

[Exhibit 12]

## **Non-Interference Compliance**

For an Open Site

Regarding FCC File Number: BNPFT-20030317GVX

Channel: 225

### **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.**

Since the proposed translator is 81.7 km from the Canadian border, 47 CFR 74.1235(d) has been taken into account and this applicant certifies that in no direction does the 34 dBu F(50,10) extend beyond 60 km, and this application is therefore in full compliance with 47 CFR 74.1235(d)(3), which states that "the distance to the 34 dBu interfering contour may not exceed 60 km in any direction," and hence in compliance with 47 CFR 74.1204(h).

## **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 27 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 "LPM 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.

Callsign	State	City	Channel	ERP_w	Licensee	ARN	Facility_id	Class	Status	Distance_km	Clr
WFDX	MI	ATLANTA	223	100000	NORTHERN MICHIGAN RADIO, INC.	BLH19881107KA	49573	C1	LIC	73.17	0.47 dB
NEW	MI	ALPENA	279	19	EDGEWATER BROADCASTING INC.	BNPFT20030317DPA	152288	D	APP	4.74	4.7
	MI	OSSINEKE	226	0		RMspm104*	0	C3	APP	18.59	6.03 dB
	MI	PRESQUE ISLE	279	0		RMspm104*	0	A	APP	25.1	15.1
WJZQ	MI	CADILLAC	225	100000	WKJF RADIO, INC.	BMLH20020517AAG	5207	C1	APP	149.99	22.78 dB
WJZQ	MI	CADILLAC	225	100000	WKJF RADIO, INC.	BLH20011226AAG	5207	C1	LIC	149.99	22.78 dB
	MI	PRESQUE ISLE	227	0		RM10416	0	A	APP	25.1	25.06 dB
	MI	HARRISVILLE	226	0		RM10418	0	A	APP	48.37	26.41 dB
WBCM	MI	BOYNE CITY	228	14000	WBCM RADIO, INC.	BLH19931014KE	71210	C2	LIC	117.12	28.26 dB
WKQZ	MI	MIDLAND	227	39000	CITADEL BROADCASTING COMPANY	BLH19881027KB	72924	C2	LIC	147.02	32.89 dB
NEW	MI	BAD AXE	225	13	RADIO ASSIST MINISTRY INC.	BNPFT20030317GXB	144463	D	APP	147.41	35.08 dB
NEW	QU	SAULT STE. MARIE	225	50			158660	D	APP	174.44	37.27 dB
	MI	EAST TAWAS	224	0		RMspm104*	0	A	APP	89.19	38.81 dB
	MI	ATLANTA	223	0		RMspm104*	0	C1	APP	73.17	39.06 dB