(REFERENCE COPY - Not for submission) Minor Modification of a FM Translator Station Construction Permit Application

FRN: **0004121000**

Service: FM Translator | Purpose: Minor Modification | Status: Granted | Status Date: 02/18/2009 | Filing Status:

Inactive

| C 1 | Section | Question | Response |
|------------------------|------------------------|--|---|
| General Information | Attachments | Are attachments (other than associated schedules) being filed with this application? | |
| | Section | Question | Response |
| | Fees, Waivers, | Is the applicant exempt from FCC application Fees? | Yes |
| | and Exemptions Fees | Indicate reason for fee exemption: | Noncommercial Educational Licensee or Permittee |
| | | Is the applicant exempt from FCC regulatory Fees? | |
| | Woiner | Does this filing request a waiver of the Commission's rule (s)? | |
| | Waivers | Total number of rule sections involved in this waiver request: | |

Applicant Name, Type, and Contact Information

Applicant Information

Contact

(2)

Representatives

| Applicant | | Address | Phone | | Email | Applicant Type | |
|---|---|---|----------------------|----------------------|----------------------------|-----------------------------|--|
| FOUNDATION | | 5700 WEST OAKS BLVD ROCKLIN, CA +1 (9 | | 6) EFILE@EMFBROADCAS | | ΓING. _{OTH} | |
| Doing Business As: EDUCA | ATIONAI | 95765 | 251-160 | 00 | COM | OIII | |
| MEDIA FOUNDATION | THOWAL | United States | | | | | |
| Contact Name | Address | | Phone | Em | nail | Contact Type | |
| MICHELLE A. HOSIER SIGNAL DEVELOPMENT SPECIALIST | | , CA 95765 | +1 (916) 251-1600 | EFI CO | ILE@EMFBROADCASTING.)M | Technical Representative | |
| DAVID D. OXENFORD, ESQ. DAVIS WRIGHT TREMAINE, LLP | 1919 PENNSYL AVE. NW SUITE 200 WASHING 20006 | | +1 (202) 973-4200 | DA CO | | Legal Representative | |

Legal Certifications

| Section | Question | Response |
|-------------------------|---|----------|
| | 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 | |
| Character Issues | | No |

United States

| | 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 | Yes |
| g | related to any of the following: any felony; mass media- related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination. | |
| | Applicant certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a | |
| Program Service Certification | 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. | |
| | 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 | No |
| Operational | (d). Applicant certifies that the FM translator's (a) 1mV/m | |
| Compliance | 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 | No |
| | commercial AM primary station's transmitter site. The applicant, if for a commercial FM translator station | |
| Support Compliance | 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 | No |
| | 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. | No |
| 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. | |
| | Applicant certifies that the proposed station will provide a first rural (reception) service. | |
| | Applicant certifies that: (a) it is a Tribal Applicant, as defined in 47 C.F.R. Section 73.7000; | |
| | (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); | |
| | (c) the proposed community of license is located on Tribal Lands, as defined in 47 C.F.R. Section 73.7000; and | |
| Fair Distribution of Service Pursuant to 47 U.S.C. Section 307(b) | (d) the proposed facility would be the first local Tribal- owned noncommercial educational transmission service at the proposed community of license | |
| | Applicant certifies that the proposed station will provide | |

| Auction Authorization Tribal Priority – Threshold Qualifications | 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. 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. Is the Applicant applying for an FM allotment set forth in a Public Notice announcing a Tribal Threshold | | | | | |
|--|--|---|--------------------------------|-------------------------------|--|--|
| Petition for Rulemaking /Counterproposal to Add New FM Channel to FM Table of Allotments | Qualifications window? 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. | | | | | |
| Section | Question | | Respon | se | | |
| Proposed Community of License | State City Channel Frequency | Ohio AUBUI 292 106.3 | JRN | | | |
| Facility Type | Facility Type | | Comme | raial | | |
| · · · | | | Comme | | | |
| Section | Question | | | Response | | |
| Antenna Structure Registration Coordinates (NAD83) | Do you have an FCC Antenna Structure (ASR) Number? ASR Number Latitude Longitude Structure Type Overall Structure Height | Yes 1015956 39° 23' 35.2" N+ 084° 36' 23.8" W- | | | | |
| | Support Structure Height Ground Elevation (AMSL) | | | 276 meters | | |
| Antenna Data | Height of Radiation Center Above Groun | | Horizontal: Vertical:82 meters | | | |
| | Height of Radiation Center Above Mean Sea Level Effective Radiated Power | | | | | |
| | | | | | | |
| G 4 | | ъ | | Horizontal: Vertical: 0.01 kW | | |
| Section | Question | Respons | se | | | |
| Antenna Type | Antenna Type | Directio | nal | | | |
| Primary Station | Call Sign Facility ID Frequency Channel Service Code City State | WORI 38459 90.1 211 FM HARRIS | SON | | | |
| Delivery Method | Delivery Method If Other, Please specify: | ff-air | | | | |
| Transmitting Antenna | Manufacturer: Model | | | | | |

Channel and

Facility Information

Antenna

Antenna

Technical Data

Location Data

<u>1296194 5328503.</u> Applicant All Purpose

| Additional Azimuths Degree Value Section Question Response Would a Commission grant of Authorization for this | | Degree Value | Do | gree Value | e Degree | Value | Degree | Value |
|---|----------------|---------------------|---|--|---|--|---------------|------------|
| Degree Value Section Question Ques | | 8 | De | gree vaiu | Degree | v alue | Degree | v aluc |
| Section Question Would a Commission grant of Authorization for this bocation be an action which may have a significant contrommental effect (See 47 C.P.R. Section 1.1506) Does the applicant certify that the proposal complies with Sections 7.4 1204, 74.1205, 74.1232, 74.1234 and 74.1255? Interference Does the applicant certify that the proposal complies with Sections 7.4 1204, 74.1205, 74.1232, 74.1234 and 74.1255? Interference Section Question Does the applicant certify that the proposal complies with Sections 7.4 1204, 74.1205, 74.1235, 74.1234 and 74.1255. Section Question Does the applicant certify that the proposal camplies with Sections 7.4 1204, 74.1205, 74.1235, 74.1234 and 74.1255. Section Question Does the applicant certify that the proposal camplies with Sections 7.4 1204, 74.1205, 74.1235, 74.1234 and 74.1255. Section Question Does the application of the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States became of the previous use of the same, whether by authorization in a accordance with this application (See Section 304 of the Communications Act of 1934, as amended). The Applicant entiries that neither the Applicant run any other party to the application is subject to a denial of Forbert blenetic pussuant to 8520 of the Auth-Drug Abase Act of 1988, 21 U.S.C. § 862, became of a controlled supplication and particular frequency of the Auth-Drug Abase Act of 1988, 21 U.S.C. § 862, became of a controlled supplication and particular frequency of the Auth-Drug Abase Act of 1988, 21 U.S.C. § 862, became of a controlled supplication and particular frequency of the Auth-Drug Abase Act of 1988, 21 U.S.C. § 862, became of a controlled supplication and the establist, attendments, and the application of a controlled supplication and the establist, attendments, and the application of a controlled supplication and the establist, attendments, and this application of party to the application of controlled supplication | | | | _ | | | | |
| ### Would a Cummission grant of Authorization for this location be an action which map have a significant environmental effect? (See 47 C.F.R. Section 1.13(6)) Proposal Cumpliance Proposal Cump | | 0 | | | | | | |
| Environmental Effect Descriptions Environmental Effect Description and Commission grain of Authorization to this bocation be an action which may have a significant curvironmental effect? (See 47 C.F.R. Section 1.1360) Does the applicant certify that the proposal complies with Sections 7.4 1204, 74.1205, 74.1232, 74.1234 and 74.1255. Interference Complies with the engineering requirements of 47 C.F.R. Section 73.807(a) through (a), 73.825 and 73.827(a). Section Ouestion 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 a accordance with this application (See Section 304 of the Communications Act of 1984, as arrended.). The Applicant errifies that neither the Applicant or any other party to the application is subject to a denial of Federal benefits pursuant to \$5301 of the Anti-Drug Abuse Act of 1986, 21 U.S.C. \$60., because of a statements Statements Statements Statements Statements Authorized Party to Statements and this application of apply to applications filed in services exempted under \$1.2002(c) of the rules, 47 C.F.R. See §1.2002(b) of the rules, 47 S.F.R. See §1.2002(b) of the rules, | Гесhnical | Section | _ | | | , e a. | Response | |
| Proposal Compliance Does the applicant certify that the proposal complies with Sections 74.1204, 74.1232, 74.1234 and 74.1235, 74.1235 and 73.827(a)? Interference Does the applicant certify that the proposal facility complies with the configurating requirements of 47 CFR Section 73.807(a) through (g), 73.825 and 73.827(a)? For Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as sagainst the regulatory power of the United States because of the previous use of the same, whether by authorization in accordance with this application (See Section 304 of the Communications Act of 19.34, as amended.) General Certification Statements General Certification Statements General Certification State (PSS) 11.15.6, 28.62, because of states because of the application is subject to a denial of Federal benefits pursuant in §5301 of the Anti-Drug Abuse Act of 1988, 21.12.6, 28.62, because of a poly or of the particular of the subject of the construction of a controlled conviction for possession or distribution of possession of a controlled conviction for possession or distribution of possession or distribution of possession of a controlled conviction for possession or distribution of possession or | Certifications | Environmental Effe | loca env | ation be an action rironmental effec | n which may have at? (See 47 C.F.R. S | a significant Section 1.1306) | | |
| Section 74.1204, 74.1205, 74.1205, 74.1234 and 74.1235, 74.1235 and 74.1235. Does the applicant certify that the proposed facility complies with the engineering requirements of 47 CPR Section 73.807(a) through (gg. 73.825 and 73.827(a))? Section 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 Statues 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 194.4, as amended.). The Applicant certifies that neither the Applicant nor any other party to the applications as subject to a denial of Federal benefits pursuant to \$5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. \$8.62, because of a conviction for possession or distribution of a controlled substance. This certification along the state of the controlled substance. This certification along 2000(b) of the rules, 47 CFR \$8.200(20), for the definition of "party to the applications" as used in this certification of \$1.000(c). The Applicant certifies that all statements made in this application, and are true, complete, correct, and made in good fuith. FAILURE TO SIGN THIS APPLICATION MAY RESULT IS DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID Upon grant of this application, and are true, complete, correct, and made in good fuith. FAILURE TO SIGN THIS APPLICATION MAY RESULT IS DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID Upon grant of this application, the Authorization Holder may be subject to certain constitution or coverage requirements will result in automatic cancellation of the Authorization requested in this application, and are true, complete, correct, and made in good fuith. FAILURE TO SIGN THIS APPLICATION MAY RESULT IS DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID Upon grant of this application, Consult appropriate for requirements will result in automatic cance | | Proposal Compliance | trar | nslator or booster | ? | | | |
| Interference Compiles with the engineering requirements of 47 CFR | | Troposai Comphanc | Sec | etions 74.1204, 74 | | - | tn | |
| 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 they 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 USLS 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 CRS & 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 will result in automatic cancellation of the Authorization or the Authorization or coverage requirements will result in automatic cancellation of the Authorization of the Authorization Constitution or coverage requirements will result in automatic cancellation of the Authorization (U.S. Code, Title 47, \$312(a)(1)), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, \$312(a)(1)), AND/OR FREVOCATION CONTRIBED ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR MIPKISONMENT (U.S. Code, Title 47, \$301, AND/OR REVOCATION CONTRIBED OR AND C | | Interference | con | nplies with the en | ngineering requirer | ments of 47 CFR | | |
| 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 unended.). 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 CR. Se \$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 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 OF COVErage requirements will result in automatic cancellation of the Authorization construction or coverage requirements will result in automatic cancellation of the Authorization Construction or coverage requirements will result in automatic cancellation of the Authorization Properties FCC regulations to determine the construction or coverage requirements will result in automatic cancellation of the Authorization o | Cautification | Section | Qu | estion | | | Response | |
| 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. 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, §3503). I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above. File Name Uploaded Attachment Type Description Upload Status | Certification | | par as a bec auth in a the The other Fed app of t CF app App app doc par | ticular frequency against the regular ause of the previous horization or other coordance with the Communication of Applicant certifier party to the applicant benefits pursuse Act of 1988, eviction for posses astance. This certifications filed in the rules, 47 CFR § 1.2002(b), for polication as used plication and in the truments incorport of this application. | or of the electromatory power of the lous use of the same erwise, and request this application (Sets Act of 1934, as at less that neither the eplication is subject suant to \$5301 of the 21 U.S.C. \$862, be ession or distribution if it is certification does not a services exempted at See \$1.2002(b) or the definition of in this certification hat all statements received by reference at on, and are true, compared to the second are true, and the second are true, compared to the second are true, and t | agnetic spectrum United States e, whether by is an Authorization be Section 304 of mended.). Applicant nor an it to a denial of the Anti-Drug because of a on of a controlled apply to l under §1.2002(c) of the rules, 47 "party to the in § 1.2002(c). The made in this ments, or are material, are | y) | |
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Done with Virus Scan and/or

Conversion

Exhibit 6 - Character Issues

| 1296194_5328508. Applicant | All Purpose | Exhibit 12 - Channel Study | Done with Virus Scan and/or Conversion |
|----------------------------|-------------|---|--|
| 1296194_5328514. Applicant | All Purpose | Exhibit 16 - Environmental Protection | Done with Virus Scan and/or Conversion |
| 1296194 5328603. Applicant | All Purpose | Exhibit 1 - Purpose of this Application | Done with Virus Scan and/or Conversion |