

[Exhibit 12]

## **Non-Interference Compliance**

For an Open Site

Regarding FCC File Number: BNPFT-20030317FNE

### **Description of Exhibit 12 Contents**

This exhibit demonstrates that the proposed facility complies with contour overlap and interference protection provisions in all the applicable rule sections and that this application for a construction permit is in full compliance with 47 CFR 74.1204.

Page 2 of this exhibit is an explanation of the tabulated data, which is included as evidence on page 3 of this exhibit.

Page 3 of this exhibit is the tabulated data from the interference analysis, which shows all stations that this application must consider for contour protection. These tabulated values were generated using high resolution 3 arc second terrain data for the best possible accuracy.

**Let it be noted that should any actual real world interference occur, the applicant certifies that it will promptly suspend operation of this translator in accordance with 47 CFR 74.1203.**

## **Explanation of Frequency Finder Results**

The interference analysis for this application was performed using the "Frequency Finder" module in RadioSoft's Comstudy, version 2.2.

Frequency Finder analyzes data taken directly from the FCC's FM database and looks for prohibited overlap with contours of adjacent stations and prohibited proximity to stations 53 or 54 channels from the proposed station (IF) using 3 arc second terrain data and the FCC's contour algorithms. The results tabulated are the stations returned from that analysis. (Note: Because Comstudy was looking at the FCC's FM database, it took into account the proposed translator when doing the analysis and returned it in the tabulated results. For the sake of simplicity, that record has been deleted from all tabulated results.)

The first several columns of the table are self-explanatory. They give various data on the stations in question. The column labeled "Clr" gives the proposed translator's "clearance" with respect to the tabulated station, either in dB or km. The values listed with no units are given in km and are for stations located on an IF to the proposed site's channel.

**A negative value in the "Clr" column does NOT necessarily represent prohibited contour overlap as explained below.**

A negative value listed in the "Clr" column would indicate either overlap of interference and protected contours or prohibited proximity to an IF station except in the following situations:

- Since the proposed station's Effective Radiated Power (ERP) is 10 watts, a negative value in km (no units listed in the table) does not represent a violation of the CFR, according to 47 CFR 1204(g), which states that "FM translator stations and booster stations operating with less than 100 watts ERP will be treated as class D stations and will not be subject to intermediate frequency separation requirements."

- A second or third adjacent LP100 station cannot represent a violation of the CFR, as 47 CFR 74.1204(a)(4) requires protection of only co-channel and first adjacent LP100 stations.

- 47 CFR 74.1204(a) requires only the protection of "AUTHORIZED commercial or noncommercial educational FM broadcast stations, FM translators, ..." Any entry with a status listed as "RSV," "USE" or "APP" does not represent an authorized station and therefore is not protected under 47 CFR 74.1204. The one exception is the case of LP100 applications. The note to 47 CFR 74.1204(a)(4) states that "LPFM applications and permits that have not yet been licensed must be considered as operating with the maximum permitted facilities." Therefore, any first adjacent or co-channel LP100 station, no matter the status, is protected.

Frequency Finder

Callsign	State	City	Channel	ERP_w	Licensee	ARN	Class	Status	Distance_km	Clr	Facility_id
	CA	LAKE ISABELLA	239	0		RM9818	A	APP	11.42	-17.03 dB	0
KKXX-FM	CA	BAKERSFIELD	243	50000	CLEAR CHANNEL BROADCASTING LIC	BLH7231	B	LIC	48.07	4.75 dB	28847
K240AO	CA	LONE PINE & OLA	240	4	INYO COUNTY TV ADVISORY COMM.	BLFT19820419IP	D	LIC	109.51	12.95 dB	29037
NEW	CA	BAKERSFIELD	240	55	EDUCATIONAL MEDIA FOUNDATION	BNPFT20030314ACS	D	APP	63.86	13.78 dB	139845
KLLY	CA	OILDALE	237	12500	BUCKLEY B/CTING CORP. OF CALIFOR	BLH19911108KA	B1	LIC	60.07	17.62 dB	7709
NEW	CA	BAKERSFIELD	241	10	CALVARY CHAPEL OF TWIN FALLS, INC	BNPFT20030310AYQ	D	APP	40.79	19.01 dB	138827
KLOS	CA	LOS ANGELES	238	61000	KLOS-FM RADIO, INC.	BLH19840702CP	B	LIC	165.22	19.93 dB	35078
KLOS	CA	LOS ANGELES	238	68000	KLOS-FM RADIO, INC.	BMLH19850523KJ	B	LIC	165.25	20.33 dB	35078
NEW	CA	MALIBU	240	250	GOLD COAST BROADCASTING LLC	BNPFT20030317ERU	D	APP	180.18	22.11 dB	155987
NEW	CA	TEHACHAPI	240	10	RADIO ASSIST MINISTRY, INC	BNPFT20030317FSQ	D	APP	63.92	25.14 dB	146410
KXXZ	CA	BARSTOW	240	8900	DOS COSTAS COMMUNICATIONS COR	BLH20020318AAW	B1	LIC	155.03	26.06 dB	27984
NEW	CA	DELANO	239	250	RADIO DESAFIO NETWORK, INC.	BNPFT20030317IXH	D	APP	75.38	27.19 dB	156185
NEW	CA	SANTA CLARITA	240	10	1400 INC.	BNPFT20030317GRF	D	APP	151.69	27.08 dB	156258
NEW	CA	SANTA CLARITA	240	10	1400 INC.	BNPFT20030317MDB	D	APP	151.69	27.60 dB	158128
NEW	CA	WASCO	240	100	ROSECORP TRUST	BNPL20000605AGK	LP100	APP	84	28.99 dB	124267
NEW	CA	ROSAMOND	240	10	RADIO ASSIST MINISTRY, INC	BNPFT20030317FQG	D	APP	91.21	29.94 dB	146392
KOCP	CA	CAMARILLO	240	1200	GOLD COAST BROADCASTING LLC	BLH19980209KF	B1	LIC	170.52	29.34 dB	70563
NEW	CA	QUARTZ HILL	240	19	RADIO ASSIST MINISTRY, INC	BNPFT20030317FPZ	D	APP	116.62	30.94 dB	146390
KKXX-FM	CA	BAKERSFIELD	243	0	CLEAR CHANNEL BROADCASTING LICENSES, INC.		B	USE	48.07	31.74 dB	28847
NEW	CA	SANTA PAULA	241	250	GOLD COAST BROADCASTING LLC	BNPFT20030317KLM	D	APP	167.92	31.40 dB	143592
KJFX	CA	FRESNO	239	17500	MESOSPHERE BROADCASTING LTD. P	BLH19880616KB	B	LIC	169.56	31.12 dB	65773
KSLK	CA	VISALIA	241	4800	NEW VISALIA BROADCASTING, INC.	BLH19941115KA	A	LIC	101.79	33.81 dB	48657
KXOL-FM	CA	LOS ANGELES	242	54000	INT'NAT'L CHURCH OF THE 4 SQUARE	BLH4911	B	LIC	178.91	34.14 dB	28848
KXXZ	CA	BARSTOW	240	0	DOS COSTAS COMMUNICATIONS CORPORATION		B1	USE	148.57	35.25 dB	27984
KXOL-FM	CA	LOS ANGELES	242	41000	INT'NAT'L CHURCH OF THE 4 SQUARE	BLH19890720KA	B	LIC	178.94	35.34 dB	28848
NEW	CA	WRIGHTWOOD	240	1	LIVING PROOF, INC.	BNPFT20030314AZT	D	APP	163.01	36.38 dB	147287
KLLY	CA	OILDALE	237	0	BUCKLEY B/CTING CORP. OF CALIFORNIA		B1	USE	55.64	36.76 dB	7709
NEW	CA	NEWHALL	240	10	CALVARY CHAPEL OF TWIN FALLS, INC	BNPFT20030310BDQ	D	APP	127.92	37.96 dB	139149
DK237CG	CA	INYOKERN	237	7	INDIAN WELLS VALLEY CHRISTIAN COI	BLFT19870313TF	D	LIC	69.32	39.49 dB	28567