

ENGINEERING REPORT RE
APPLICATION FOR CONSTRUCTION PERMIT
NEW FM BROADCAST STATION
ALBANY, VERMONT
CHANNEL 233 (94.5 MHZ) 6 KW (MAX) -60.4 M HAAT
AUCTION 91 – PERMIT MM-FM738-4

JUNE 2011

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

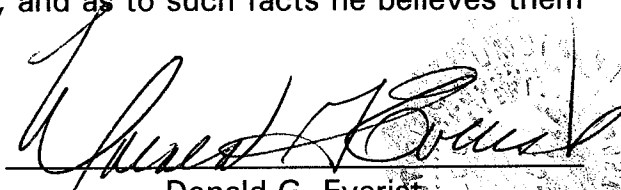
Donald G. Everist, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer, a Registered Professional Engineer in the District of Columbia, and is President, Secretary and Treasurer of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1420 N Street, N.W., Suite One, Washington, D.C. 20005;

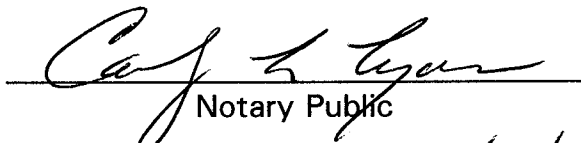
That his qualifications are a matter of record in the Federal Communications Commission;

That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.


Donald G. Everist
District of Columbia
Professional Engineer
Registration No. 5714

Subscribed and sworn to before me this 29th day of June, 2011.


Notary Public

My Commission Expires: 2/28/2013



Introduction

This engineering report has been prepared on behalf of Vermont Broadcast Associates, Inc., grantee of Auction 91, Permit MM-FM738-A, and is in support of its application for construction permit. The FM operation is proposed on Channel 233 (94.5 MHz) with 6 kW (H&V) maximum effective radiated power (ERP) and -60.4 meters height above average terrain (HAAT).

The proposed operation has been designed relative to the negotiated protection for short-spaced Canadian stations, Channel 233A, Lac-Megantic, Quebec and Channel 232C1*, Montreal, Quebec.

Exhibits requested by Electronic Form, Section III-B of the FCC Form 301 are included in this engineering report.

Antenna Site

The proposed two-bay halfwave spaced FM antenna will be top-mounted on the proposed structure. The proposed antenna is located at Ray's Market in the Village of Irasburg, Vermont.

The geographic coordinates of the proposed antenna site are as follows:

North Latitude: 44° 48' 09"

West Longitude: 72° 16' 43"

NAD-27

The following tabulation shows the pertinent data for the proposed installation.

Equipment Data

Transmitter:	Type-approved
Transmission Line:	30 meters (100 ft), Andrew, Type HJ7-50J air dielectric, coaxial cable having an outer diameter of 1-5/8" or equivalent
Antenna:	Shively Model No. 6810-2R-SS ND or equivalent two-bay, 0.5 wave spaced circularly polarized antenna. Exhibit E-2 provides the manufacturer antenna data.

Power Data

Transmitter output power (nominal)	8.96 kW	9.527 dB
Transmission line loss	95.5%	0.197 dB
Power input to antenna	8.57 kW	9.33 dB
Antenna gain (nominal)	0.7	-1.549 dB
Effective Radiated Power (H&V)	6 kW	7.78 dB

Elevation Data

Elevation of the site above mean sea level	288 meters (944.9 feet)
Elevation of the top of supporting structure above ground	17.4 meters (57 feet)
Elevation of the top of supporting structure above mean sea level	305.3 meters (1001.8 feet)
Height of radiation center above ground (H&V)	15.2 meters (50 feet)
Height of radiation center above mean sea level (H&V)	303.2 meters (994.8 feet)

Height of radiation center above average terrain (H&V) -60.4 meters

The overall height above ground of the proposed structure with the proposed antenna will be 17.4 meters (57 feet) in height. A tower sketch is provided as Exhibit E-1. Based upon "TOWAIR" the proposed structure is not of aeronautical significance and does not require painting and lighting.

Topographic Data

The average elevation data between 3 to 16 km used for the prediction of coverage and interfering contours are based on the NGDC-3 second terrain data base.

Contour Data

The distance to the predicted 3.16 mV/m and 1.0 mV/m contours for the relevant station were determined from Figure 1 and 1a, Section 73.333 of the Commission's Rules and is shown on the attached Table I. The predicted coverage contours are shown on Exhibits E-3.

Allocation Situation

The attached Table II shows the distances to the pertinent co-channel and adjacent channel stations and allotments from the proposed antenna site. As indicated, all distances comply with the minimum separation requirements for domestic stations listed under Section 73.207 of the Commission's Rules. The proposed operation is short-spaced to Canadian station, Channel 233A allotment at Lac-Megantic, QU and Channel 232C1, Montreal, Quebec, however, the operation complies with the specially negotiated agreement of providing equivalent protection¹ of 5.4 kW ERP

¹In accordance with "Agreement Between the Government of Canada and the Government of the United States of America Relating to the FM Broadcasting Service and the Associated Working Arrangement, Ottawa, February 1991" as amended

at 100 meters HAAT at an azimuth angle of N 54.1°E and 1.5 kW ERP at 100 meters HAAT at an azimuth angle of N 310.6°E from the allotted Albany FM site. Exhibit E-4 provides the Canadian allocation situation toward the specially negotiated requirements.

Waiver of Section 73.315 of the FCC Rules
(If Required)

The Federal Communications Commission (“FCC”) in MB Docket No. 02-192 adopted a Report and Order on July 10, 2002 that assigned Channel 233A to Albany, Vermont. The site specified is at N 44° 45’ 26”L, W 72° 20’ 09” L (NAD-27). This action in the *Report and Order* was held pending coordination with Canada. Specifically negotiated allocation constraints were developed in order to gain Canadian coordination. From the designated site, the allocation constraints obtained from the FCC Strategic Analysis and Negotiations Division are as follows:

<u>Canadian Station</u>	<u>Channel</u>	<u>Albany Constraint or Equivalent</u>
Allotment	233A	5.4 kW at 100 meters HAAT at an azimuth of N 54.1°E
CKMF-FM	232C1*	1.5 kW at 100 meters HAAT of N 310.6°E to Montreal, Quebec

Therefore by this action, a directional antenna could be required.

The designated site is located in a rural area approximately 6.5 km (4 miles) southwest along State Route 14 from Irasburg. The designated site is located on the north side of a prominent ridge (Chamberain). The ground elevation based on the latest available USGS 7-1/2 minute quadrangle map is 276 meters (905.5 feet) See attached Exhibit E-5. As discussed below due to the irregular

terrain and the limitations imposed on a structure of sufficient height by local and state authorities, the combination makes it difficult, if not impossible, to attach a high degree of predicted service to the town and village of Albany.

Examination of the designated site using Sections 73.313(f), Section 73.313(g), Section 73.313(h) and Section 73.313(i) of the FCC Rules finds the terrain roughness factor ("Delta H").

The terrain roughness factor from this site in the eight cardinal radials are as follows:

<u>Radial</u>	<u>Delta H</u> Meters
0	278
45	183
90	309
135	230
180	166
225	240
270	344
315	543

Then using Section 73.313(j) of the FCC loss to any predicted contour is as follows:

<u>Radial</u>	<u>Loss</u> dB
0	-9.07
45	-5.32
90	-10.3
135	-7.17
180	-4.65
225	-7.57
270	-11.67
315	-19.52

The procedure for developing Delta H is for the terrain path that extends 10 km to 50 km. This distance along the radials that traverse the Town of Albany is contained within the study path distance. To attain the maximum height above average terrain of 100 meters assumed by the FCC a minimum tower height is determined to be at least 233 meters (765 feet).

As it is well known, the State of Vermont has stringent procedures for the authorization of any communications towers. This firm has been in contact with Kirsten Sultan, Coordinator, District 7 Environmental Commission, Agency of Natural Resources, State of Vermont, which is the agency authorized by the State to review and approve the location and height of proposed communication structure. Ms. Sultan indicates that a request for approval of a structure with a minimum height of 233 meters (765 feet) would not receive a favorable review. See the response received from Kirsten Sultan in Appendix A.

For approximately two years, Bruce James, President of Vermont Broadcast Associates Inc., was on the Mountain Tops Use Advisory Committee's panel to make recommendations of existing sites. Based on his experience, Mr. James believes that a lighted tower in this area having a height of over 60.9 meters (200 feet) is not likely to be approved by the State, or would be, at best, an expensive and lengthy legal process.

Based on the above, the applicant proposes a site which is the closest to the FCC designated site in the Village of Irasburg (see Exhibit E-6). This site was selected after a search of the FCC's antenna structure registration database was performed. A geographic coordinate was established in the center of the Town of Albany and a search within 10 km of these predetermined coordinates was performed. No ASRN numbers were found. Therefore, a site closest to the designated site is

being specified with a height that is believed would achieve favorable local and state environmental review. However, the grantee plans to work with persons and organizations such as Ms. Kirsten Sultan and if a more suitable site is identified which will permit a higher center of radiation, this application will be amended accordingly.

Main Studio Location

The main studio will be located in accordance with FCC Rules.

Other Radio Stations

The proposed FM antenna will be top-mounted on a proposed structure. There are no existing FM or TV stations located within 1 km of the proposed FM site and no AM broadcast stations located within 3.22 km of the proposed site.

In case of a problem to any authorized non-broadcast facilities, the licensee will take the necessary remedial steps to resolve the intermodulation interference.

Blanketing Contour

The blanketing contour (115 dBu) based on an ERP of 6 kW will extend 0.965 km from the proposed site. The applicant will comply with all the pertinent requirements of Section 73.318 of the Commission's Rules.

Radiofrequency Field Analysis

A radiofrequency field analysis for the proposed FM operation assuming a "worst-case" scenario is calculated as follows:

Total ERP = 12 kW (6 kW Horizontal and 6 kW Vertical)

Distance (R at 2 meters AGL) = 13.2 m

RFV(F) = 0.05 assumed (see Exhibit E-2) for 70 through 90°

$$S = 33.4 (F^2)[\text{Total ERP=}] / R^2$$

<u>Station</u>	<u>Channel</u>	<u>ERP</u> kW	<u>Field</u>	<u>RCAGL</u> ² Meters	<u>S-Calculated</u> uW/cm ²	<u>S-Limit</u> ³ uW/cm ²	<u>% of Limit</u> <u>Uncontrolled</u>	<u>% of Limit</u> <u>Controlled</u>
New-FM	233A	12	0.05	13.2	<6	200	<3	<1

Therefore, the proposed operation is in compliance with the FCC exposure guidelines.

Environmental Statement

The proposed site is located within the village limits of Irasburg. However, question on FCC Form 301 has been marked “No” since the information necessary for a complete environmental assessment has not been completed. This application will be updated when that state and local process has been completed.

According to the grantee, the proposed antenna site is not located near any known wilderness area, wildlife preserve, historic place, or Indian religious site. The proposed facilities are not located in a flood plain area. The proposed facilities will not affect or jeopardize the threatened or endangered species or their critical habitats. The construction of a building to house the FM transmitter does not involve significant changes in the surface features.

Therefore, members of the public and personnel working around the proposed FM facility would not be exposed to RFF levels exceeding the current FCC guidelines. With respect to work performed on the structure, the licensee will establish procedures to ensure that workers are not

²RCAGL relative to 2 meters above ground level

³Maximum exposure limit specified for an uncontrolled environment

exposed to radio frequency field (“RFF”) levels above those prescribed by FCC, by reducing or turning off the power, as appropriate.

ABOVE MEAN SEA LEVEL

ABOVE GROUND

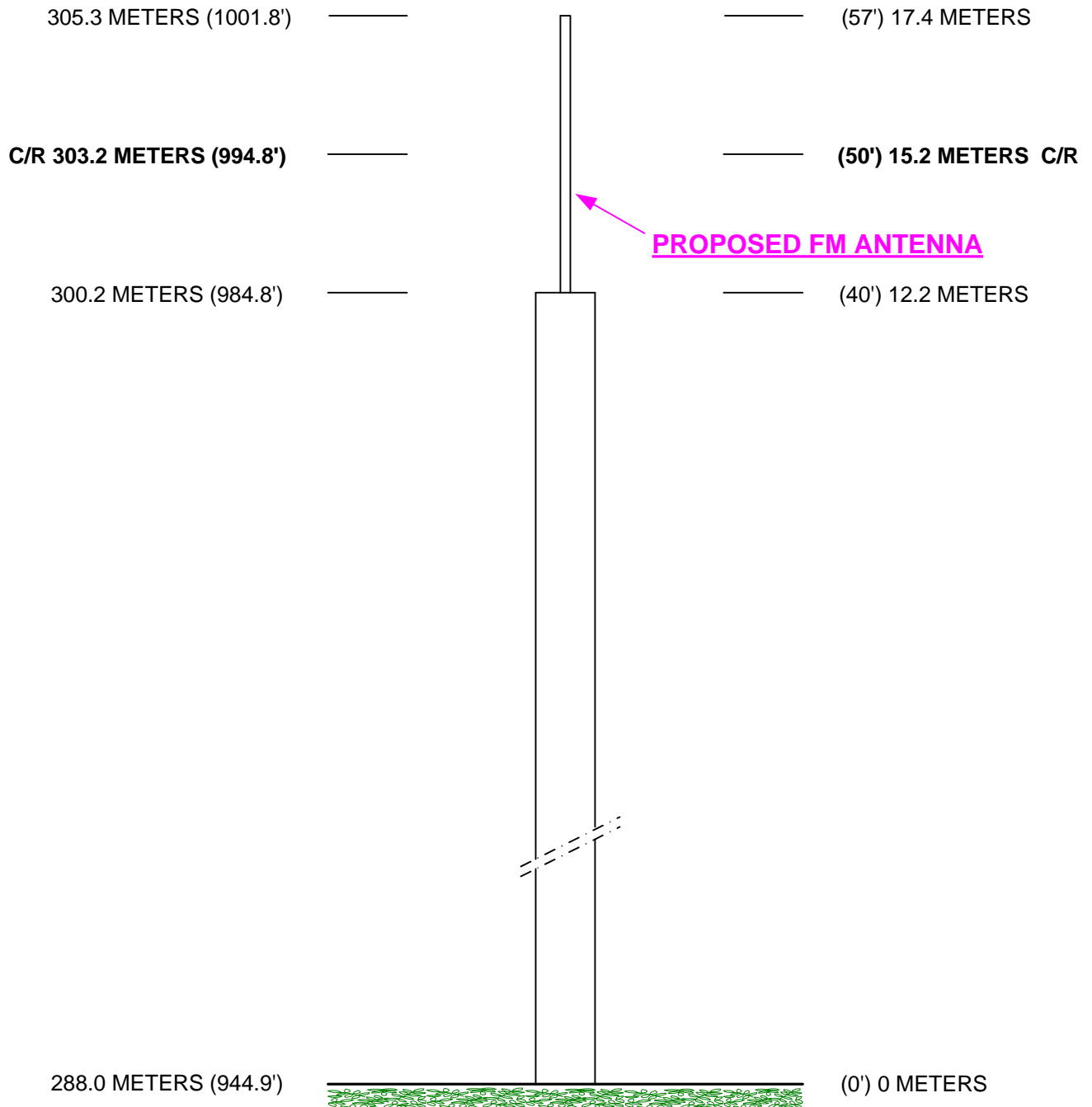


EXHIBIT E-1
VERTICAL SKETCH
FOR THE PROPOSED OPERATION OF
NEW FM, ALBANY, VERMONT
JUNE 2011

COHEN, DIPPELL AND EVERIST, P.C.

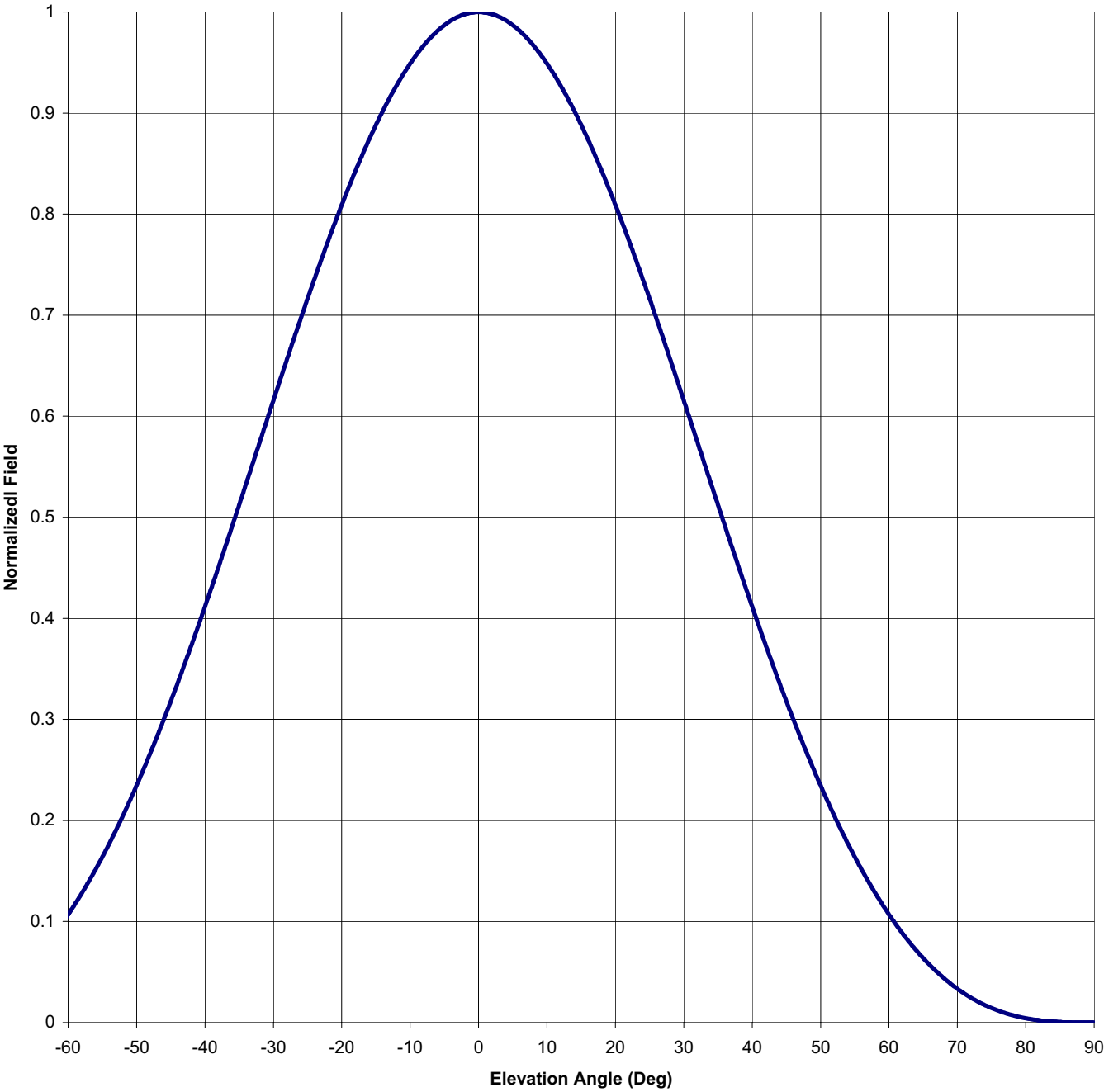
EXHIBIT E-2

ANTENNA MANUFACTURER DATA

NEW--ALBANY

Antenna Mfg.: Shively Labs
Antenna Type: 6810-2R-SS
Station: New Albany
Frequency: 94.5 MHz
Channel #: 233
Figure:

Beam Tilt 0



COHEN, DIPPELL AND EVERIST, P.C.

TABLE I
COMPUTED COVERAGE DATA
FOR THE PROPOSED FM OPERATION OF
ALBANY, VERMONT
CHANNEL 233 6 KW ERP -60.4 METERS HAAT
JUNE 2011

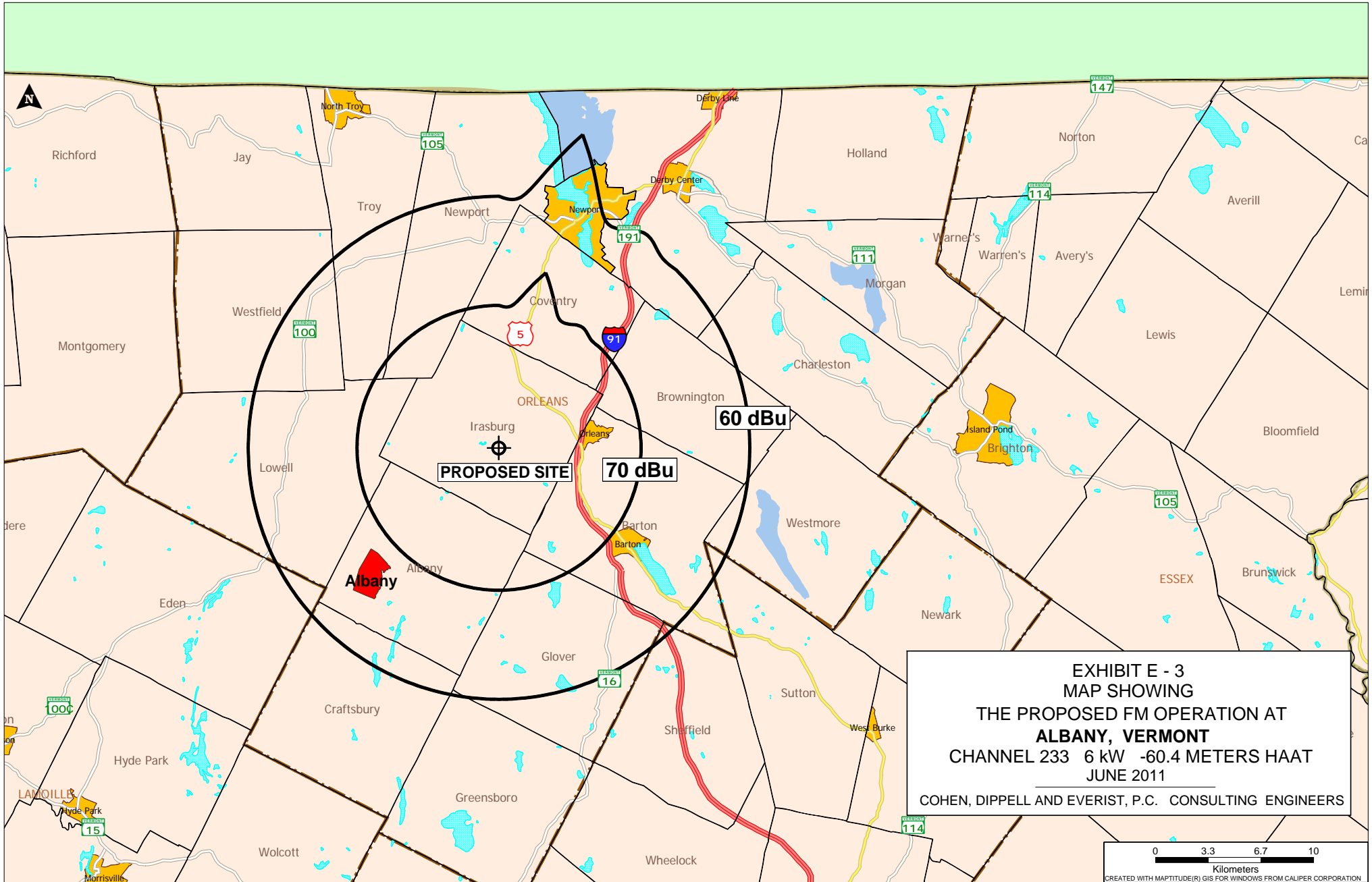
<u>Radial</u> <u>Bearing</u> N ° E, T	<u>Average*</u> <u>Elevation</u> <u>3.2 to 16.1 km</u>	<u>Effective</u> <u>Height</u> meters	<u>Depression</u> <u>Angle</u>	<u>ERP At</u> <u>Radio</u> <u>Horizon</u> kW	<u>Distance to Contour F(50,90)</u>	
	<u>meters</u>				<u>70 dBu</u> <u>3.16 mV/m</u> km	<u>60 dBu</u> <u>1 mV/m</u> km
0	310.5	-7.5	-0.076	6.0	9.0	15.9
45	288.6	14.4	0.105	6.0	9.0	15.9
90	341.7	-38.7	-0.172	6.0	9.0	15.9
135	381.3	-78.3	-0.245	6.0	9.0	15.9
180	502.6	-199.6	-0.391	6.0	9.0	15.9
225	305.5	-2.5	-0.044	6.0	9.0	15.9
270	425.2	-122.2	-0.306	6.0	9.0	15.9
315	351.7	-48.7	-0.193	6.0	9.0	15.9
Average	363.4	-60.4		6.0	9.0	15.9

*Based on data from FCC 3-second data base

FM Channel 233 (94.5 MHz)
Average Elevation 3.2 to 16.1 km 363.4 meters AMSL
Center of Radiation 303 meters AMSL
Antenna Height Above Average Terrain -60.4 meters
Effective Radiated Power 6 kW (7.78 dBk) Max.
Horizontal ERP 6 kW
Vertical ERP 6 kW

North Latitude: 44° 48' 09"
West Longitude: 72° 16' 43"

(NAD-27)



COHEN, DIPPELL AND EVERIST, P.C.

TABLE II
ALLOCATION SITUATION
FOR PROPOSED FM CHANNEL 233A OPERATION AT
ALBANY, VERMONT
JUNE 2011

N 44° 48' 09"
W 72° 16' 43"
(NAD-27)

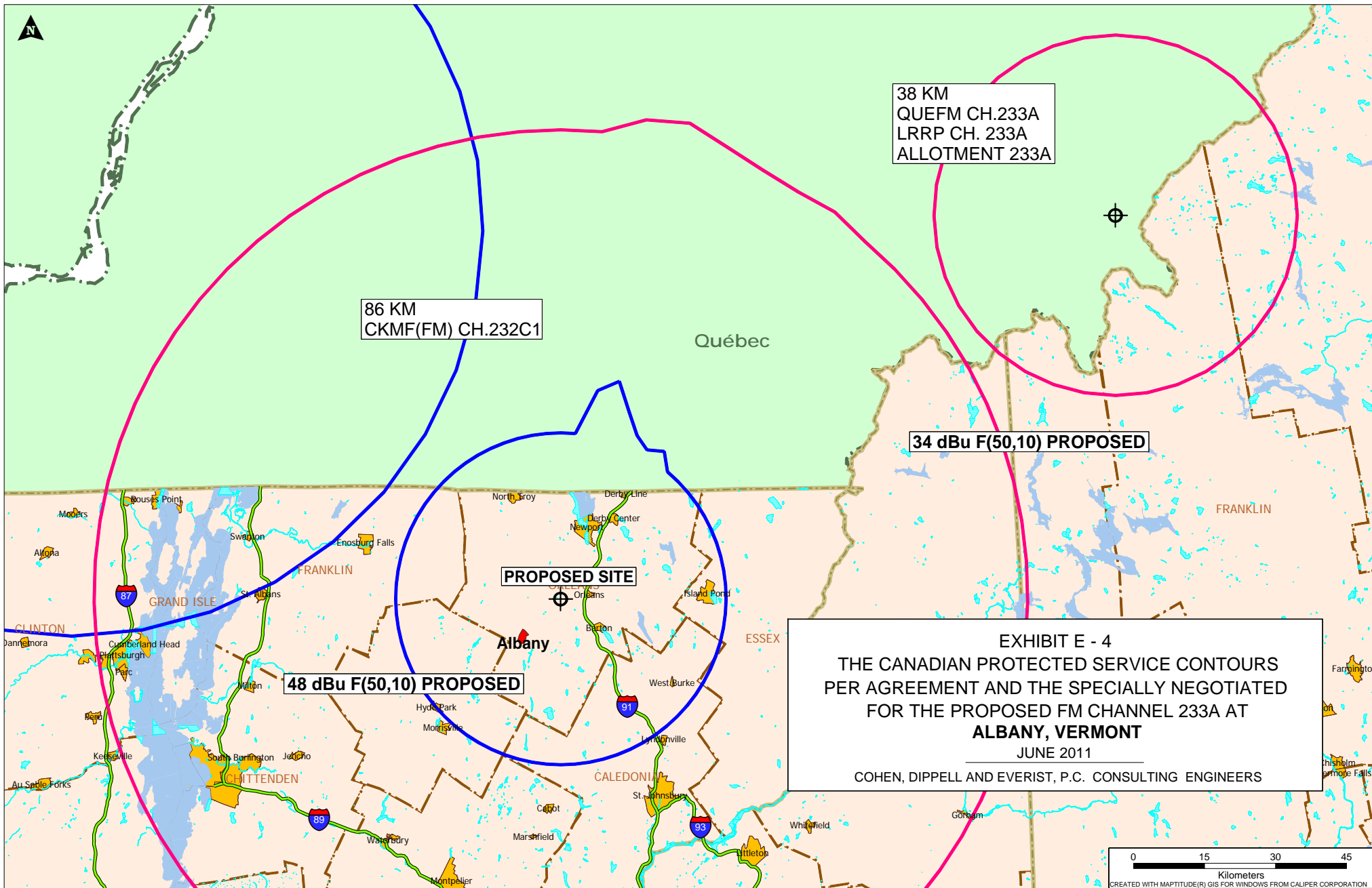
<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>ERP</u> kW	<u>HAAT</u> meters	<u>Coordinates</u> (NAD-27)	<u>Frequency</u> MHz	<u>Distance</u>	
							<u>Actual</u> km	<u>Required</u> km
233A	NEW FM App	Albany, VT	--	--	44°45'26" 72°20'09"	94.5	6.7	--
230A	WLVB(FM) Lic	Morrisville, VT	5.4	37	44°34'42" 72°38'09"	93.9	37.7	31
232C	CKMF-FM OP	Montréal, QC	41.4	297.4	45°30'20" 73°35'30"	94.3	129.5	182
232C	CKMF-FM AU	Montréal, QC	75	297.4	45°30'20" 73°35'30"	94.3	129.5	182
232C1	CKMF(FM)	Montreal, QC	75	297.4	45°30'20" 73°35'32"	94.3	129.5	168
233L	CITE-FM-2 OP	Sherbrooke, QC	0.050	28.3	45°23'27" 71°53'42"	94.5	72.1	132
233A	LRRP-476 LR	Lac Mégantic, QC	--	--	45°31'49" 70°47'18"	94.5	142.4	151

COHEN, DIPPELL AND EVERIST, P.C.

TABLE II
ALLOCATION SITUATION
FOR PROPOSED FM CHANNEL 233A OPERATION AT
ALBANY, VERMONT
JUNE 2011
(continued)

N 44° 48' 09"
W 72° 16' 43"
(NAD-27)

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>ERP</u> kW	<u>HAAT</u> meters	<u>Coordinates</u> (NAD-27)	<u>Frequency</u> MHz	<u>Distance</u>	
							<u>Actual</u> km	<u>Required</u> km
233A	FA	Lac Megantic, QC	--	--	45°31'49" 70°47'20"	94.5	142.4	151
233A	WDVT(FM) Lic	Rutland, VT	6.0	98	43°34'04" 73°0'32"	94.5	149	115
233A	QUEFM-133 AL	Lac-MTgantic, QC	--	--	45°31'49" 70°47'18"	94.5	142.4	151
234C	CHEY-FM OP	Trois-RiviFres, QC	100	249.7	46°30'10" 72°38'13"	94.7	191.1	182
235C	WHOM(FM) Lic	Mount Washington, NH	50	1141	44°16'11" 71°18'15"	94.9	97.5	95
236C	CBF-FM OP	MontrTal, QC	100	242.7	45°30'20" 73°35'30"	95.1	129.5	101
236C	CBF-FM-2 AU	MontrTal, QC	100	298.9	45°30'20" 73°35'30"	95.1	129.5	101



38 KM
QUEFM CH.233A
LRRP CH. 233A
ALLOTMENT 233A

86 KM
CKMF(FM) CH.232C1

34 dBu F(50,10) PROPOSED

PROPOSED SITE

48 dBu F(50,10) PROPOSED

EXHIBIT E - 4
THE CANADIAN PROTECTED SERVICE CONTOURS
PER AGREEMENT AND THE SPECIALLY NEGOTIATED
FOR THE PROPOSED FM CHANNEL 233A AT
ALBANY, VERMONT
JUNE 2011
COHEN, DIPPELL AND EVERIST, P.C. CONSULTING ENGINEERS

0 15 30 45
Kilometers
CREATED WITH MAPTITUDE(R) GIS FOR WINDOWS FROM CALIPER CORPORATION

47° 30"

N 44° 47' 30"

EXHIBIT E - 5
SITE MAP
FOR THE FM OPERATION AT
ALBANY, VERMONT
JUNE 2011

COHEN, DIPPELL AND EVERIST, P.C. CONSULTING ENGINEERS

830000
FEET

W 72° 22' 30"

W 72° 20' 00"

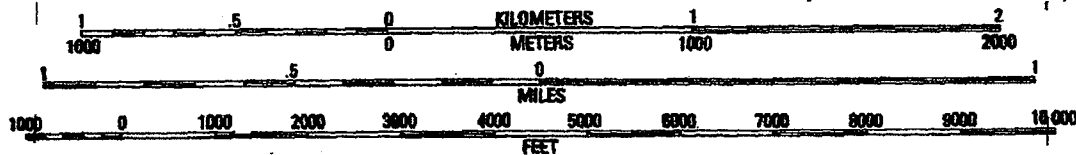
ALLOCATION SITE

IRASBURG QUADRANGLE
VERMONT-ORLEANS CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

44° 45' 10"
72° 22' 30"

N 44° 45' 00"

PRODUCE
CONTROL 1
COMPILED
FIELD CHIEF
PROJECTION
GRID: 1000
10,000



UTM GRID DECLINATION
1985 MAGNETIC NORTH DECLINATION
VERTICAL DATUM
HORIZONTAL DATUM

To place on the predicted
move the projection lines as
(2 meters south and 36 meters w
There may be private inholdin
Federal or State reservations shown on this map
No distinction made between houses, barns, and other buildings

CONTOUR INTERVAL 6 METERS
CONTROL AND FIELD ESTABLISHED ELEVATIONS SHOWN TO THE NEAREST 0.1 METER
OTHER ELEVATIONS SHOWN TO THE NEAREST METER
To convert meters to feet multiply by 3.2808
To convert feet to meters multiply by .3048

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY
DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092

NAL MAP
om original
awings. Inform
ation shown as of date of
photography.

THIS
DE

N 44° 50' 00"

EXHIBIT E - 6
PROPOSED SITE
FOR THE PROPOSED FM OPERATION AT
ALBANY, VERMONT
JUNE 2011

COHEN, DIPPELL AND EVERIST, P.C. CONSULTING ENGINEERS

W 72° 17' 30"

W 72° 15' 00"

PROPOSED SITE

N 44° 47' 30"

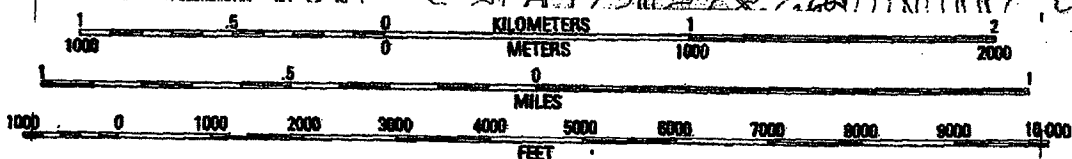
CONTOUR INTERVAL 6 METERS

CONTROL AND FIELD ESTABLISHED ELEVATIONS SHOWN TO THE NEAREST 0.1 METER
OTHER ELEVATIONS SHOWN TO THE NEAREST METER

To convert meters to feet multiply by 3.2808
To convert feet to meters multiply by .3048

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY
DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092

IRASBURG QUADRANGLE
VERMONT-ORLEANS CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



Cohen, Dippell and Everist, P.C.

APPENDIX A

Donald G. Everist

From: "Sultan, Kirsten" <Kirsten.Sultan@state.vt.us>
To: "Donald G. Everist" <cde@attglobal.net>
Cc: "Bruce James" <bruceajames@hotmail.com>
Sent: Wednesday, June 29, 2011 1:22 PM
Attach: Albany-Tower-Site.pdf
Subject: RE: New Tower Construction, Albany
Mr. Everist & Mr. James,

I am writing in response to your recent communications about the above-referenced (conceptual?) project.

As you know, the specific outcome of an application for development construction permit cannot be determined in advance of the actual regulatory review process. However, I note that, under Act 250, the district commission cannot grant a permit to construct unless positive findings are reached under all of the Act 250 criteria. The current project is a 700+ feet tall communication tower, with lighting, located in a rural setting characterized by forest, open meadows, rolling hills, and very little development. State highway VT 14 and the Black River are located in relative close proximity to the tower site (see attached orthophoto area map). I expect that review of a 700+ feet tall lit communication tower at the location identified would focus extensively on the impact on Criterion 8 Aesthetics Scenic Beauty. The Criterion 8 analysis considers the existing character of the area, and the project's visual impact, including emphasis on visibility from public corridors, eg roadways, rivers. The District 7 Environmental Commission denied a permit for an unlit communication tower significantly shorter than 700 feet on the basis of Criterion 8 Scenic Beauty. A different application to the District 7 Environmental Commission, for a considerably shorter unlit tower, was withdrawn following a lengthy review including organized opposition, and issues focused on the Criterion 8 analysis. Based on these other application outcomes, both for unlit communication towers not taller than 200 feet, I expect it is very highly unlikely that an Act 250 permit would be granted for a 700+ feet tall communication tower, with lighting, in the identified rural setting.

Please feel free to contact me should you have any questions or require additional information.

Sincerely,

Kirsten

Kirsten Sultan, P.E., Coordinator
District #7 Environmental Commission
1229 Portland Street Suite 201
St. Johnsbury, Vermont 05819
tel. (802) 751-0126

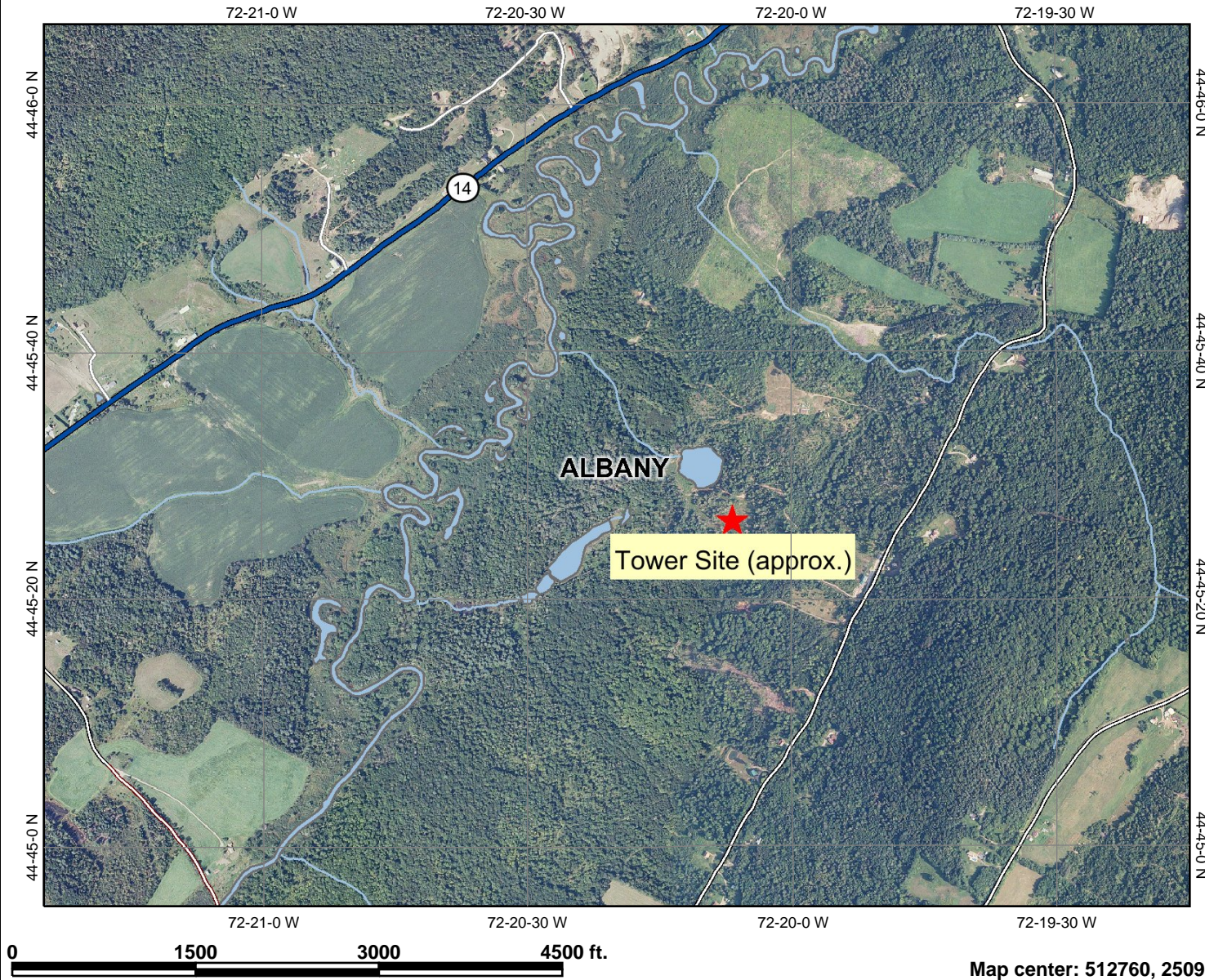
6/30/2011



ANR Environmental Interest Locator

Vermont Agency of Natural Resources (ANR)

Albany - Tower Site



Legend

- Roads**
 - US Highway
 - Vermont State Highway
 - Class One
 - Class Two
 - Legal Trail
 - Emergency U-Turn Area
 - Proposed Class Two
 - Proposed Class Three
 - Proposed Vermont State Highway
 - Proposed US Highway
 - Proposed Interstate
 - Discontinued Interstate
 - Class Three
 - Class Four
 - State/National Forest Highway
 - Military Road (No Public Access)
 - Private Road
- Hydrography Lakes and Ponds (VHD 5k)
- Hydrography (VHD 5k)
- VT County Boundary
- VT Town Boundaries (No Fill)
- Parcels (incomplete)
- NAIP Color Orthophotos 2009
- VT State Boundary (Fill)

VT State Plane Meters (NAD83)



Scale: 1:15,399

Map center: 512760, 250941

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. VCGI and the State of Vermont make no representations of any kind, including but not limited to the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

URL: http://maps.vermont.gov/imf/sites/ANR_NATRESViewer/jsp/launch.jsp

6/29/11

TECHNICAL SPECIFICATIONS 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.

[illegible]

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.

CERTIFICATION

**AUXILIARY ANTENNA APPLICANTS ARE NOT REQUIRED TO RESPOND TO ITEMS 13-16.
PROCEED TO ITEM 17.**

13. **Availability of Channels.** The proposed facility complies with the allotment requirements of 47 C.F.R. Section 73.203. ☐ Yes ☐ No

See Explanation
in Exhibit No.

14. **Community Coverage.** The proposed facility complies with 47 C.F.R. Section 73.315. ☐ Yes ☐ No

See Explanation
in Exhibit No.

15. **Main Studio Location.** The proposed main studio location complies with 47 C.F.R. Section 73.1 125. ☐ Yes ☐ No

See Explanation
in Exhibit No.

16. **Interference.** The proposed facility complies with all of the following applicable rule sections. Check all those that apply. ☐ Yes ☐ No

See Explanation
in Exhibit No.

Separation Requirements.

a. ☐ 47 C. F. R. Section 73.207.

Grandfathered Short-Spaced.

b. ☐ 47 C.F.R. Section 73.213(a) with respect to station(s):

Exhibit No.

Exhibit Required.

c. ☐ 47 C.F.R. Section 73.213(b) with respect to station(s):

Exhibit No.

Exhibit Required.

d. ☐ 47 C.F.R. Section 73.213(c) with respect to station(s):

Exhibit No.

Exhibit Required.

Contour Protection.

e. ☐ 47 C.F.R. Section 73.215 with respect to station(s):

Exhibit No.

Exhibit Required.

17. **Environmental Protection Act.** The proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1306 (i.e., the facility will not have a significant environmental impact and complies with the maximum permissible radio frequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Appendix A, an **Exhibit is required.** ☐ Yes ☐ No

See Explanation
in Exhibit No.

By checking "Yes" above, 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 radio frequency electromagnetic exposure in excess of FCC guidelines.

18. **Community of License Change - Section 307(b).** If the application is being submitted to change the facility's community of license, then the applicant certifies that it has attached an exhibit containing information demonstrating that the proposed community of license change constitutes a preferential arrangement of allotments or assignments under Section 307(b) of the Communications Act of 1934, as amended (47 U.S.C. Section 307(b)). ☐ Yes ☐ No ☐ N/A

Exhibit No.

An exhibit is required unless this question is not applicable.

10. **Auction Authorization.** 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.

☐ Yes ☐ No ☐ N/A New Albany FM

An exhibit is required unless this question is inapplicable.

Exhibit No.

11. **Anti-Drug Abuse Act Certification.** 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.

☐ Yes ☐ No

12. **Equal Employment Opportunity (EEO).** If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A.

☐ Yes ☐ No ☐ N/A

13. **Petition for Rulemaking/Counterproposal to Add New FM Channel to FM Table of Allotments.** 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.

☐ Yes ☐ No ☐ N/A

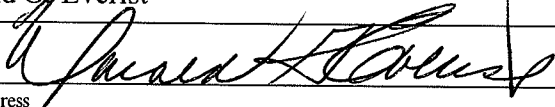
I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in 'good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular 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).

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 Donald G. Everist	Relationship to Applicant (e.g., Consulting Engineer) Consulting Engineer	
Signature 	Date June 29, 2011	
Mailing Address Cohen, Dippell and Everist, PC, 1420 N Street NW, Suite One		
City Washington	State or Country (if foreign address) DC	ZIP Code 20005
Telephone Number (include area code) 202-898-0111	E-Mail Address (if available) cde@attglobal.net	

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