

# (REFERENCE COPY - Not for submission) Minor Modification of a Licensed Facility for FM Application

 File Number:
 BPH-19980316IE
 Submit Date:
 03/16/1998
 Lead Call Sign:
 WUSL
 Facility ID:
 20349

#### FRN: 0014042816

Service: Full Power FMPurpose: Minor ModificationStatus: GrantedStatus Date: 06/09/1998Filing Status:Inactive

Total number of rule sections involved in this waiver request:

| General<br>Information           | Section     | Question   | Response |
|----------------------------------|-------------|--|----------|
|                                  | Attachments | Are attachments (other than associated schedules) being filed with this application? |          |
|                                  |             |  |          |
| Fees, Waivers,<br>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  | Applicant Name, Type, and Contact Information                          |  |                 |                |       |           |                |
|--|--|--|-----------------|----------------|-------|-----------|----------------|
| Information  | Applicant  |  | Address         |                | Phone | Email     | Applicant Type |
|  | WUSL LICENSE CORP.<br>Applicant<br>Doing Business As: CHANCEL<br>CORP. | LOR MEDIA PA LICENSI                               |                 | 00<br>TX 78701 |       |           | OTH            |
|  |  |  |                 |                |       |           |                |
| Contact<br>Representatives<br>(0)  | Contact Name   | Address  | Phone           | Email          | Coi   | ntact Typ | e              |
| Attributable   | Section  | Question   |                 |                | r     | Response  | a              |
| Interest   |  |  |                 |                |       | Copolia   | •              |
| Equity and Financial<br>InterestsApplicant certifies that e<br>listed in the Parties to th<br>attributable pursuant to<br>73.3555. |  | he Application s                                   | ection are non- |                |       |           |                |
|  | Other Authorizations   | Does the applicant or a attributable interest in a |                 | ••             | an    |           |                |
|  | Broadcast Incubator<br>Program   | Is the proposed facility or a 'reward' waiver rec  | -               |                | oosal |           |                |

Broadcast Incubator Program?

| Multiple Ownership | Is the applicant or any party to the application the holder of<br>an attributable radio joint sales agreement or an attributable<br>radio time brokerage agreement in the same market as the<br>station subject to this application?  |  |
|--------------------|---|--|
|                    | Applicant certifies that the proposed facility complies with the Commission's multiple ownership rules.   |  |
|                    | Applicant certifies that the proposed facility:   |  |
|                    | (a) does not present an issue under the Commission's policies relating to media interests of immediate family members;  |  |
|                    | (b) complies with the Commission's policies relating to future ownership interests; and   |  |
|                    | <ul> <li>(c) complies with the Commission's restrictions relating<br/>to the insulation and non-participation of non-party<br/>investors and creditors.</li> </ul>  |  |
|                    | Does the Applicant claim status as an "eligible entity," that<br>is, an entity that qualifies as a small business under the<br>Small Business Administration's size standards for its<br>industry grouping (as set forth in 13 C.F.R. § 121.201), and<br>holds:   |  |
|                    | <ul> <li>(a) 30 percent or more of the stock or partnership<br/>interests and more than 50 percent of the voting<br/>power of the corporation or partnership that will own<br/>the media outlet; or</li> </ul>  |  |
|                    | <ul> <li>(b) 15 percent or more of the stock or partnership<br/>interests and more than 50 percent of the voting<br/>power of the corporation or partnership that will own<br/>the media outlet, provided that no other person or<br/>entity owns or controls more than 25 percent of the<br/>outstanding stock or partnership interests; or</li> </ul> |  |
|                    | (c) more than 50 percent of the voting power of the<br>corporation that will own the media outlet (if such<br>corporation is a publicly traded company)?  |  |

Legal Certifications

| Section                          | Question   | Response |
|----------------------------------|--|----------|
| Character Issues                 | Applicant certifies that neither the applicant nor any party to<br>the application has or had any interest in, or connection<br>with:  |          |
|                                  | <ul> <li>(a) any broadcast application in any proceeding where<br/>character issues were left unresolved or were<br/>resolved adversely against the applicant or party to<br/>the application; or</li> </ul>   |          |
|                                  | <ul><li>(b) any pending broadcast application in which<br/>character issues have been raised.</li></ul>  |          |
| Adverse Findings                 | Applicant certifies that, with respect to the applicant and any<br>party to the application, no adverse finding has been made,<br>nor has an adverse final action been taken by any court or<br>administrative body in a civil or criminal proceeding brought<br>under the provisions of any laws related to any of the<br>following: any felony; mass media-related antitrust or unfair<br>competition; fraudulent statements to another governmental<br>unit; or discrimination. |          |
| Program Service<br>Certification | Applicant certifies that it is cognizant of and will comply with<br>its obligations as a Commission licensee to present a<br>program service responsive to the issues of public concern<br>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<br>the commercial primary station being rebroadcast and that<br>neither it nor any parties to the application have any interest<br>in or connection with the commercial primary station being<br>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<br>a coverage contour extending beyond the protected contour<br>of the commercial primary station being rebroadcast,<br>certifies that it has not received any support, before or after<br>constructing, directly or indirectly, from the licensee<br>/permittee of the primary station or any person with an<br>interest in or connection with the licensee or permittee of<br>the primary station, except for technical assistance as<br>provided for under 47 C.F.R. Section 74.1232(e).  |  |
| Rebroadcast Certification                             | For applicants proposing translator rebroadcasts that are<br>not the licensee of the primary station, the applicant certifies<br>that written authority has been obtained from the licensee of<br>the station whose programs are to be retransmitted.  |  |
| Financial   | The applicant certifies that sufficient net liquid assets are on<br>hand or that sufficient funds are available from committed<br>sources to construct and operate the requested facilities for<br>three months without revenue.   |  |
| Fair Distribution of Service<br>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<br>Qualifications | Is the Applicant applying for an FM allotment set forth in a<br>Public Notice announcing a Tribal Threshold Qualifications<br>window? |  |
|---|---|--|
| Petition for Rulemaking                       | This application is being submitted concurrently with a   |  |
| /Counterproposal to Add                       | Petition for Rulemaking or Counterproposal to Amend the   |  |
| New FM Channel to FM                          | FM Table of Allotments (47 C.F.R. Section 73.202) to add a  |  |
| Table of Allotments                           | 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<br>License | State         | Pennsylvania |
|                                  | City          | PHILADELPHIA |
|                                  | Channel       | 255          |
|                                  | Frequency     | 98.9         |
| Facility Type                    | Facility Type | Commercial   |
| Station Class                    | Station Class | В            |

### Antenna Location Data

| Section                           | Question  | Response                                     |
|-----------------------------------|---|--|
| Antenna Structure<br>Registration | Do you have an FCC Antenna Structure Registration (ASR) Number? | Yes  |
|                                   | ASR Number  | 1026707                                      |
| Coordinates (NAD83)               | Latitude  | 40° 02' 37.4" N+                             |
|                                   | Longitude   | 075° 14' 30.6" W-                            |
|                                   | Structure Type  |  |
|                                   | Overall Structure Height  | 199 meters                                   |
|                                   | Support Structure Height  |  |
|                                   | Ground Elevation (AMSL)   |  |
| Antenna Data                      | Height of Radiation Center Above Ground Level                   | Horizontal:191 meters<br>Vertical:191 meters |
|                                   | Height of Radiation Center Above Average Terrain                | Horizontal:204 meters<br>Vertical:204 meters |
|                                   | Height of Radiation Center Above Mean Sea Level                 | Horizontal:271 meters<br>Vertical:271 meters |
|                                   | Effective Radiated Power  | Horizontal:27 kW<br>Vertical: 27 kW          |
|                                   | Proposed Allotment or Assignment - Coordinates (NAD83)          | Latitude                                     |
| Longitude                         |   |  |

Antenna Technical Data

| Section      | Question     | Response        |
|--------------|--------------|-----------------|
| Antenna Type | Antenna Type | Non-Directional |

#### **Directional Antenna Relative Field Value**

Value

| Degree | Value | Degree | Value | Degree | Value | Degree | Value |  |
|--------|-------|--------|-------|--------|-------|--------|-------|--|
|--------|-------|--------|-------|--------|-------|--------|-------|--|

#### Additional Azimuths

Degree

## Technical Certifications

Certification

| Section   | Question  | Response |
|---|---|----------|
| Environmental Effect                            | Would a Commission grant of Authorization for this location<br>be an action which may have a significant environmental<br>effect? (See 47 C.F.R. Section 1.1306)  |          |
| Broadcast Facility                              | Does the proposed facility comply with the applicable<br>engineering standards and assignment requirements of 47<br>C.F.R. Sections 73.203, 73.207, 73.213, 73.315, 73.509,<br>73.515, 73.525, and 73.1125?   |          |
| Contour Protection                              | Does the proposed facility request processing pursuant to the contour protection provisions of 47 C.F.R Section 73.215?   | Yes      |
| Community of License<br>Change - Section 307(b) | Is the application being submitted to change the facility's community of license? If 'Yes', an exhibit is required containing information demonstrating that the proposed community of license change constitutes a preferential arrangement of assignments under Section 307(b) of the Communications Act of 1934, as amended (47 U.S.C. Section 307(b)) |          |

| Section                             | Question   | Response |
|-------------------------------------|--|----------|
| General Certification<br>Statements | The Applicant waives any claim to the use of any particular<br>frequency or of the electromagnetic spectrum as against the<br>regulatory power of the United States because of the<br>previous use of the same, whether by authorization or<br>otherwise, and requests an Authorization in accordance<br>with this application (See Section 304 of the<br>Communications Act of 1934, as amended.).  |          |
|                                     | The Applicant certifies that neither the Applicant nor any<br>other party to the application is subject to a denial of<br>Federal benefits pursuant to §5301 of the Anti-Drug Abuse<br>Act of 1988, 21 U.S.C. § 862, because of a conviction for<br>possession or distribution of a controlled substance. This<br>certification does not apply to applications filed in services<br>exempted under §1.2002(c) of the rules, 47 CFR . See §1.<br>2002(b) of the rules, 47 CFR § 1.2002(b), for the definition<br>of "party to the application" as used in this certification §<br>1.2002(c). The Applicant certifies that all statements made<br>in this application and in the exhibits, attachments, or<br>documents incorporated by reference are material, are part<br>of this application, and are true, complete, correct, and<br>made in good faith. |          |

| Authorized Party to Sign | FAILURE TO SIGN THIS APPLICATION MAY RESULT IN<br>DISMISSAL OF THE APPLICATION AND FORFEITURE<br>OF ANY FEES PAID |  |
|--------------------------|---|--|
|                          | 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.   |  |
|                          | 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).   |  |
|                          |   |  |
|                          | I declare, under penalty of perjury, that I am an authorized  |  |
|                          | representative of the above-named applicant for the   |  |

#### Attachments

Information not provided.