Approved by OMB (Office of Management and Budget) 3060-0027
September 2014

Federal Communications Commission

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

File Number: **BPFT-20190401AAD** | Submit Date: **04/01/2019** | Lead Call Sign: **W228DN** | Facility ID: **156918**

FRN: **0021206529**

Service: **FM Translator** | Purpose: **Minor Modification** | Status: **Granted** | Status Date: **04/16/2019** | 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
Fees	Is the applicant exempt from FCC application Fees?	Yes
	Indicate reason for fee exemption:	NO FEE REQUIRED FOR MINOR MOD
	Is the applicant exempt from FCC regulatory Fees?	
Waivers	Does this filing request a waiver of the Commission's rule (s)?	
	Total number of rule sections involved in this waiver request:	

Applicant Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
EUROPA COMMUNICATIONS, INC. **Applicant** Doing Business As: EUROPA COMMUNICATIONS, INC.	734 CHEMUNG STREET HORSEHEADS, NY 14845 United States	+1 (607) 795-0795	KEVIN@KFITZ.COM	OTH

Contact Representatives (2)

Contact Name	Address	Phone	Email	Contact Type
KEVIN M. FITZGERALD *CHIEF ENGINEER AND PRESIDENT* NYX COMMUNICATIONS, INC.	P.O. BOX 20155 SCRANTON, PA 18502 United States	+1 (570) 750-1330	KEVIN@KFITZ.COM	Technical Representative
JOHN JOSEPH MCVEIGH, ESQ. J.J. MCVEIGH, ATTORNEY AT LAW	16230 FALLS ROAD P.O. BOX 128 BUTLER, MD 21023-0128 United States	+1 (443) 507-5611	KD4VS@COMCAST.NET	Legal Representative

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.	Yes
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.	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.	
Local Public Notice	Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	
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.	
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).	No
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.	Yes
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. Section 307(b)	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 (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 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 License	State	New York
	City	ELMIRA
	Channel	228
	Frequency	93.5
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	1226774
Coordinates (NAD83)	Latitude	42° 07' 51.3" N+
	Longitude	076° 47' 24.8" W-

	Structure Type	
	Overall Structure Height	118 meters
	Support Structure Height	
	Ground Elevation (AMSL)	494 meters
Antenna Data	Height of Radiation Center Above Ground Level	Horizontal:53 meters Vertical:53 meters
	Height of Radiation Center Above Mean Sea Level	Horizontal:547 meters Vertical:547 meters
	Effective Radiated Power	Horizontal:0.195 kW Vertical: 0.195 kW

Antenna Technical Data

Section	Question	Response
Antenna Type	Antenna Type	Directional
Primary Station	Call Sign	WPHD
	Facility ID	71509
	Frequency	96.1
	Channel	241
	Service Code	FM
	City	ELMIRA
	State	NY
Delivery Method	Delivery Method	Other
	If Other, Please specify:	Other
Transmitting Antenna	Manufacturer:	
	Model	

Directional Antenna Relative Field Value

Degree	Value	Degree	Value	Degree	Value	Degree	Value
0	1.0	**90**	0.02	**180**	0.26	**270**	0.02
10	0.98	**100**	0.02	**190**	0.25	**280**	0.03
20	0.923	**110**	0.02	**200**	0.23	**290**	0.185
30	0.84	**120**	0.02	**210**	0.195	**300**	0.41
40	0.735	**130**	0.025	**220**	0.125	**310**	0.6
50	0.6	**140**	0.125	**230**	0.025	**320**	0.735
60	0.41	**150**	0.195	**240**	0.02	**330**	0.84
70	0.185	**160**	0.23	**250**	0.02	**340**	0.923
80	0.03	**170**	0.25	**260**	0.02	**350**	0.98

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 Statements	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 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.	
Authorized Party to Sign	**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. 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.	**KEVIN M. FITZGERALD**

Attachments

File Name	Uploaded By	Attachment Type	Description	Upload Status
1802638_1533914.txt	Applicant	All Purpose	APPLICATION INFORMATION	Done with Virus Scan and/or Conversion

1802638_1533915.txt	Applicant	All Purpose	FILL IN TRANSLATOR STATEMENT	Done with Virus Scan and/or Conversion
1802638_1533916.txt	Applicant	All Purpose	FILL IN TRANSLATOR STATEMENT	Done with Virus Scan and/or Conversion
1802638_1533917.txt	Applicant	All Purpose	TRANSLATOR TO PRIMARY COVERAGE CONTOURS	Done with Virus Scan and/or Conversion
1802638_1533918.txt	Applicant	All Purpose	W228DN 93.5 ELMIRA, NY CRANE INTERFERENCE STUDY NARRATIVE	Done with Virus Scan and/or Conversion
1802638_1533919.txt	Applicant	All Purpose	W228DN, 93.5, ELMIRA, NY CRANE SPACING AND CONTOUR STUDIES	Done with Virus Scan and/or Conversion
1802638_1533920.txt	Applicant	All Purpose	MULTIPLE TRANSLATORS	Done with Virus Scan and/or Conversion
1802638_1533921.txt	Applicant	All Purpose	RF EXPOSURE COMPLIANCE	Done with Virus Scan and/or Conversion
1802638_42424904.pdf	Applicant	All Purpose	Coverage Area Of Primary Station compared to Coverage Area of Proposed Translator	Done with Virus Scan and/or Conversion
1802638_42424905.pdf	Applicant	All Purpose	Translator Interference Study Narrative	Done with Virus Scan and/or Conversion
1802638_42424906.pdf	Applicant	All Purpose	Translator Spacing Study	Done with Virus Scan and/or Conversion
1802638_42424907.pdf	Applicant	All Purpose	Translator Interference Contour Analysis	Done with Virus Scan and/or Conversion
1802638_42424908.pdf	Applicant	All Purpose	Translator Interference Contour Analysis Blown Up to W228DM	Done with Virus Scan and/or Conversion
1802638_42424909.pdf	Applicant	All Purpose	W228DN 93.5 Elmira, NY Crane 74.1204 (d) Narrative	Done with Virus Scan and/or Conversion
1802638_42424910.pdf	Applicant	All Purpose	W228DN 93.5 Elmira Crane Desired to Undesired	Done with Virus Scan and/or Conversion
1802638_42424911.pdf	Applicant	All Purpose	W228DN 93.5 Elmira, NY Crane Geo Sat Map	Done with Virus Scan and/or Conversion
1802638_42424912.pdf	Applicant	All Purpose	Scala CA2-FM/50N Yagi 45 Deg Slant Pattern	Done with Virus Scan and/or Conversion
1802638_42424925.pdf	Applicant	All Purpose	W228DN 93.5 Elmira, NY Crane Minor Change Analysis	Done with Virus Scan and/or Conversion