

Dale Bickel

From: Grunewald, Lyndsey <lgrunewald@akingump.com>
Sent: Monday, January 11, 2016 4:14 PM
To: Dale Bickel
Cc: Davidson, Tom; sfinn@wvpublic.org
Subject: FW: WVKM (FM), Matewan, WV, Facility Id 67039 BSTA-20151016AGF
Attachments: EXHIBIT 4.4 - COVERAGE AREA.PDF; EXHIBIT 4.4.1 Zoom.pdf; Exhibit 4.5 - RFR STUDY.PDF

Dale,

Thank you for taking the time to speak with me earlier. As discussed, in returning WVKM(FM) to operation, West Virginia Educational Broadcasting Authority ("WVEBA") was not able to install and operate equipment at the exact location, power level, and antennae height designated in the above-referenced STA. The WVKM is being operated less than 200 ft. from the STA location, at a lower height, and at a reduced power level. To allow WVKM to continue to operate, WVEBA respectfully requests that the STA be modified to allow WVEBA to operate WVKM with the following facilities:

Geographic coordinates: 37° 37' 01.7" N, 82° 10' 06.5" W (NAD 27)
Channel 294 (106.7 MHz)
Effective radiated power: 0.130 kW (H&V) circularly polarized
Antenna height:
 above ground: 6 meters
 above mean sea level: 254 meters
 above average terrain: -140 meters
Tower height: 6 meters

The attached documents, Exhibits 4.4 and 4.4.1, show that the current operations cover Matewan with a 70 dBu coverage contour.

Because the current operation of the station presents a different RFR situation from the approved STA, we are also attaching an RFR study, exhibit 4.5, demonstrating that the peak exposure is 55.1% of the most restrictive General Population or Uncontrolled Exposure exposure threshold. Pursuant to OET Bulletin 65 concerning multiple-user transmitter sites, licensees whose transmitters produce power density levels greater than 5.0% of the exposure limit are considered significant contributors to RFR. The proposed STA is considered a significant contributor to RFR from the antenna site up to 95 feet away which is where the threshold drops below 5% and thus becomes an insignificant contributor to RFR. There are no other sources of RFR within 95 feet of the STA antenna site. Other candidates considered for RFR is an AM broadcast tower and a cellular array mounted to the top of the tower, but they are at least 135 feet from the STA antenna and thus lie within the insignificant RFR region. Therefore, the amended STA application is compliant with the FCC limits for human exposure to RF radiation and thus is excluded from further environmental processing.

Thank you for your assistance and please let me know if you need anything further.

Regards,

Lyndsey M Grunewald
AKIN GUMP STRAUSS HAUER & FELD LLP

Exhibit 4.4 - CP and STA Coverage Area

WVKM-STA

Proposed
 Latitude: 37-37-01.70 N
 Longitude: 082-10-06.50 W
 ERP: 0.13 kW
 Channel: 294
 AMSL Height: 253.9 m
 Horiz. Pattern: Omni

- F(50,50) 60 DBU Protected Contour
- F(50,50) 70 dBu Community of License Contour

Community of License:
 Matewan, WV

WVKM Construction Permit

WVKM Construction Permit

BPH20120604AAI
 Latitude: 37-30-03.60 N
 Longitude: 082-13-39.50 W
 ERP: 0.70 kW
 Channel: 294
 AMSL Height: 796.0 m
 Horiz. Pattern: Omni

Scale 1:490,908



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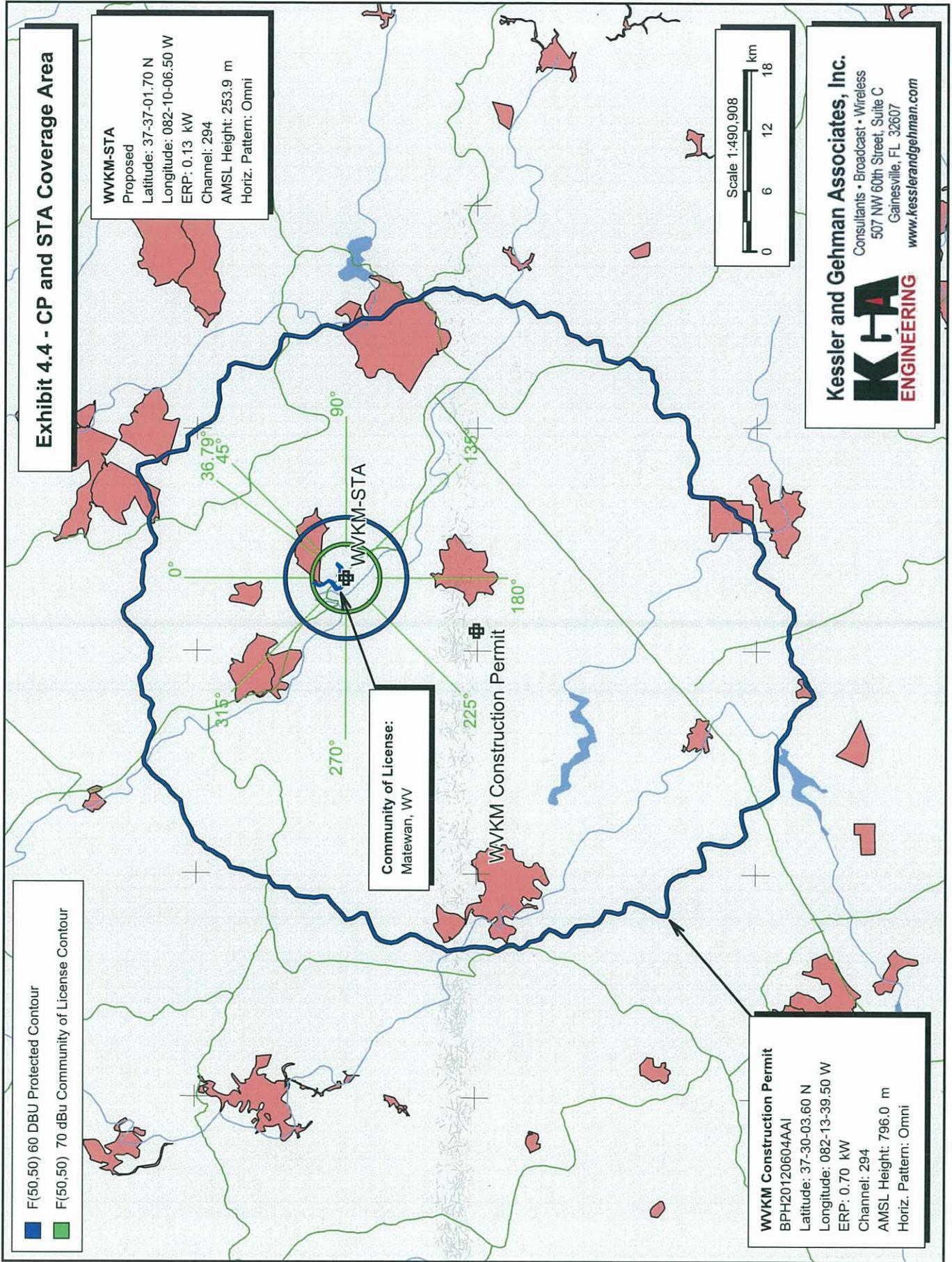


Exhibit 4.4.1 - STA Coverage Area

WVKM-STA

Proposed

Latitude: 37-37-01.70 N

Longitude: 082-10-06.50 W

ERP: 0.13 kW

Channel: 294

AMSL Height: 253.9 m

Horiz. Pattern: Omni

- F(50,50) 60 dBu Protected Contour
- F(50,50) 70 dBu Community of License Contour

Community of License:
Matewan, WV

Scale 1:92,727

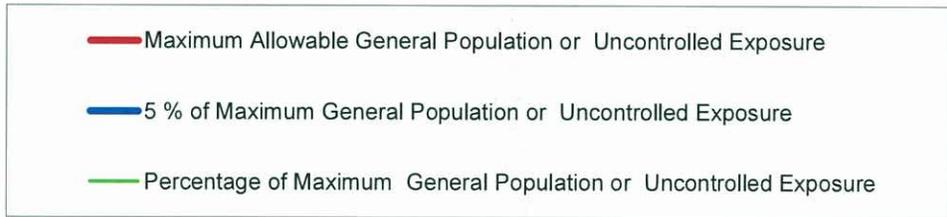
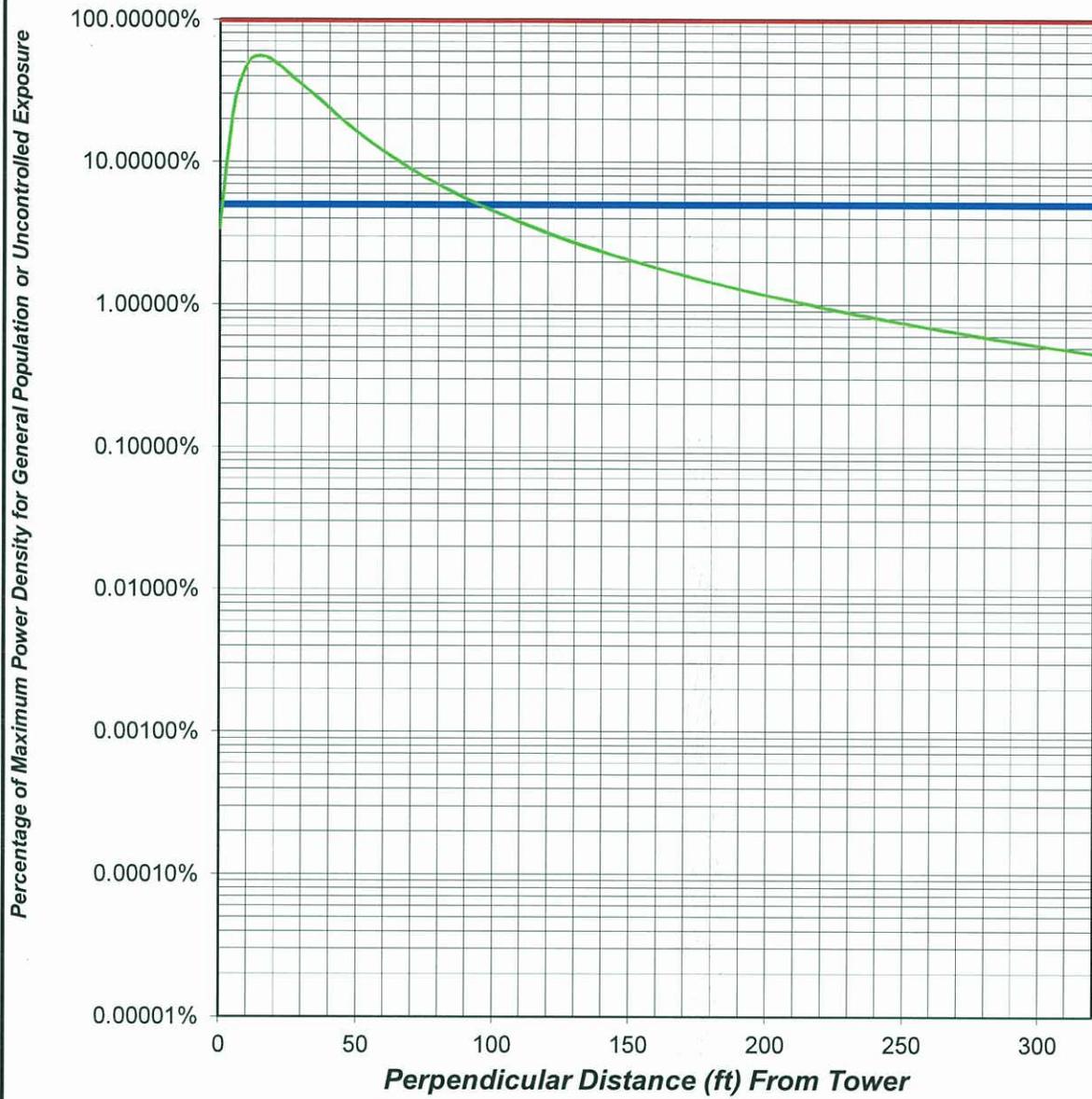


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FAR FIELD EXPOSURE TO RF EMISSIONS



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**WVKM(FM)
 MATEWAN, WV**

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EXHIBIT 4.5