



(REFERENCE COPY - Not for submission)

Modification of a DTV Station Construction Permit Application

File Number: **BMPEDT-20020523AAT** | Submit Date: **05/23/2002** | Call Sign: **KOOD** | Facility ID: **60675** | FRN:
0002322261 | State: **Kansas** | City: **HAYS**
Service: **DTV** | Purpose: **Minor Modification BPEDT-20000427ACP** | Status: **Granted** | Status Date: **05/30/2002** |
Expiration Date: **06/01/2022** | Filing Status: **InActive**

General Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	

Fees, Waivers, and Exemptions

Section	Question	Response
Waivers	Does this filing request a waiver of the Commission's rule(s)?	
	Total number of rule sections involved in this waiver request:	
	Are the frequencies or parameters requested in this filing covered by grandfathered privileges, previously approved by waiver, or functionally integrated with an existing station?	

**Applicant
Information**

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
SMOKY HILLS PUBLIC TELEVISION, CORP. Applicant Doing Business As: SMOKY HILLS PUBLIC TELEVISION, CORP.	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626	+1 (785) 483-6990	LMINTZMYER@SHPTV. ORG	Other

Authorization Holder Name

Check box if the Authorization Holder name is being updated because of the sale (or transfer of control) of the Authorization(s) to another party and for which proper Commission approval has not been received or proper notification provided.

**Contact
Representatives
(2)**

Contact Name	Address	Phone	Email	Contact Type
DOUGLAS L. VERNIER	TELECOM CONSULTANTS 1600 PICTURESQUE DRIVE CEDAR FALLS, IA 50613-4541 United States	+1 (319) 266- 8402	DVERNIER@V- SOFT.COM	Technical Representative
TODD D. GRAY DOW, LOHNES & ALBERTSON, PLLC	United States	+1 (202) 776- 2571	TGRAY@DLALAW. COM	Legal Representative

Alien Ownership

Question	Response
1) Is the applicant a foreign government or the representative of any foreign government as specified in Section 310(a) of the Communications Act?	
2) Is the applicant an alien or the representative of an alien? (Section 310(b)(1))	
3) Is the applicant a corporation, or non-corporate entity, that is organized under the laws of any foreign government? (Section 310(b)(2))	
4) Is the applicant an entity of which more than one-fifth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any entity organized under the laws of a foreign country? (Section 310(b)(3))	
5) Is the applicant directly or indirectly controlled by any other entity of which more than one-fourth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any entity organized under the laws of a foreign country? (Section 310(b)(4))	
6) Has the applicant received a declaratory ruling(s) under Section 310(b)(4) of the Communications Act?	
7) In connection with this application, is the applicant filing a foreign ownership Petition for Declaratory Ruling pursuant to Section 310(b)(4) of the Communications Act?	

Basic Qualifying Questions

Section	Question	Response
Revoked Application	Has the Applicant or any party to this application had any FCC station Authorization revoked or had any application for an initial, modification or renewal of FCC station Authorization denied by the Commission?	
State or Federal Convictions	Has the Applicant or any party to this application, or any party directly or indirectly controlling the Applicant, ever been convicted of a felony by any state or federal court?	

**Channel and
Facility
Information**

Section	Question	Response
Proposed Community of License	Facility ID	60675
	State	Kansas
	City	HAYS
	DTV Channel	16
	Designated Market Area	WICHITA-HUTCHINSON PLUS
Facility Type	Facility Type	Noncommercial Educational
	Station Type	Main
Zone	Zone	2

**Antenna Location
Data**

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1032644
Coordinates (NAD83)	Latitude	38° 46' 16.0" N+
	Longitude	098° 44' 17.0" W-
	Structure Type	
	Overall Structure Height	342 meters
	Support Structure Height	
	Ground Elevation (AMSL)	561 meters
Antenna Data	Height of Radiation Center Above Ground Level	293 meters
	Height of Radiation Center Above Average Terrain	304 meters
	Height of Radiation Center Above Mean Sea Level	854 meters
	Effective Radiated Power	496 kW

**Antenna
Technical Data**

Section	Question	Response
Antenna Type	Antenna Type	Directional Custom
	Do you have an Antenna ID?	Yes
	Antenna ID	43521
Antenna Manufacturer and Model	Manufacturer:	AND
	Model	ATW26H3-HSTX-16H
	Rotation	0 degrees
	Electrical Beam Tilt	0.75
	Mechanical Beam Tilt	Not Applicable
	toward azimuth	
	Polarization	Horizontal
DTV and DTS: Elevation Pattern	Does the proposed antenna propose elevation radiation patterns that vary with azimuth for reasons other than the use of mechanical beam tilt?	No
	Uploaded file for elevation antenna (or radiation) pattern data	

Directional Antenna Relative Field Values (Pre-rotated Pattern)

Degree	Value	Degree	Value	Degree	Value	Degree	Value
0	0.99	90	0.809	180	0.705	270	0.886
10	0.99	100	0.886	190	0.705	280	0.809
20	0.952	110	0.952	200	0.743	290	0.743
30	0.886	120	0.99	210	0.809	300	0.705
40	0.809	130	0.99	220	0.886	310	0.705
50	0.743	140	0.952	230	0.952	320	0.743
60	0.705	150	0.886	240	0.99	330	0.809
70	0.705	160	0.809	250	0.99	340	0.886
80	0.743	170	0.743	260	0.952	350	0.952

Additional Azimuths

Degree	V _A
65	0.694
5	1
245	1
185	0.694
125	1

**Parties to the
Application (14)**

Party Name	Address	Phone	Email	Positional Interest
STACEY SEIBEL, HAYS, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483- 6990	LMINTZMYER@SHPTV. ORG	Positional Interest: MEMBER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
RANDALL WELLER, HILL CITY, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483- 6990	LMINTZMYER@SHPTV. ORG	Positional Interest: SECRETARY Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
NEIL BARNETT, MORLAND, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483- 6990	LMINTZMYER@SHPTV. ORG	Positional Interest: MEMBER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
MARY ANDERSON, OSBORNE, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483- 6990	LMINTZMYER@SHPTV. ORG	Positional Interest: TREASURER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
JOHN O'LEARY, RUSSELL, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483- 6990	LMINTZMYER@SHPTV. ORG	Positional Interest: MEMBER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %

FRANK MCKINNEY, GREAT BEND, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483-6990	LMINTZMYER@SHPTV. ORG	Positional Interest: MEMBER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
DON TIMMEL, SALINA, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483-6990	LMINTZMYER@SHPTV. ORG	Positional Interest: CHAIRMAN Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
DALE CLARE, GARDEN CITY, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626	+1 (785) 483-6990	LMINTZMYER@SHPTV. ORG	Positional Interest: MEMBER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
BRUCE FRAHM, COLBY, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626	+1 (785) 483-6990	LMINTZMYER@SHPTV. ORG	Positional Interest: MEMBER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
TED BANNISTER, BISON, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483-6990	LMINTZMYER@SHPTV. ORG	Positional Interest: MEMBER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %

TED SAMUELSON, CONCORDIA, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483- 6990	LMINTZMYER@SHPTV. ORG	Positional Interest: MEMBER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
JEAN CAVANAUGH, GREAT BEND, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483- 6990	LMINTZMYER@SHPTV. ORG	Positional Interest: MEMBER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
JOHN DIVINE, SALINA, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483- 6990	LMINTZMYER@SHPTV. ORG	Positional Interest: VICE CHAIRMAN Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %
VIRGIL SCOTT, JR. HAYS, KS	604 ELM STREET PO BOX 9 BUNKER HILL, KS 67626 United States	+1 (785) 483- 6990	LMINTZMYER@SHPTV. ORG	Positional Interest: MEMBER Citizenship: United States Percentage of Votes: % Percentage of Total Assets: %

Attributable Interest

Section	Question	Response
Equity and Financial Interests	Applicant certifies that equity and financial interests not set forth by the applicant parties are non-attributable.	Yes
Other Authorizations	Does the applicant or any party to the application have an attributable interest in any other broadcast station(s).	

**Construction
Permit
Certifications**

Section	Question	Response
<p>Post-Incentive Auction Expedited Processing</p>	<p>It will operate on the DTV channel for this station as established in the post-incentive auction channel reassignment public notice.</p>	
	<p>It will operate post-incentive auction facilities that do not expand the noise-limited service contour in any direction beyond that established by the post-incentive auction channel reassignment public notice.</p>	
	<p>It will operate post-incentive auction facilities that match or reduce by no more than five percent with respect to predicted population from those defined in the post-incentive auction channel reassignment public notice.</p>	
	<p>The antenna structure to be used by this facility has been registered by the Commission and will not require re-registration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely affect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7.</p>	
<p>Environmental Effect</p>	<p>Would a Commission grant of Authorization for this location be an action which may have a significant environmental effect? (See 47 C.F.R. Section 1.1306)</p>	
<p>Broadcast Facility</p>	<p>The proposed facility complies with the applicable engineering standards and assignment requirements of 47 C.F.R. Sections 73.616, 73.622(i), 73.623(e), 73.625, 73.1030, and 73.1125.</p>	<p>Yes</p>

**Legal
Certifications**

Section	Question	Response
Eligibility	The applicant certifies that it is a:	Nonprofit educational institution
	The applicant certifies that the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural, and civic segments of the principal community to be served.	
	The applicant certifies that the Commission has previously granted a broadcast application identified here by file number that found this applicant qualified as a noncommercial educational entity with a qualifying educational program, and that the applicant will use the proposed station to advance a program similar to that the Commission has found qualifying in applicant's previous application.	Yes
	FCC File Number	BLET-96030KF
	The applicant certifies that its governing documents (e.g., articles of incorporation, by-laws, charter, enabling statute, and/or other pertinent organizational document) permit the applicant to advance an educational program and that there is no provision in any of those documents that would restrict the applicant from advancing an educational program or complying with any Commission rule, policy, or provision of the Communications Act of 1934, as amended.	Yes
Character Issues	Applicant certifies that neither applicant nor any party to the application has or had any interest in, or connection with: <ul style="list-style-type: none"> (a) any broadcast application in any proceeding where character issues were left in unresolved or were resolved adversely against the applicant or party to the application; or (b) any pending broadcast application in which character issues have been raised. 	Yes
Adverse Findings	Has the Applicant or any party to this application had an adverse finding or an adverse final action taken by any court or administrative body in a civil or criminal proceeding brought under any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?	Yes
Program Service Certification	Applicant certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.	Yes
Local Public Notice	Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	Yes
Equal Employment Opportunity (EEO)	If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report.	
Holding Period	Applicant certifies that this application does not propose a modification to an authorization that was awarded on the basis of a preference for fair distribution of service pursuant to 47 U.S.C. Section 307(b).	Yes

Applicant certifies that the proposed modification will not downgrade service to the area on which the Section 307(b) preference was based.	
Applicant certifies that although it proposes to downgrade service to the area on which the Section 307(b) preference was based, applicant has provided full service to that area for a period of four years of on-air operations.	
Applicant certifies that this application does not propose a modification to an authorized station that received a credit for superior technical parameters under the point system selection method in 47 C.F.R. Section 73.7003.	Yes
Applicant certifies that the population and area within the proposed service contour (60 dBu (FM) or Noise-Limited (TV)) are greater than or equivalent to those authorized.	

Certification

Section	Question	Response
<p>General Certification Statements</p>	<p>The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).</p>	
	<p>The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR §1.2002(b), for the definition of "party to the application" as used in this certification §1.2002 (c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.</p>	
<p>Authorized Party to Sign</p>	<p>FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID</p> <p>Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application.</p> <p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND /OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, §503).</p>	
	<p>I certify that this application includes all required and relevant attachments.</p>	
	<p>I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.</p>	<p>LLOYD E. MINTZMYER</p> <p>05/23/2002</p>

Attachments

File Name	Uploaded By	Attachment Type	Description
598946_150136.pdf	Applicant	All Purpose	KOOD DTV Coverage
598946_150137.pdf	Applicant	All Purpose	KOOD Distance to Contour Table
598946_150142.pdf	Applicant	All Purpose	KOOD Directional Antenna Pattern - Azimuth Chart
598946_150151.pdf	Applicant	All Purpose	KOOD Vertical Elevation Field Chart
598946_150179.pdf	Applicant	All Purpose	KOOD Vertical Elevation Field Table
598946_150180.pdf	Applicant	All Purpose	KOOD Directional Antenna - D ERP/dBk
598946_150181.pdf	Applicant	All Purpose	KOOD Andrew Trasar Antenna Information 1 of 4
598946_150182.pdf	Applicant	All Purpose	KOOD Andrew Trasar Antenna Information 2 of 4
598946_150185.pdf	Applicant	All Purpose	Andrew Trasar Antenna Information 3 of 4
598946_150188.pdf	Applicant	All Purpose	KOOD Andrew Trasar Antenna Information 4 of 4
598946_150191.pdf	Applicant	All Purpose	RF Hazard Statement for KOOD
598946_74251.txt	Applicant	All Purpose	BROADCAST STATIONS LICENSED TO SMOKY HILLS PUBLIC TV
598946_74252.txt	Applicant	All Purpose	COMPLIANCE WITH SECTION 73.625(C)