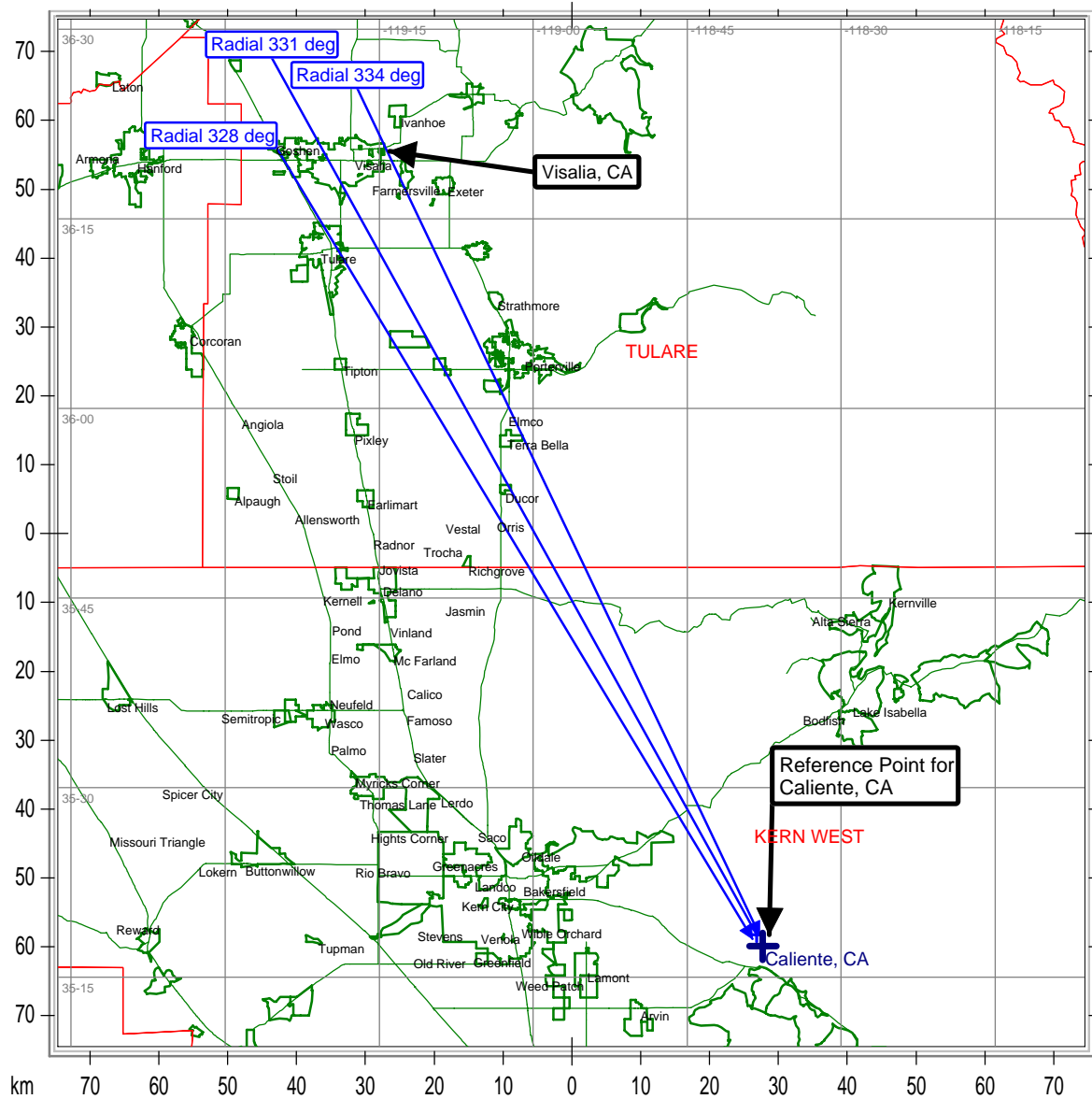
The proposed operation causes less than 0.5% interference to surrounding digital authorized facilities (i.e., “*de minimis*”). It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards. If necessary, a waiver of the FCC rules is respectfully requested for this digital allocation study based on use of the OET-69 procedures, and all possible variance from FCC rules.

Class A, Low Power TV and TV Translator Station Protection

The proposed operation causes less than 0.5% interference to surrounding low power and Class A authorized facilities (i.e., “*de minimis*”). It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards. If necessary, a waiver of the FCC rules is respectfully requested for this low power allocation study based on use of the OET-69 procedures, and all possible variance from FCC rules.

This application does not cause any predicted interference to any of the other proposals. To the degree it is deemed necessary, the applicant requests a waiver of Section 74.705, 74.706, and 74.707 and other applicable parts of the Rules and Regulations of the Federal Communications Commission in order to allow for the grant of this instant application.

TERRAIN PROFILES FROM CALIENTE TO VISALIA



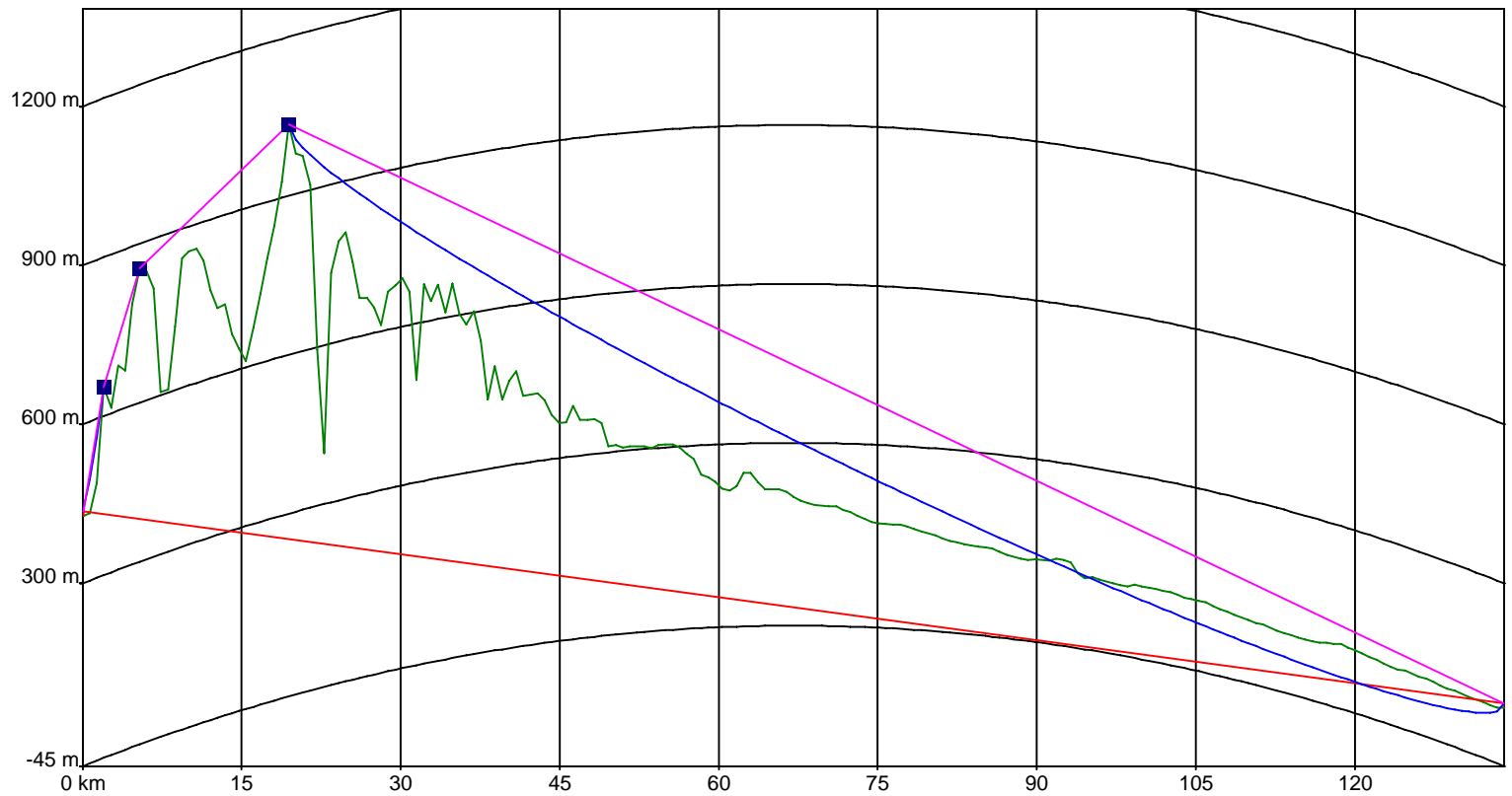
LPTV STATION K41JN, Caliente, CA Ch 41

— National Borders — County Borders — State Borders — City Borders
 — Highways — Lat/Lon Grid

Map Scale: 1:1025770 1 cm = 10.26 km V/H Size: 149.19 x 149.19 km

ComStudy 2 Path Profile

K41JN, Caliente, CA, Channel 41, Facility ID 128238

**Caliente, CA**

Lat: 35-17-28.0 N
 Lon: 118-37-37.0 W
 AMSL: 427 m
 Tower AGL: 9 m

328 Degree Radial

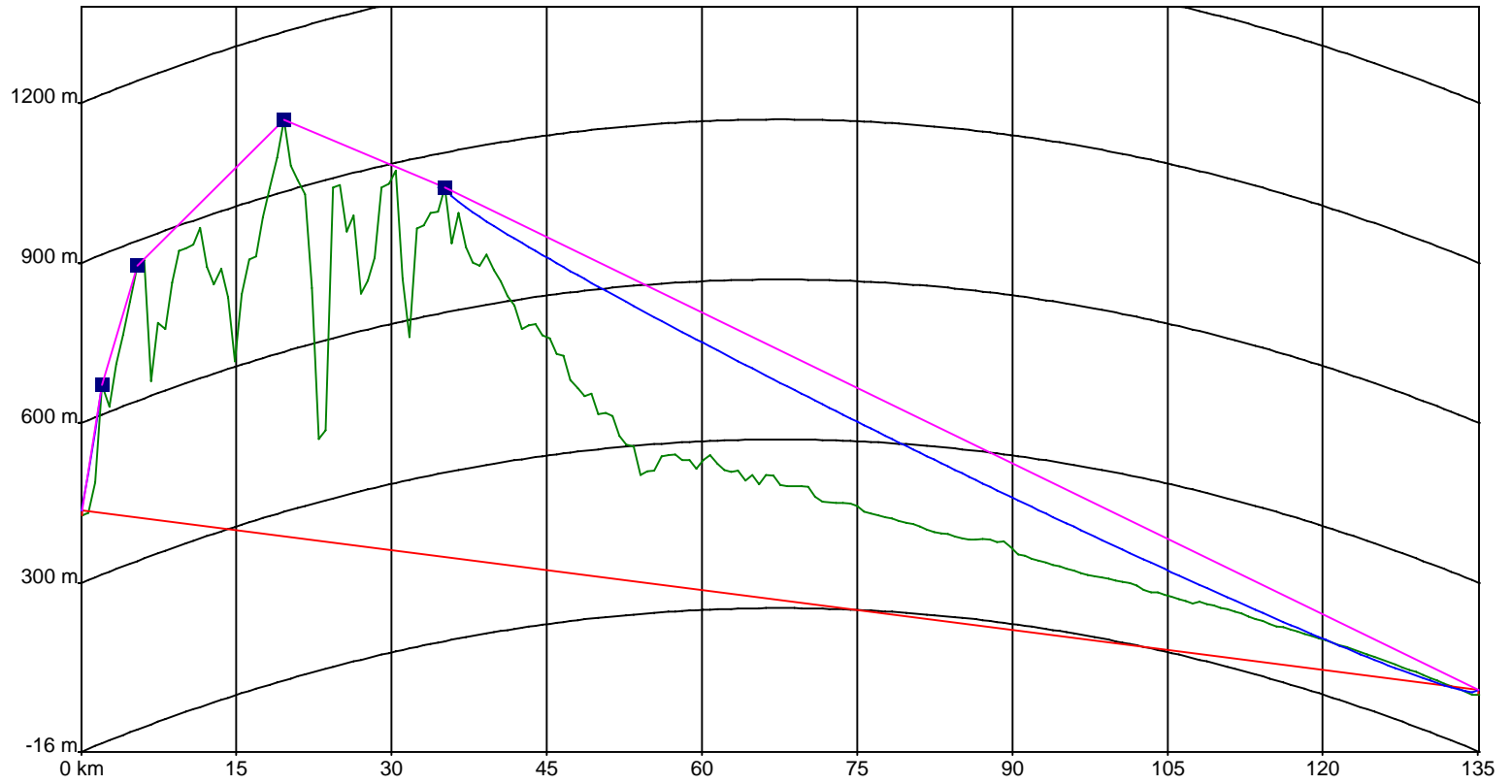
Lat: 36-18-45.5 N
 Lon: 119-25-03.6 W
 AMSL: 65 m
 Tower AGL: 9 m

Profile Info

Distance: 134.10 Km
 Bearing: 328.11 deg
 # of points: 200
 K value: 1.333
 Frequency: 150.0000
 Clearance: 0.6

Losses

Base Loss: 165.6 dB
 Fade Margin: N/A
 Diffraction: 22.2 dB
 Fresnel: 4.6 dB

ComStudy 2 Path Profile**Caliente, CA Reference 331 Degree Radial**

Lat: 35-17-28.0 N
Lon: 118-37-37.0 W
AMSL: 427 m
Tower AGL: 9 m

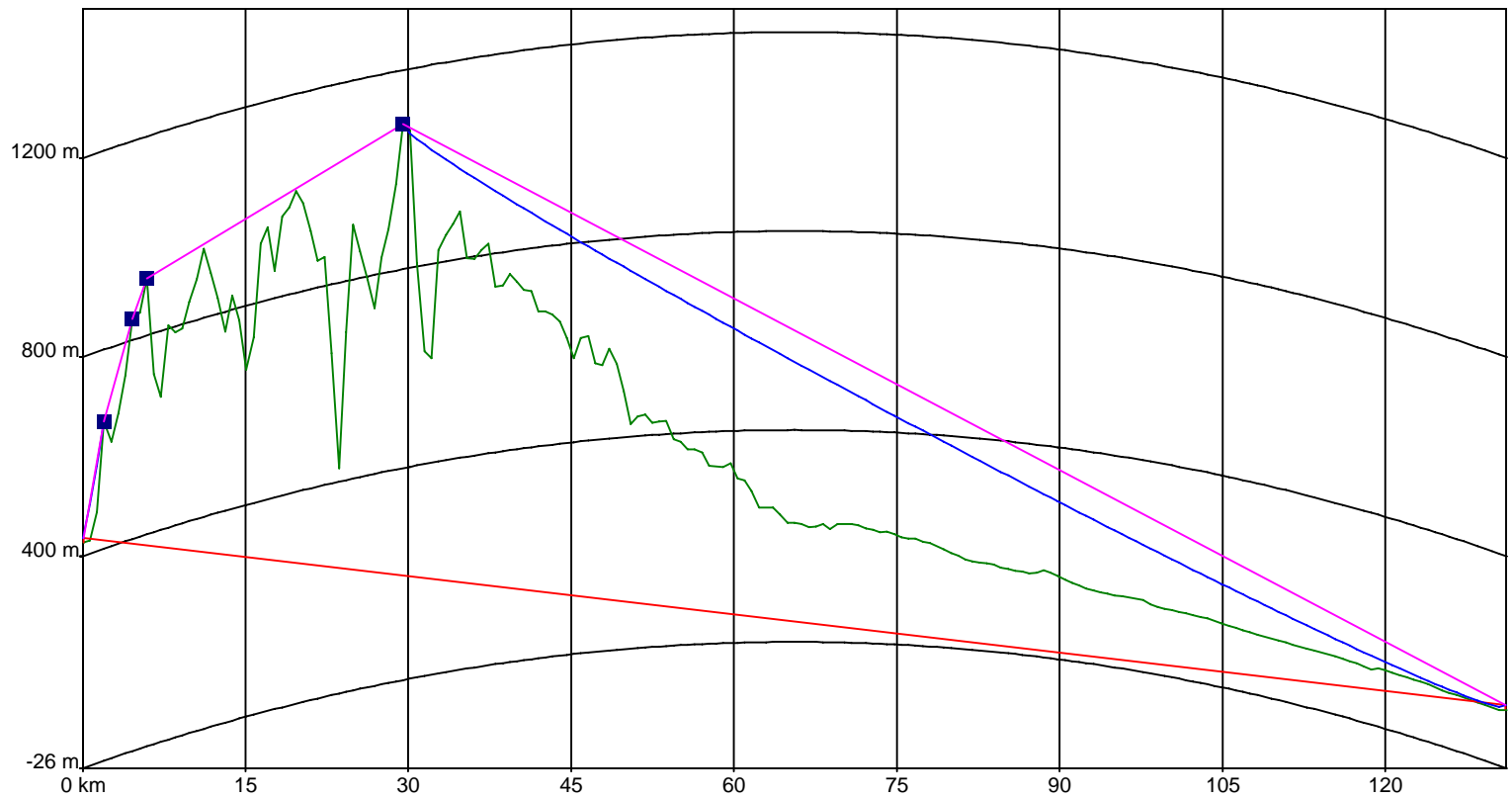
Lat: 36-21-11.1 N
Lon: 119-21-21.9 W
AMSL: 91 m
Tower AGL: 9 m

Profile Info

Distance: 135.13 Km
Bearing: 331.11 deg
of points: 200
K value: 1.333
Frequency: 633.2500
Clearance: 0.6

Losses

Base Loss: 165.8 dB
Fade Margin: N/A
Diffraction: 33.4 dB
Fresnel: 3.1 dB

ComStudy 2 Path Profile**Caliente, CA Reference 334 Degree Radial**

Lat: 35-17-28.0 N
 Lon: 118-37-37.0 W
 AMSL: 427 m
 Tower AGL: 9 m

Lat: 36-21-02.1 N
 Lon: 119-16-00.0 W
 AMSL: 91 m
 Tower AGL: 9 m

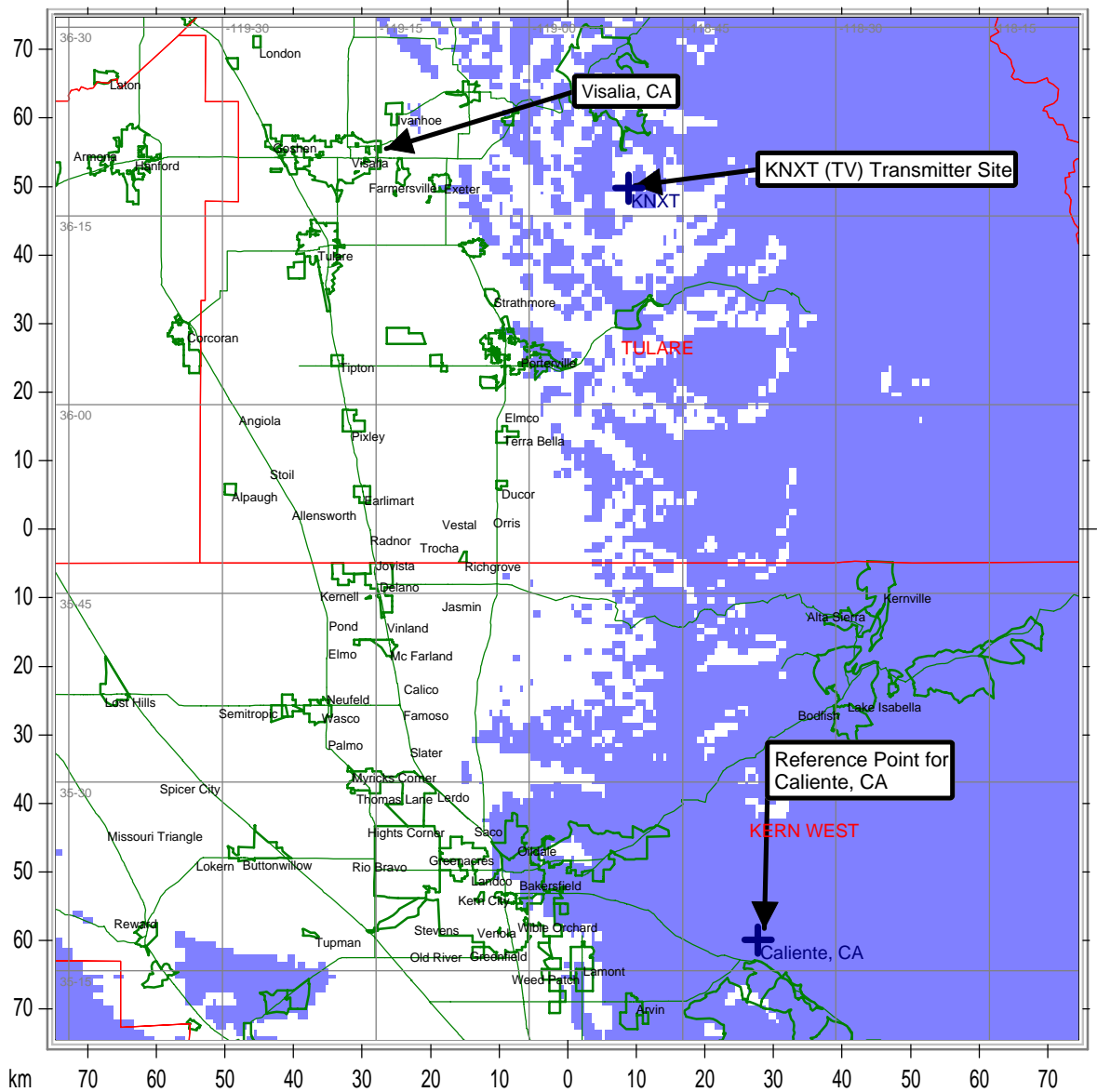
Profile Info

Distance: 131.15 Km
 Bearing: 334.10 deg
 # of points: 200
 K value: 1.333
 Frequency: 633.2500
 Clearance: 0.6

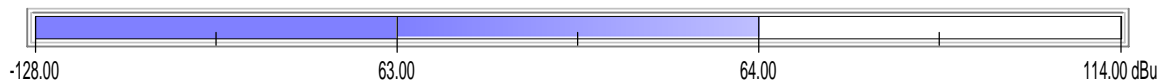
Losses

Base Loss: 165.2 dB
 Fade Margin: N/A
 Diffraction: 32.5 dB
 Fresnel: 0.0 dB

KNXT(TV), CHANNEL 49, VISALIA, 2140 KW (DA), 834M LONGLEY-RICE PREDICTED COVERAGE

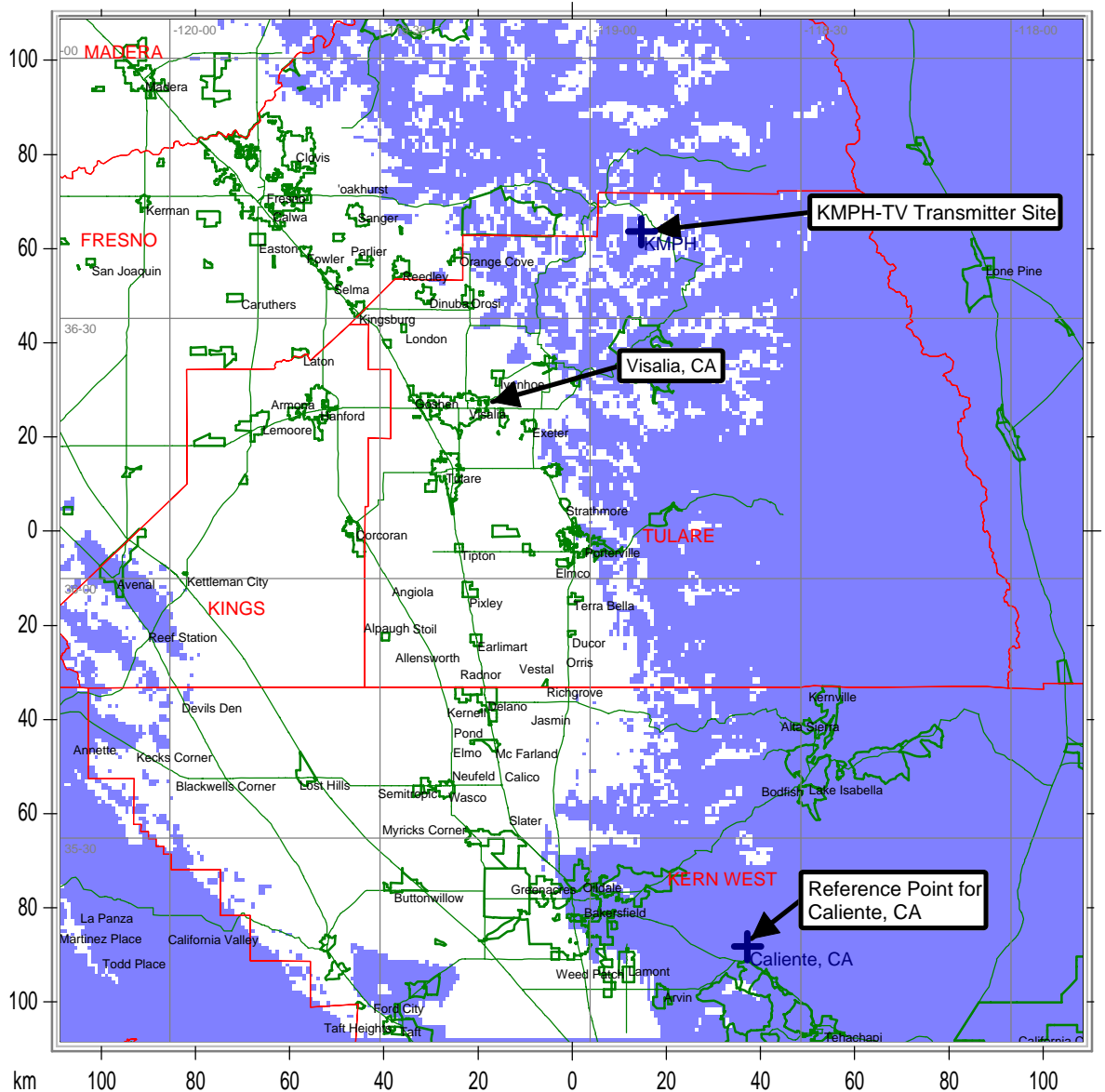


The reference point for Caliente, CA does not receive viewable signal from KNXT(TV).

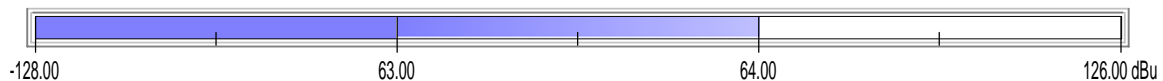


National Borders County Borders State Borders City Borders
 Highways Lat/Lon Grid

KMPH(TV), CHANNEL 26, VISALIA, 3240 KW(DA), 792M LONGLEY-RICE PREDICTED COVERAGE

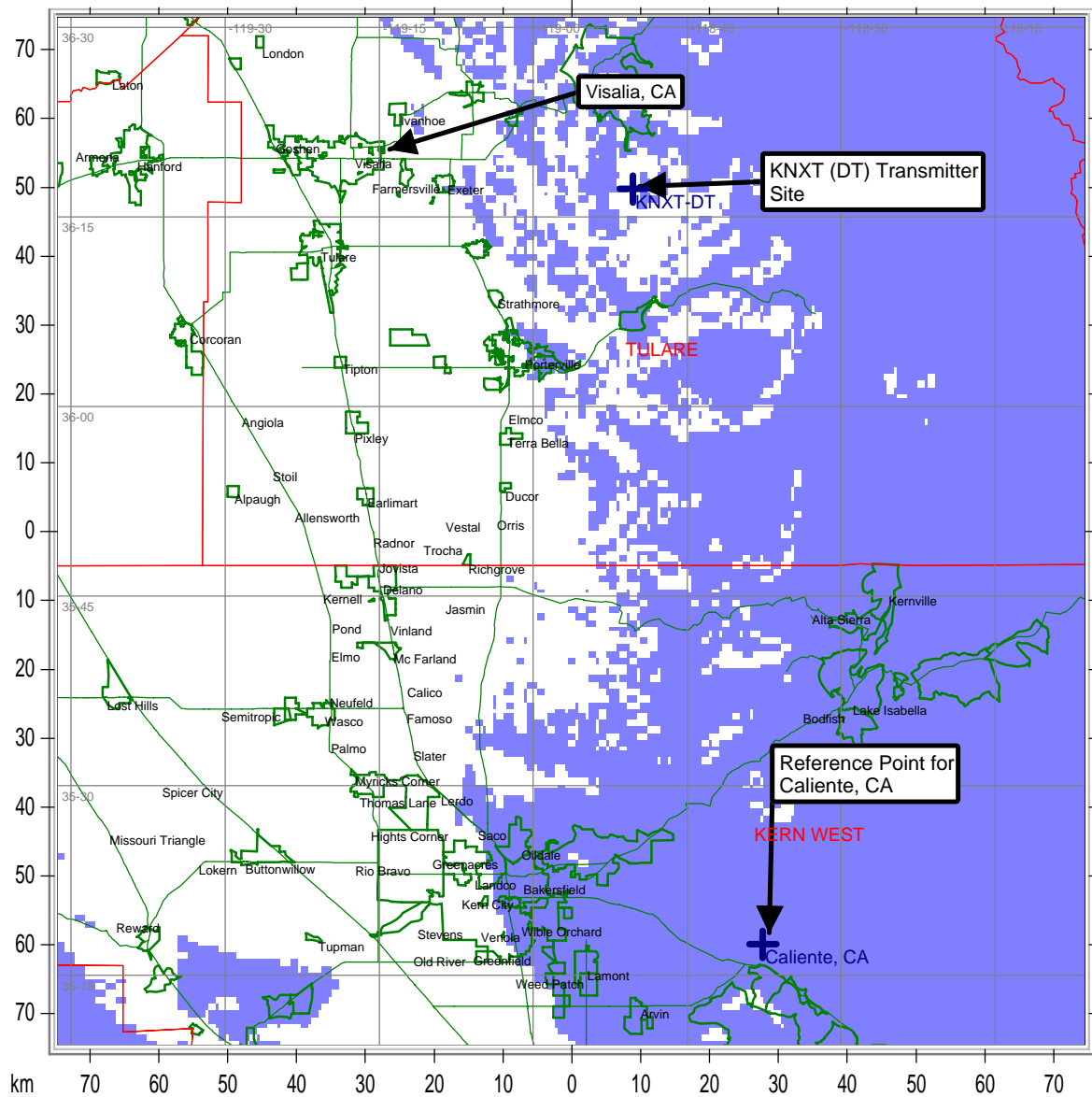


The reference point for Caliente, CA does not receive viewable signal from KMPH(TV).

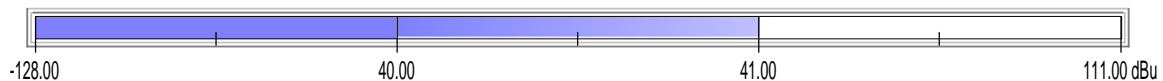


National Borders County Borders State Borders City Borders
 Highways Lat/Lon Grid

KNXT(DT), CHANNEL 50, VISALIA, 185 KW, 834M LONGLEY-RICE PREDICTED COVERAGE

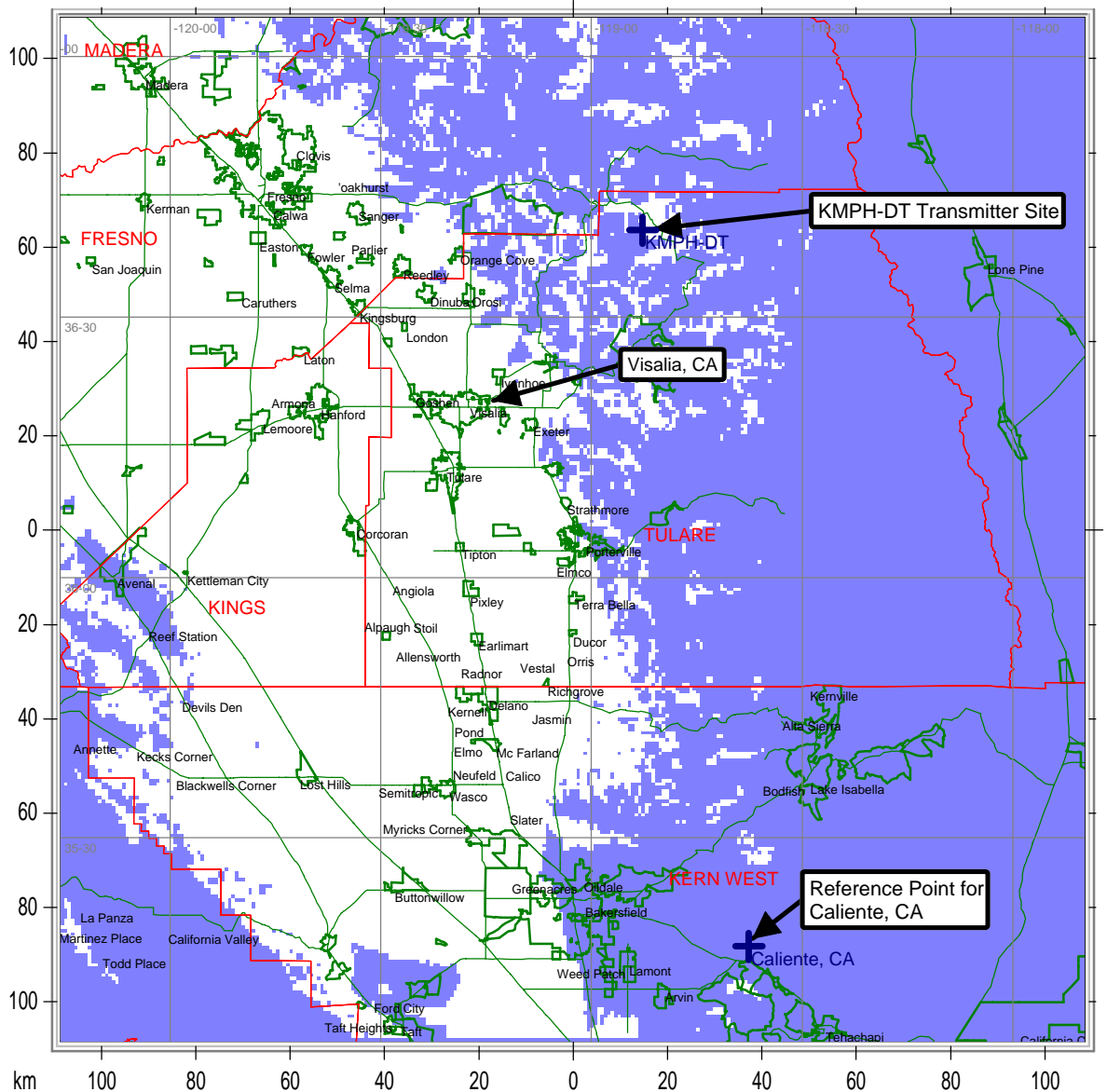


The reference point for Caliente, CA does not receive viewable signal from KNXT(DT).

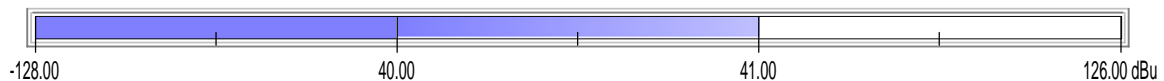


- National Borders
- County Borders
- State Borders
- City Borders
- Highways
- Lat/Lon Grid

KMPH(DT), CHANNEL 28, VISALIA, 219 KW(DA), 763M LONGLEY-RICE PREDICTED COVERAGE



The reference point for Caliente, CA does not receive viewable signal from KMPH(DT).



— National Borders — County Borders — State Borders — City Borders
 — Highways — Lat/Lon Grid