

EXHIBIT A

## ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of FOX TELEVISION STATIONS, INC., licensee of WNYW-DT, New York, New York, in support of its amendment to its Application for Construction Permit which specified an increase in ERP (BMPCDT-19990402KI). This amendment increases ERP and changes the directional pattern.

Exhibit B provides antenna pattern data, and Exhibit D is a map of the digital service contours. Since the proposed ERP is greater than that specified in the allotment, an allocation study is included in Exhibit E. WNYW-DT shares the Empire State Building with other broadcast and non-broadcast facilities. It is not expected that the proposed facility would cause objectionable interference to these or any other authorized stations, but WNYW-DT recognizes its obligation to correct any such interference that may occur.

We have studied the RF transmissions of this facility with regard to their environmental effect. WNYW-DT will operate with a maximum ERP of 1000 kw horizontal/250 kw vertical and a center of radiation 363 meters above ground. Employing the methods set forth in *OST Bulletin No. 65* and considering the vertical patterns of the proposed Andrew ATW22H3ESS1-44H antenna system, we calculate that maximum power density two meters above ground of  $0.00069 \text{ mw/cm}^2$  would exist 245 meters from the base of the Empire State Building. This is but 0.16 percent of the  $0.44 \text{ mw/cm}^2$  reference for uncontrolled environments, *i.e.*, areas with public access, surrounding stations operating on Channel 44 (650-656 MHz).

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On the building, the only uncontrolled areas in the vicinity of the proposed antenna system are the observatories at the 86<sup>th</sup> and 102<sup>nd</sup> floors. Maximum power density two meters above the 86<sup>th</sup> floor level (below the proposed antenna) is predicted to be 0.017 mw/cm<sup>2</sup>, or 3.9 percent of the reference. Maximum power density at the 102<sup>nd</sup> floor level (above the proposed antenna) is predicted to be 0.0020 mw/cm<sup>2</sup>, or 0.45 percent of the reference. In addition, the 102<sup>nd</sup> Floor Observatory is enclosed with treated-glass windows, which further attenuate RF energy. Therefore, this facility may be excluded from consideration with respect to public exposure to nonionizing electromagnetic radiation, without regard to the contributions from other sources.

WNYW-DT will modify its operation so that if personnel must climb near its antenna system for repair or maintenance, appropriate steps will be taken, e.g., reducing power or temporarily leaving the air, to assure an absence of excessive RF exposure in controlled areas. On this basis, and considering that the station produces less than five percent of the current FCC reference in uncontrolled areas, a grant of the subject application would clearly constitute a minor environmental action in this regard.

I declare under penalty of perjury that the foregoing statements and the attached Engineering Report, which was prepared by me or under my immediate supervision, are true and correct to the best of my knowledge and belief.



NEIL M. SMITH

August 7, 2001

WASHINGTON, D.C.