

(REFERENCE COPY - Not for submission)  
New Non-Reserved band FM Translator Construction Permit Application

File Number: **BNPFT-20030317CCN** | Submit Date: **03/17/2003** | Lead Call Sign: **W222BH** | Facility ID: **141978** |

FRN: **0015336209**

Service: **FM Translator** | Purpose: **Construction Permit** | Status: **Granted** | Status Date: **07/19/2004** | Filing Status: **Inactive**

General  
Information

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

Applicant  
Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
MILLER COMMUNICATIONS, INC.	P. O. BOX 1269			
Applicant	SUMTER, SC 29157	+1 (803) 775- 2321	HAROLDMILLER@AOL. COM	OTH
Doing Business As: MILLER COMMUNICATIONS, INC.	United States			

Contact  
Representatives  
(1)

Contact Name	Address	Phone	Email	Contact Type
GARY S. SMITHWICK, ESQ.	5028 WISCONSIN AVENUE, NW SUITE 301	+1 (202) 363-4560	GSMITHWICK@FCCWORLD.COM	Legal Representative
SMITHWICK & BELENDIUK, P.C.	WASHINGTON, DC 20016			
	United States			

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?	
6a) Enter the citation of the applicable declaratory ruling by DA/FCC number or the FCC Record citation, release date, or any other identifying information.	

7) Has there been any change in the applicant's foreign ownership since issuance of the declaratory ruling (s) cited in response to Question 6?

7a) Enter the File or Docket Number of the Petition for Declaratory Ruling that the applicant has filed for its foreign ownership in connection with this application pursuant to Section 310(b)(4) of the Communications Act.

8) Does the applicant certify that it is in compliance with the terms and conditions of the foreign ownership declaratory ruling(s) cited in response to Question 6?

9) 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?

Legal  
Certifications

Section	Question	Response
Character Issues	Applicant certifies that neither the applicant nor any party to the application has or had any interest in, or connection with: (a) any broadcast application in any proceeding where character issues were left 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.	
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.	
	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).	
Operational Compliance	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.	
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.	

Channel and

Section	Question	Response
	State	South Carolina

Facility Information

Proposed Community of License

City

Channel

Frequency

SUMTER

278

103.5

Facility Type

Facility Type

Commercial

Antenna Location Data

Section

Question

Response

Antenna Structure Registration

Do you have an FCC Antenna Structure Registration (ASR) Number?

Yes

ASR Number

1044608

Latitude

33° 54' 52.6" N+

Longitude

080° 17' 38.3" W-

Coordinates (NAD83)

Structure Type

Overall Structure Height

183 meters

Support Structure Height

Ground Elevation (AMSL)

44 meters

Antenna Data

Height of Radiation Center Above Ground Level

Horizontal:66 meters Vertical:66 meters

Height of Radiation Center Above Mean Sea Level

Horizontal:110 meters Vertical:110 meters

Effective Radiated Power

Horizontal:0.25 kW Vertical:0.25 kW

Antenna Technical Data

Section

Question

Response

Antenna Type

Antenna Type

Non-Directional

Call Sign

WIBZ

Facility ID

55268

Frequency

95.5

Primary Station

Channel

238

Service Code

FM

City

WEDGEFIELD

State

SC

Delivery Method

Delivery Method

Direct-off-air

If Other, Please specify:

Transmitting Antenna

Manufacturer:

Model

Directional Antenna Relative Field Value

Degree

Value

Degree

Value

Degree

Value

Degree

Value

Additional Azimuths

Degree

Value

Technical Certifications

Section

Question

Response

Environmental Effect

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)

Yes

Proposal Compliance

Does the applicant certify that the proposal is for a fill-in translator or booster?

Does the applicant certify that the proposal complies with Sections 74.1204, 74.1205, 74.1232, 74.1234 and 74.1235?

Interference

Does the applicant certify that the proposed facility complies with the engineering requirements of 47 CFR Section 73.807(a) through (g), 73.825 and 73.827(a)?

Certification

Section

Question

Response

General Certification

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.).

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

Statements

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.

**FAILURE TO SIGN THIS APPLICATION MAY  
RESULT IN DISMISSAL OF THE APPLICATION  
AND FORFEITURE 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.

Authorized Party to  
Sign

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 Authorization(s) specified above.

Information not provided.

Attachments