

## **Request for Waiver of 47 C.F.R Section 73.509**

**KCJH, Livingston, CA (FIN: 63466)**

**March 10, 2018**

Your Christian Companion Network, Inc. ("YCCN") requests a Waiver of 47 C.F.R Section 73.509 in order to benefit the public interest by providing an increase ERP and service area for FM station KCJH.

This proposal will not cause any interference to any existing stations, authorizations, applications or allotments. This proposal will result in received 2nd adjacent overlap from FM station KBES, Ceres, CA (FIN: 4938) licensed to Bet Nahrain, Inc. on channel 208A.

This proposal will not cause interference to KBES. The interfering 100dB $\mu$  F(50,10) contour of KCJH will not overlap the protected 60dB $\mu$  F(50,50) contour of KBES. However, the proposed protected contour of KCJH will receive overlap from KBES. Please refer to the Contour Map on the following page.

The area of overlap received described above will be approximately 2.8 km<sup>2</sup> which represents 0.12% of the total area of KCJH's proposed 60 dB $\mu$  F(50,50) which is calculated to be 2,346.8km<sup>2</sup>.

Without the waiver, KCJH would be restricted to .24kW in order to prevent 60 dB $\mu$  F(50,50) contour overlap of the proposal with the 100 dB $\mu$  F(50,10) contour of KBES. At .24kW the 60 dB $\mu$  F(50,50) coverage for KCJH would be 328.7km<sup>2</sup> and would provide 60 dB $\mu$  F(50,50) service to 105,064 persons.

The grant of this waiver request will allow KCJH to increase its overall coverage area by 2,018.1 km<sup>2</sup> which represents an increase of 614%. This proposal will provide service to an additional 314,178 persons.

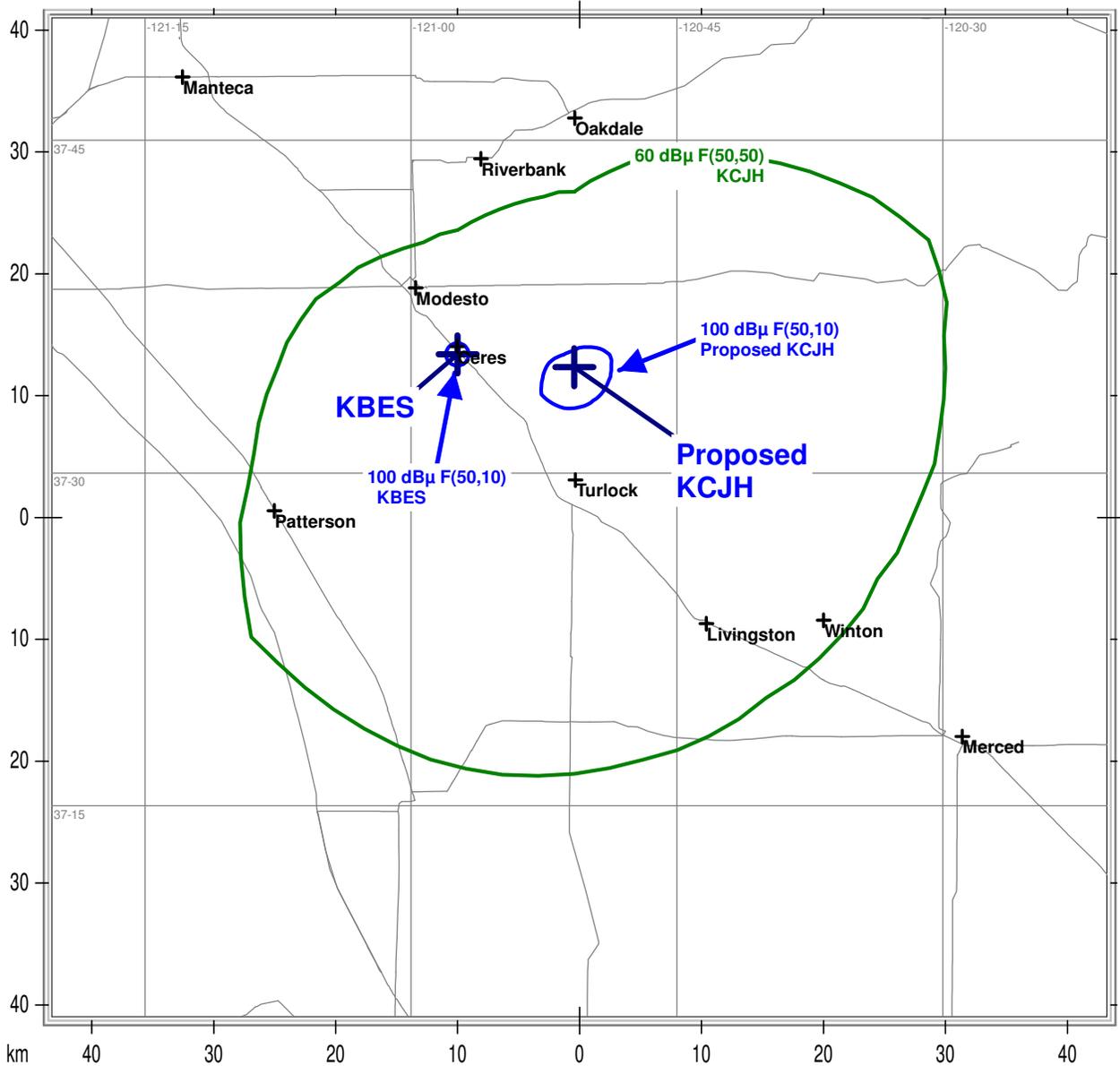
This requested waiver is similar to the waiver requested by the licensees of WCPE(FM) in *Educational Information Corporation*, 6 FCC Red 2207 (1991). WCPE(FM) requested a waiver in its application to permit *de minimus* overlap "received". In recognition of the importance of affording noncommercial educational stations the flexibility to expand and meet the growing demand for service, the Commission granted the waiver request. This proposal fully satisfies the criteria established by the Commission for waiver of Section 73.509 of the Commission's rules as it pertains to overlap received.<sup>1</sup>

Significant service will be maintained and enhanced by the proposed expansion of KCJH, and the overlap area is very small and well within the Commission's waiver policy. Clearly this benefit heavily outweighs the potential for interference in an area that constitutes less than 0.12% (total) of the station's proposed service area. Accordingly YCCN respectfully submits that a waiver of Section 73.509(a) of the Commission's rules is justified in this instance and will be a benefit to the public interest.

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<sup>1</sup> YCCN wishes to emphasize that this request is not similar to the second waiver request made by WCPE in *Educational Information Corporation*, 1997 FCC LEXIS 2636 (may 20, 1997). Unlike here, WCPE was seeking a waiver of overlap "caused" in that second case.

Exhibit 20C. Waiver 73.509 for KBES



ASR# 1015786, 92m, AGL, 95m, HAAT, 13.0 kW, FML-3-DA

State Borders      Highways      Lat/Lon Grid