

**Section 74.1204 - Statement of Compliance**  
**Minor Modification of Construction Permit**  
**FCC File No. BMPFT-20160129AUG**  
**W295CD, Charlotte, NC**  
**FM Translator Facility ID. 146299**  
**August, 2018**

The Applicant proposes to modify the above-referenced, non-reserved band, FM translator construction permit which resulted from an application which was filed pursuant to the announced “*First FM translator application modification window for AM stations to modify and/or relocate FM translator stations (First Modification Window)*”.<sup>1</sup> This minor change application will resolve a conflict with a distant, cochannel, Class C FM station which has informally opposed the technical facility authorized in the outstanding W295CD construction permit.

The non-adjacent channel change proposed in this further modification of 250-mile window cross-service FM Translator is submitted pursuant to Footnote 22 contained in the Second Report and Order in the *Matter of the Revitalization of the AM Service* (MB Docket No. 13-249, 82 FR 13969 (March 16, 2017), Effective April 10, 2017). Because the technical facility proposed herein complies with both the newly amended Section 74.1201(g) of the FCC Rules and the 250-mile limitation imposed in the First Report and Order in this proceeding, the non-adjacent channel change proposed herein may be processed as a minor modification of construction permit.

Further, as discussed below, the instant proposal complies with the protection requirements set forth in Section 74.1204 of the FCC Rules.

Section 74.1204(a) Contour Overlap Protection Criteria

Attached is a map which demonstrates that proposed technical facility complies with the contour overlap provisions of Section 74.1204(a) of the FCC Rules with respect to all pertinent cochannel (See Exhibit 1) assignments, authorizations and applications. The instant proposal is well clear of all other relevant co-channel and first-adjacent channel protection considerations not represented herein.

Section 74.1204(d) Second/Third-Adjacent Channel Protection

The required protection to second-adjacent channel station WQNC(FM), Harrisburg, NC (Channel 224C3) is discussed below. The instant proposal is well clear of all other relevant second and third-adjacent channel protection considerations not represented herein.

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<sup>1</sup> See FCC Public Notice (DA 1491), *Media Bureau Announces Filing Dates and Procedures for AM Station Filing Window for FM Translator Modifications and Availability of FM Translator Technical Tools*, Released December 23, 2015.

The proposed transmitting antenna will be located within the protected contour of WQNC(FM) resulting in contour overlap as defined in Section 74.1204 of the FCC Rules. At the translator's proposed transmitter site, WQNC(FM) is predicted to produce a F(50,50) signal strength of 85 dBu. Therefore, in the vicinity of the second-adjacent channel translator station, the translator's relevant interfering contour is the 125 dBu contour relative to WQNC(FM).

According to free space calculations, the translator's worst-case predicted 125 dBu contour will extend, at most, 63.4 meters from the proposed antenna. Because the proposed transmit antenna will be located 85 meters above ground level, the predicted interference area will neither reach ground level nor reach any people. Therefore, the proposed minor change will cause no interference to any population served by WQNC(FM).

Accordingly, the proposed facility satisfies Section 74.1204(d) of the FCC Rules because it has been "demonstrated that no actual interference will occur due to lack of population or such other factors as may be applicable".

Section 74.1204 CoChannel  
Contour Overlap Study

Exhibit 1

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Key to Stations on Map

- W295CD.APP.222D
- WKRR.222C0.FAC.ID.16892
- W222CV.CP.222D.FAC.ID.147790
- W222CO.CP.222D.FAC.ID.201355

Section 74.1204 Contours

Proposed FX Interfering Contour (DASHED):  
40 dBu F(50,10) to Class A & FX & LPFM  
40 dBu F(50,10) to Class C, C0, C1, C2, C3  
37 dBu F(50,10) to Class B1 FM Station  
34 dBu F(50,10) to Class B FM Station

Relevant Protected Contours (SOLID):  
Class A, C, Cx, FX & LPFM = 60 dBu F(50,50)  
Class B1 FM Station = 57 dBu F(50,50)  
Class B FM Station = 54 dBu F(50,50)

W295CD.APP.222D

Charlotte, NC  
Latitude: 35-15-07 N  
Longitude: 080-49-43 W  
ERP: 0.25 kW  
Channel: 222  
Frequency: 92.3 MHz  
AMSIL Height: 318.0 m  
Horiz. Pattern: Directional

Consulting Engineers  
**CTJC**  
CARL T. JONES CORPORATION

Laurens

Scale 1:975,000

0 10 20 30 km