

FURTHER STATEMENT CONCERNING BROADCAST INTERESTS IN MARKET

Station WXAL-FM is licensed to the community of Addison, Vermont. Addison, Vermont is located in Addison County, Vermont. At the request of the Commission staff, the Applicant is providing this further showing regarding broadcast interests in the Burlington-Plattsburgh, VT-NY Market as determined by Arbitron and reported by BIA.

In the instant showing, the Applicant is providing information, using the contour-overlap methodology, of WXAL-FM and the Applicant's other cognizable stations which are considered "home" to the Metro but are licensed to communities not located in the six counties (Clinton, Essex, Addison, Chittenden, Franklin and Grand Isle) of the Metro.

There are four cognizable stations that fit into this category. They are: WDOT, Danville, Vermont; WRJT, Royalton, Vermont; WLKC, Waterbury, Vermont; and WNCS, Montpelier, Vermont.

As indicated by the statement of the Applicant's consulting engineer (Exhibit A), there is no overlap of principal community contours of WXAL-FM and WDOT and/or WRJT.

As for WLKC and WNCS, there are overlaps of the principal community contours. This overlaps existed at the time that the Commission consented to the assignment to the applicant of the WXAL-FM (the WRRO) license in File No. BALH-20000907ABE. *Public Notice*, Report No. 44849, released October 27, 2000. We are providing, as Exhibit B hereto, a copy of the showing made in File No. BALH-20000907ABE evidencing compliance with the radio local multiple ownership rules of Section 73.3555 of the Commission's Rules and found to be correct by the Commission. These rules have not changed when applied to stations outside Arbitron Metros. Hence, WXAL-FM is in compliance with the Commission's multiple ownership rules

when WXAL-FM is analyzed as to other cognizable stations with non-Metro communities of license.

By application of the grandfathering test or by considering the pre-September 3 changes in the applicable market, the applicant is fully entitled to its requested media ownership.

EXHIBIT A

Friedman, Barry

From: Fred Volken [fredwvolken@earthlink.net]
Sent: Friday, November 05, 2004 3:23 PM
To: Friedman, Barry
Subject: WXAL-FM multiple ownership considerations

Dear Mr. Friedman:

In response to your request for information, a study shows that the principal city contour for the proposed operation of WXAL-FM, Addison, Vermont, as shown in application File Number BPH-20030429AAE, would not overlap the principal city contour for the licensed operation of WDOT(FM), Danville, Vermont, or for the operation of WDOT(FM) authorized in construction permit File Number BPH-20040628AAS; and would not overlap the principal city contour for the licensed operation of WRJT(FM), Royalton, Vermont, or for the operation of WRJT(FM) proposed in application File Number BPH-20040526AHR.

Sincerely,

Fred W. Volken
Engineering Consultant
348 W. Sierra Madre Blvd.
Sierra Madre, California 91024

EXHIBIT B

Availability of Other Radio Services
for Multiple Ownership Considerations
for WRRO(FM), Addison, Vermont

Introduction

This Engineering Study has been prepared for Montpelier Broadcasting, Inc., licensee of FM Broadcast Station WNCS, Montpelier, Vermont. The Study provides information about the availability of other commercial radio services to the radio market that would be created by the inclusion of FM Broadcast Station WRRO(FM), Addison, Vermont, with the common ownership, operation or control of WNCS(FM) and WLKC(FM), Waterbury, Vermont. As shown in this Study, the number of other radio services conforms with the requirements of Section 73.3555 of the Rules and Regulations of the Federal Communications Commission for the proposed common interests.

Station WRRO(FM) is presently licensed as a Class A station operating on Channel 229. The station holds a construction permit for operation as a Class C3 station on the same channel, with transmitting facilities located at the present transmitter site. The facilities authorized in the construction permit were assumed for this Study.

A copy of this Study is to be provided for the Commission's Public Reference Room.

Boundary of Radio Market

The radio market for this Study is defined by the predicted principal city (70 dBu) service contours of WRRO(FM) and the two stations with which WRRO(FM) would be under common ownership, operation or control. Figure 1 of this Study shows the 70 dBu contour for WRRO(FM), along with the 70 dBu contours for WNCS(FM) and the present operation of WLKC(FM) ^{/1}. The common overlap of these contours results in a three-station radio market that is represented by the total area encompassed by the three 70 dBu contours. The facilities of these stations are listed in Table A of this Study.

^{/1} WLKC(FM) has a pending application, File Number BPH-20000721ABF, for a one-step upgrade to operate on Channel 277C2 at a new transmitter site. The 70 dBu contour for WRRO(FM) would not overlap the proposed WLKC(FM) 70 dBu contour, and the proposed operation of WLKC(FM) has not been considered in this Study.

Other Radio Services Available to Radio Market

Figure 2 of this Study shows the 70 dBu principal city service contours for the licensed facilities of nine other existing commercial FM stations that overlap the 70 dBu contour of one or more of the stations that would comprise the three-station radio market defined by common ownership, operation or control of WRRO(FM), WNCS(FM) and WLKC(FM). These stations are listed in Table B of this Study. The stations identified in Table B do not represent an exhaustive listing of the other radio services. Figures 1 and 2 of this Study are at the same scale and show the same geographic area.

The common ownership, operation or control of WRRO(FM), WNCS(FM) and WLKC(FM) would therefore conform with the requirements of Section 73.3555(a)(1)(iv) of the Commission's Rules, as there would be no more than five stations (and no more than three stations in the same service), and no more than 50 percent of the stations in the radio market, with such common interests.

Methods Employed in Determining Contours

For the FM stations shown in this Study, the predicted contours were determined in accordance with the requirements of Section 73.313 of the Commission's Rules, from computerized calculations based on the NGDC 30-second terrain elevation database, and Figure 1 of Section 73.333 of the Commission's Rules. Distances to contours were calculated at azimuthal increments of five degrees.

Fred W. Volken
Engineering Consultant


Sierra Madre, California

August 2000

Statement of Engineer

FRED W. VOLKEN, whose place of business is located at 348 W. Sierra Madre Blvd., Sierra Madre, California, hereby states that he is a graduate physicist holding the degree Bachelor of Arts from Occidental College, Los Angeles, California; that his qualifications as an engineering consultant are a matter of record with the Federal Communications Commission; that he has prepared, or supervised the preparation of, this document as engineering consultant for Montpelier Broadcasting, Inc., licensee of FM Broadcast Station WNCS, Montpelier, Vermont; and that all of the information contained in this document is accurate and correct to the best of his knowledge and ability.

I state under penalty of perjury that the foregoing is true and correct. Executed on August 12, 2000.


Fred W. Volken

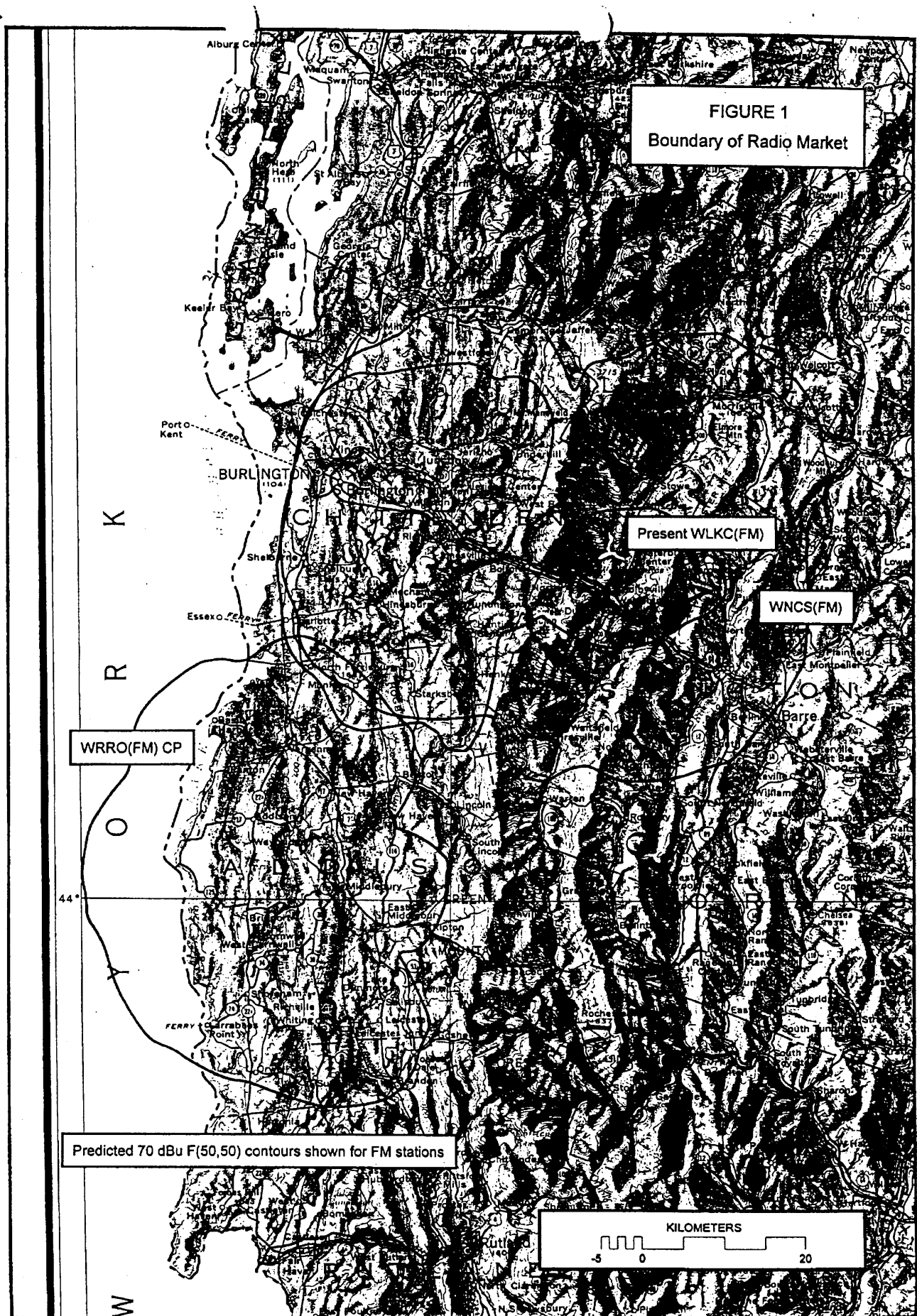


TABLE A

Listing of Stations
Comprising Radio Market

CALL LETTERS, CITY AND STATE, STATUS	FILE NUMBER	CHANNEL AND CLASS	EFFECTIVE RADIATED POWER	ANTENNA HEIGHT ABOVE AVERAGE TERRAIN	ANTENNA (ND OR DA)
WRRO(FM), Addison, VT (construction permit)	BPH-19990528ID	229C3	25.0 kW	88 m	DA
WNCS(FM), Montpelier, VT (license)	BLH-19991001AAD	284C2	1.90 kW	634 m	DA
WLKC(FM), Waterbury, VT (license)	BLH-19951127KA	277C3	3.00 kW	278 m	ND

FIGURE 2

Other Radio Services Available to Radio Market

New York

Vermont

Predicted 70 dBu F(50,50) contours shown for FM stations

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TABLE B

Other Commercial Radio Services
Available to Radio Market

CALL LETTERS, CITY AND STATE, STATUS	FILE NUMBER	CHANNEL AND CLASS	EFFECTIVE RADIATED POWER	ANTENNA HEIGHT ABOVE AVERAGE TERRAIN	ANTENNA (ND OR DA)
WCVT(FM), Stowe, VT (license)	BLH-19990623KA	269A	0.135 kW	630 m	ND
WDEV-FM, Warren, VT (license)	BLH-19980721KD	241A	0.096 kW	703 m	ND
WEZF(FM), Burlington, VT (license)	BLH-19881011KF	225C	46 kW	824 m	ND
WLVB(FM), Morrisville, VT (license)	BLH-19930907KB	230A	5.4 kW	37 m	ND
WIZN(FM), Vergennes, VT (license)	BLH-19870424KA	294C2	50 kW	114 m	ND
WOKO(FM), Burlington, VT (license)	BLH-19880920KB	255C1	100 kW	94 m	ND
WORK(FM), Barre, VT (license)	BMLH-19881223KB	296A	1.50 kW	125 m	ND
WWFY(FM), Middlebury, VT (license)	BMLH-19990519KB	265A	0.120 kW	91 m	ND
WXXX(FM), South Burlington, VT (license)	BLH-19951214KA	238C3	25.0 kW	72 m	DA