

Waiver Request
K273AT
Clear Lake, CA
May 28, 2013

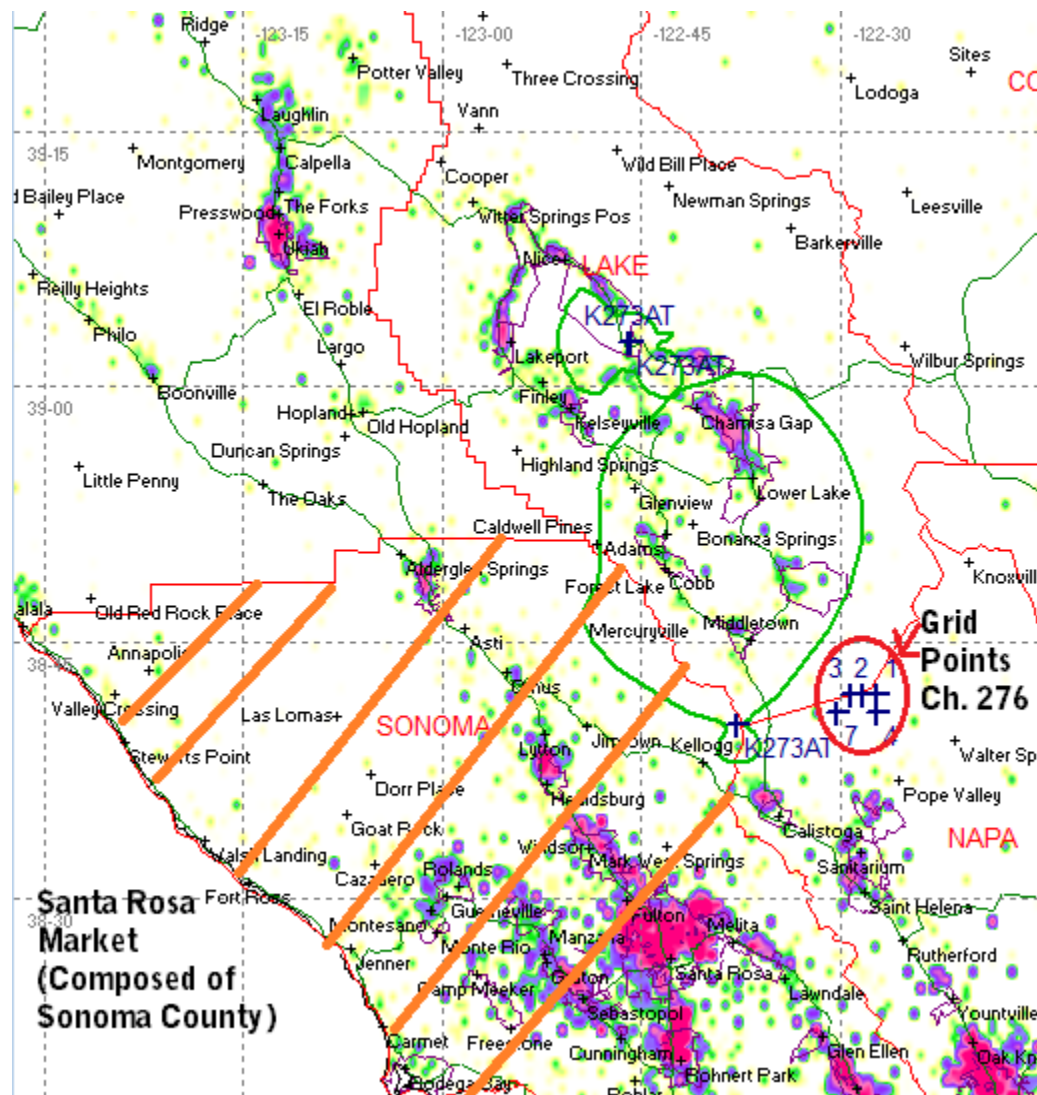
The applicant has applied to move K273AT to Mt. St. Helena and to change channels to 275. The applicant has previously provided an LPFM preclusion study showing no preclusion of grid points within the Santa Rosa market; however, the Commission has indicated that a waiver request is needed to not consider those grid points that are in the Santa Rosa grid but outside the Santa Rosa market.

The Santa Rosa market is unique in that it is an embedded market and only consists of one county. The Santa Rosa market is part of the greater San Francisco market. This application does not preclude any LPFM grid points in the San Francisco market, and it does not preclude any LPFM grid points in the Santa Rosa market. The Santa Rosa market grid, however, extends past the Santa market into Lake County and Napa County. Previously the Commission updated the grid tool to exclude water areas within market grids. Also, the grid tool excludes grid points in Mexico and Canada. However, the grid tool inadvertently does not exclude grid points that are not in the market for which the grid is generated for.

There are nine grid points on upper adjacent channel 276 in an unpopulated area of Napa that are within the 28 km study distance to this proposal. These grid points are all more than 10 km outside of the Santa Rosa market (outside of Sonoma County). Additionally there is a tall mountain separating these grid points from the Santa Rosa market. There is simply no way that even if an LPFM was located there that anyone would ever be able to pick up the signal for that LPFM while standing in the Santa Rosa market.

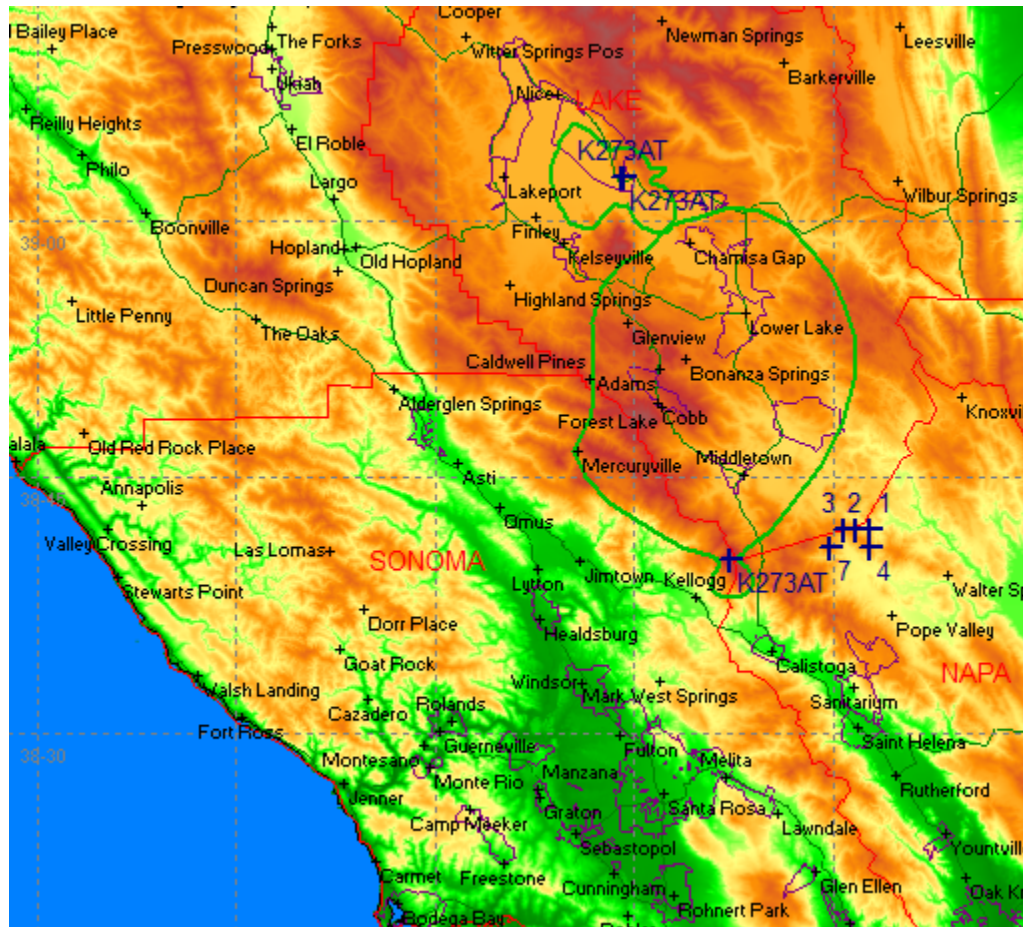
The applicant hopes the Commission will agree that it doesn't make sense to protect grid points for a market for which the grid points are not even in the market and the signal for those potential LPFMs has no chance of covering the market whatsoever. This would simply only limit FM translators without any benefit for any LPFM opportunities being saved in the Santa Rosa market. Please see map below showing the nine grid points of interest and their relationship to the Santa Rosa market.

Map demonstrating grid points are outside of Santa Rosa market (Sonoma County):



Please see map below showing that even if LPFMs were built at the grid points (listed 1 to 9), there is a mountain in the way of those LPFM preventing any signal whatsoever from reaching into the Santa Rosa market.

Map demonstrating grid points terrain shielded to Santa Rosa market (Sonoma County):



Sincerely,
Keith Leitch, M.S.E.E.
Engineer