

**MODIFY BNPFT-20030808ADD**  
**MARCOS RODRIGUEZ**  
**K266AK FM TRANSLATOR STATION**  
**CH 266D - 101.1 MHZ - 0.01 KW**  
**ASPEN, COLORADO**  
**September 2005**

**TECHNICAL STATEMENT**

This technical statement was prepared on behalf of Marcos Rodriguez (“Rodriguez”), permittee of FM translator station K266AK, Aspen, Colorado. This instant application seeks to modify the outstanding permit (BNPFT-20030808ADD) by relocating the transmitter site, increasing the center of radiation above ground and sea level and reducing the effective radiated power. K266AK will re-broadcast the signals of station KMTS, Channel 256C3, Glenwood Springs, Colorado. The proposed translator is outside the protected service contour of KMTS and, as such, is not considered a fill-in translator.

The K266AK antenna system will be mounted on an existing tower less than 200 feet above ground. As such, the Federal Aviation Administration was not apprised of this proposal. While the height of the tower is below that which requires tower registration, the owner of the structure has registered the tower. The structure was assigned Antenna Structure Registration Number 1029228.

Attached as Exhibit A is a study demonstrating that the proposed translator will not cause interference to any full service station, nor will interference be delivered to or received from any

existing FM translator station or LPFM application, with the exception of stations KTUN, Channel 269C1, Eagle, Colorado; KCUF, Channel 263A, El Jebel, Colorado; and K269DS, Aspen, Colorado. See Exhibit A for a discussion of the lack of population in the theoretical interference area.<sup>1</sup> Since the proposed K266AK facility is co-located with other FM translators and proposed LPTV stations, it was not possible to use the radio frequency radiation worksheets associated with FCC Form 349 to demonstrate compliance with the radio frequency radiation rules. Therefore, attached as Exhibit B is a study which shows this proposal is in compliance with the Commission's RF exposure guidelines.

---

1) As will be shown in Exhibit A, the interference to these three facilities is wholly contained in the immediate vicinity of the proposed translator site, which is an unpopulated mountain peak. Therefore, a waiver of §74.1204 is requested with respect to these three facilities.