

EXHIBIT 1  
PRECLUSION STATEMENT  
DEL VALLE, TEXAS 277D  
KEVIN J. YOUNGERS  
FCC FORM 349  
AUGUST 2013

This Preclusion Statement is in support of a minor change application, FCC form 349, being filed on behalf of Kevin J. Youngers in regards to a new FM translator from the Auction 83 Filing Window, application BNPFT-20030317EDR, for Del Valle, Texas, facility ID 155890.

Kevin J. Youngers is proposing to relocate to an existing tower site, ASR 1002764, at the coordinates N. 30°-30q17.6+, W. 97°-56q22.6+, NAD 27. The proposed operation will use a Nicom BKG1P, single bay, directional antenna with an Effective Radiated Power of 10 Watts on channel 280D. The antenna will be mounted at 63 meters Above Ground Level, with a Center of Radiation at 392 meters Above Mean Sea Level.

According to DA 13-427, attachment B of March 14, 2013, this minor change requires a preclusion showing. The proposed transmitter site is within the Spectrum Limited Market Grid of Austin, Texas. Fig. 1 shows the Austin Grid Test performed as specified in Attachment B of DA 13-427.

Fig. 1 shows that there are no LPFM licensing opportunities currently on the 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> adjacent channels, 277 through 279 and 281 through 283.

However, there are LPFM licensing opportunities on channel 280. Fig. 2 shows that the FCC predicted 60 dB service contour of the proposed facility extends less than 7.3 km from the transmitter site. The required spacing to such an FM translator is a distance, rounded, of 26 km.

Fig. 3 shows that the proposed facility meets the spacing requirement of 26 km from any of the nearest protected LPFM opportunities on channel 280. Allowing for rounding, the minimum distance is 25.5 km. Therefore, the new proposal will not preclude any identified

LPFM channel/point licensing opportunity within the Austin Spectrum Available Market Grid.

The new site is within a Spectrum Limited Top-50 Market, but not outside the Market Grid, so no Top-50 Transmitter Site Test is required in the preclusion study according to Appendix B of DA 13-427.

The new site is not within 39 km of any other Market Grids.

Therefore, the new proposal will not preclude any identified LPFM channel/point licensing opportunity within the Austin Spectrum Available Market Grid or, for that matter, in any other Market Grid.