

## (REFERENCE COPY - Not for submission) New FM Auxiliary Station Construction Permit Application

 File Number:
 BPH-19980406IC
 Submit Date:
 04/06/1998
 Lead Call Sign:
 WKRK-FM
 Facility ID:
 74473

## FRN: 0034767822

Service: FM AuxiliaryPurpose: Construction PermitStatus: GrantedStatus Date: 07/28/1998Filing Status:Inactive

Total number of rule sections involved in this waiver request:

 (a) any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to

(b) any pending broadcast application in which character issues have been raised.

General Information	Section	Question	Response
	Attachments	Are attachments (other than associated schedules) being filed with this application?	
Fees, Waivers, and Exemptions	Section	Question	Response
	Fees	Is the applicant exempt from FCC application Fees?	No
		Indicate reason for fee exemption:	
		Is the applicant exempt from FCC regulatory Fees?	
	Waivers	Does this filing request a waiver of the Commission's rule (s)?	

Applicant Information	Applicant Name, Type, and Contact Information							
	Applicant	Address	Phone	Email	Applicant Type			
	CLEVELAND RADIO LICENSES, L.L.C. Applicant Doing Business As: CLEVELAND RADIO LICENSES, L.L.C.		600 CONGRESS AVENUE SUITE 1400 AUSTIN, TX 78701 United States	+1 (512) 340- 7800		OTH		
Contact Representatives (0)	Contact Name	Address	Phone	Email C	Contact Typ	e		
Legal Certifications	Section	Question			Response	e		
	Character Issues	Applicant certifies that neither the applicant nor any party to the application has or had any interest in, or connection with:						

the application; or

Adverse Findings	Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any laws related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	
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.	
Local Public Notice	Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	
Operational Compliance	Applicant certifies that it is not the licensee or permittee of the commercial primary station being rebroadcast and that neither it nor any parties to the application have any interest in or connection with the commercial primary station being rebroadcast? See 47 C.F.R. Section 74.1232(d).	
	Applicant certifies that the FM translator's (a) 1mV/m coverage contour does not extend beyond the protected contour of the commercial FM primary station to be rebroadcast, or (b) entire 1mV/m coverage contour is contained within the greater of either: (i) the 2 mV/m daytime contour of the commercial AM primary station to be rebroadcast, or (ii) a 25-mile radius centered at the commercial AM primary station's transmitter site.	
Support Compliance	The applicant, if for a commercial FM translator station with a coverage contour extending beyond the protected contour of the commercial primary station being rebroadcast, certifies that it has not received any support, before or after constructing, directly or indirectly, from the licensee /permittee of the primary station or any person with an interest in or connection with the licensee or permittee of the primary station, except for technical assistance as provided for under 47 C.F.R. Section 74.1232(e).	
Rebroadcast Certification	For applicants proposing translator rebroadcasts that are not the licensee of the primary station, the applicant certifies that written authority has been obtained from the licensee of the station whose programs are to be retransmitted.	
Financial	The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.	
Fair Distribution of Service Pursuant to 47 U.S.C.	Applicant certifies that the proposed station will provide a first rural (reception) service.	
Section 307(b)	<ul> <li>Applicant certifies that:</li> <li>(a) it is a Tribal Applicant, as defined in 47 C.F.R. Section 73.7000;</li> <li>(b) the facilities proposed in this Application will provide Tribal Coverage, as defined in 47 C.F.R. Section 73.7000, of Tribal Lands occupied by the applicant Tribe(s);</li> <li>(c) the proposed community of license is located on Tribal Lands, as defined in 47 C.F.R. Section 73.7000; and</li> <li>(d) the proposed facility would be the first local Tribal-owned noncommercial educational transmission service at the proposed community of license</li> </ul>	
	Applicant certifies that the proposed station will provide a first noncommercial educational aural service to (a) at least 10 percent of the people residing within the station's 60 dBu (1mV/m) service contour and (b) to a minimum of 2,000 people.	

	Applicant certifies that the proposed station will provide a second noncommercial educational aural service, or an aggregated first and second noncommercial educational aural service, to (a) at least 10 percent of the people residing within the station's 60 dBu (1 mV/m) service contour and (b) to a minimum of 2,000 people.	
Auction Authorization	If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable.	
Tribal Priority – Threshold Qualifications	Is the Applicant applying for an FM allotment set forth in a Public Notice announcing a Tribal Threshold Qualifications window?	
Petition for Rulemaking /Counterproposal to Add New FM Channel to FM Table of Allotments	This application is being submitted concurrently with a Petition for Rulemaking or Counterproposal to Amend the FM Table of Allotments (47 C.F.R. Section 73.202) to add a new FM channel allotment. The petitioner/counter- proponent certifies that, if the FM channel allotment requested is allotted, petitioner/counter- proponent will apply to participate in the auction of the channel allotment requested and specified in this application.	

Channel and Facility Information	Section	Question	Response	
	Proposed Community of	State	Ohio	
	License	City	CLEVELAND HEIGHTS	
		Channel	222	
		Frequency	92.3	
	Facility Type	Facility Type	Commercial	
	Station Class	Station Class	В	

Antenna Location Data	Section	Question	Response
	Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
		ASR Number	1014404
	Coordinates (NAD83)	Latitude	41° 30' 48.2" N+
		Longitude	081° 36' 04.5" W-
		Structure Type	
		Overall Structure Height	109 meters
		Support Structure Height	
		Ground Elevation (AMSL)	
	Antenna Data	Height of Radiation Center Above Ground Level	Horizontal:104 meters Vertical:104 meters
		Height of Radiation Center Above Average Terrain	Horizontal:85 meters Vertical:85 meters
		Height of Radiation Center Above Mean Sea Level	Horizontal:314 meters Vertical:314 meters

Effective Radiated Power

Horizontal:8.6 kW Vertical: 8.6 kW

Antenna Technical Data	Section		Question	Question				Response		
	Antenna Ty	Antenna Type		Гуре				Non-Directional		
	Directiona	Directional Antenna Relative Field Value								
	Degree	Value	Degree	Value	Degree	Value	Deg	ree	Value	
	Additional	I Azimuths								
	Degree		Value							
Technical Certifications	Section		Question					Respo	nse	
	Environme	Attal EffectWould 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)								
Certification	Section		Question					Respo	nse	
	General Ce Statements		frequency regulatory previous of otherwise with this a	cant waives any or of the electro power of the Ur use of the same, , and requests a application (See cations Act of 19	magnetic spec nited States be whether by au n Authorization Section 304 of	ctrum as agair ecause of the uthorization or n in accordance the	nst the			
			other part Federal b Act of 198 possessic certificatio exempted 2002(b) o of "party t 1.2002(c) in this app document	cant certifies tha y to the applicati enefits pursuant 38, 21 U.S.C. § 8 on or distribution on does not apply 1 under §1.2002( f the rules, 47 Cl o the application . The Applicant of blication and in the ts incorporated b polication, and are good faith.	on is subject to to §5301 of th 62, because of of a controlled y to application c) of the rules, FR § 1.2002(b " as used in th certifies that all he exhibits, atta y reference ar	o a denial of e Anti-Drug A of a conviction I substance. T as filed in serv 47 CFR . See ), for the defin is certification I statements n achments, or e material, are	buse for his rices e §1. hition e § nade			
	Authorized	Party to Sign	FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAIDUpon 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.WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE							

AND/OR IMPRISONMENT (U.S. Code, Title 18, §1001)

AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND

AND/OR REVOCATION OF ANY STATION

/OR FORFEITURE (U.S. Code, Title 47, §503).

I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.

## Attachments Information not provided.