**Section 2. Buy/Sell Arrangement.**

2.1 Buy-Out Offer. If Burns, Kelly or Morrison desires to terminate his interest and business association with the others in the Company, then such party (the "Terminating Party") shall give written notice thereof (the "Buy-Out Notice") to the other said parties if said other parties then own any Shares (each individually referred to as a "Non-Terminating Party," and collectively the "Non-Terminating Parties"); provided that a Buy-Out Notice may not be given until after the second anniversary of the date hereof. As part of the Buy-Out Notice, the Terminating Party shall specify the price, terms and conditions under which the Terminating Party will sell all of his Shares or will purchase all of the Shares owned by the Non-Terminating Parties (the "Buy-Out Offer"). The Buy-Out Offer shall contain the same terms of sale for both the offer to sell and the offer to buy by the Terminating Party.

2.2 Election to Purchase or Sell. Each Non-Terminating Party receiving the Buy-Out Offer shall have sixty (60) days from receipt of the Buy-Out Offer to give notice (the "Sale/Purchase Notice") to the Terminating Party and, if any, the other Non-Terminating Party in writing of his agreement to: (a) sell to the Terminating Party all of his Shares at the price and upon the terms set forth in the Buy-Out Offer (the "Sale Option") or (b) purchase from the Terminating Party all or, if more than one Non-Terminating Party elects the option under this clause (b), a prorata amount (as

determined in accordance with the second sentence of Section 1.6) of the Terminating Party's Shares together with the Shares of any Non-Terminating Party who elects the Sale Option at the price and upon the terms set forth in the Buy-Out Offer (the "Purchase Option"). If there is more than one Non-Terminating Party and if one Non-Terminating Party either exercises the Sale Option or fails to make an election and the other Non-Terminating Party exercises the Purchase Option, the Non-Terminating Party exercising the Purchase Option shall be deemed to have exercised the Purchase Option with respect to all of the Shares of the Terminating Party as well as all of the Shares of any Non-Terminating Party who elect (or is deemed to have elected) the Sale Option unless such Non-Terminating Party who elected the Purchase Option shall, within seventy-five (75) days after receipt of the Buy-Out Offer and by written notice to the other Non-Terminating Party and the Terminating Party, elect to rescind the Purchase Option and instead elect the Sale Option (the "Rescission Notice"). If any Non-Terminating Party does not elect either of the alternatives set forth in the first sentence hereof within the period set forth therein, then such Non-Terminating Party shall be deemed to have elected the Sale Option.

2.3 Closing. A closing of the purchase and sale of Shares pursuant to the Buy-Out Offer shall occur as set forth in the Buy-Out Offer, but no later than 30 days after the later of (a) the expiration of the period within which the Sale/Purchase Notice or,

if applicable, the Rescission Notice is to be given by the Non-Terminating Parties, or (b) the final order of the Federal Communications Commission consenting to such transfer of ownership of the Company if such consent is required under the Federal Communications Act of 1934 as amended. At the closing, the selling party shall deliver to the purchasing party certificates for his Shares duly endorsed for transfer free from any liens or encumbrances (other than those imposed under federal and state securities laws as to securities) and the purchasing party shall pay the purchase price in accordance with the Buy-Out Offer. The parties agree to take such other action and execute such documents as may be reasonably requested by any party to consummate the transaction in accordance with the provisions of this Agreement and the terms and conditions set forth in the Buy-Out Offer.

2.4 Additional Consideration. In the event there is a sale of the Shares pursuant to any of the provisions of this Section 2 and within one year after the closing of such sale, all or substantially all of the assets or stock of the Company is sold, then the party or parties under this Agreement who previously sold his or their Shares pursuant to this Section 2 within one year preceding such closing shall be entitled to proceeds from such subsequent sale to the extent that the net proceeds from such sale which would have been payable to such party or parties had owned the Shares of the Company which were previously sold under the provisions of this Section 2 exceed the purchase price paid for his

or their shares under this Section 2. The additional consideration paid under this Section 2.4 shall be payable by the party or parties who previously purchased said Shares of the Company under this Section 2 in the same manner as payments are made under the transaction giving rise to the application of this Section 2.4.

**Section 3. Miscellaneous.**

3.1 Rights to Specific Performance. In view of the fact that the Shares subject to this Agreement are shares in a closely held corporation and in view of the purposes of this Agreement, it is agreed that the remedy at law for failure of any party to perform would be inadequate, and that the injured party or parties at his or its option, shall have the right to compel the specific performance of this Agreement in a court of competent jurisdiction.

3.2 Entire Agreement. It is expressly agreed that the provisions of this Agreement set forth the entire agreements between the Company and the Shareholders with respect to the rights and obligations of the Company and the Shareholders.

3.3 Notices. All notices required to be given hereunder shall be transmitted to the following addresses:

If to the Company: Broadcast Properties of La Crosse, Inc.
5500 Wayzata Boulevard, Suite 950
Golden Valley, MN 55416

If to Burns: Charles J. Burns
Central Financial Services, Inc.
5500 Wayzata Boulevard, Suite 950
Golden Valley, MN 55416

If to Kelly: Philip T. Kelly
Communications Properties, Inc.
5490 Saratoga Road
Dubuque, IA 52001

If to Morrison: John M. Morrison
4707 Villa Mare Lane
Naples, FL 33940

or such other address as a party may designate in writing to the other parties hereto.

3.4 Successors and Assigns. This Agreement shall bind and inure to the benefit of the successors, assigns, estates, personal representatives, heirs and legatees of the parties hereto, provided that no benefit shall inure to any person acquiring any interest in violation of the provisions hereof.

3.5 Severability. It is intended that each Section of this Agreement shall be viewed as separate and divisible and, in the event that any Section shall be invalid or unenforceable, the remaining provisions shall not be affected and shall continue in full force and effect.

3.6 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.

3.7 Counterparts. This Agreement may be executed in separate counterparts which shall collectively and separately be considered one and the same Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year first above written.

Charles J. Burns

Philip T. Kelly

John M. Morrison

BROADCAST PROPERTIES OF
LA CROSSE, INC.

By _____
Its Vice President

Exhibit 2

Broadcast Properties of La Crosse Application
Section II 7(C)

On November 16, 1982, the Review Board released a decision reversing the initial decision of John Conlin and denying the application of Communications Properties, Inc. for a new FM station in Fargo, ND in favor of the application of Red River Broadcasting Corporation. The decision was strictly based on comparative attributes of the applicants and not upon disqualifying issues. 92 FCC 2d 45.

Charles J. Burns
50% owner Topeka Broadcomm, licensee of KTPK (106.9) Topeka, KA 33 1/3% owner Broadcast Properties, Inc. licensee of WMVY, Tisbury, MA.
33 1/3% owner Broadcast Properties of La Crosse, Inc., licensee of WLFN and WLXR.

Philip T. Kelly
President Communications Properties, Inc. and 79% shareholder. Corporation owns WDBQ and KLYV Dubuque, IA and KATE and KRGR Albert Lea, MN. 33 1/3% owner Broadcast Properties, Inc. licensee of WMVY, Tisbury, MA. 33 1/3% owner Broadcast Properties of La Crosse, Inc., licensee of WLFN and WLXR.

John Morrison
Limited partner (12.5%) Michigan Center Broadcasting licensee of WGTV Traverse City, MI. 33 1/3% owner Broadcast Properties of La Crosse, Inc., licensee of WLFN and WLXR.

Exhibit 3

Broadcast Properties of La Crosse Application

Section II 9

The applicant will divest all interests in FM station WLXR channel 285 A La Crosse, Wisconsin, upon a grant of the construction permit application for a new FM station on channel 292 C3 La Crosse, Wisconsin.

Exhibit 4

Broadcast Properties of La Crosse Application

Section IV A

Planned programming relating to issues of public concern.

Applicant proposes to cover international, national, and regional issues through the services of Associated Press. Regional and local issues will be covered by the news and programming staffs to serve the needs and interests of the community.

Issues of concern in the service area such as agriculture, environment, housing, and substance abuse will be addressed through special programs.

Programs and services of community need or interest will take precedence over regular programming. Severe weather coverage is an example.

Exhibit 5

Broadcast Properties of La Crosse Application

Section IV - B

1. Philip T. Kelly, President of Broadcast Properties of La Crosse, will work part-time (20 hours per week) on the proposed stations business. Duties will include being a part of national and regional sales planning, purchasing all technical equipment, and if granted, overseeing construction of new station. Additional duties involve participation in station civic activities.

2. (a) NA

   (b) Philip T. Kelly lived in La Crosse WI from 1954-1959.

   (c) NA

   (d) Philip T. Kelly worked at WKTY La Crosse, WI as Announcer Engineer from 1954-1959 and WDBQ-KLYV Dubuque, IA, as Manager, from 1959 to present. Since 1959, he has also been involved in ownership/management of:

| | |
|---|---|
| KATE/KRGR Albert Lea, MN | 1966-present |
| KFGO AM-FM Fargo, ND | 1966-1988 |
| WNFL Green Bay, WI | 1970-1987 |
| WDBC Escanaba, MI | 1966-1978 |
| KHAK AM-FM Cedar Rapids, IA | 1973-1978 |
| KFXD AM-FM Boise, ID | 1981-1984 |

   (e) NA

| Section V-B - FM BROADCAST ENGINEERING DATA | FOR COMMISSION USE ONLY<br>File No. _____<br>ASB Referral Date _____<br>Referred by _____ |
|---|---|

Name of Applicant

**Broadcast Properties of La Crosse, Inc.**

| Call letters *(if issued)* | Is this application being filed in response to a window? [X] Yes [ ] No<br>If Yes, specify closing date: January 21, 1991 |
|---|---|

Purpose of Application: *(check appropriate box(es))*

- [X] Construct a new (main) facility
- [ ] Construct a new auxiliary facility
- [ ] Modify existing construction permit for main facility
- [ ] Modify existing construction permit for auxiliary facility
- [ ] Modify licensed main facility
- [ ] Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- [ ] Antenna supporting-structure height
- [ ] Effective radiated power
- [ ] Antenna height above average terrain
- [ ] Frequency
- [ ] Antenna location
- [ ] Class
- [ ] Main Studio location
- [ ] Other *(Summarize briefly)*

File Number(s) _____

1. Allocation:

| Channel No. | Principal community to be served: | | |
|---|---|---|---|
| | City | County | State |
| 292 | La Crosse | La Crosse | WI |

Class *(check only one box below)*

[ ] A [ ] B1 [ ] B [X] C3
[ ] C2 [ ] C1 [ ] C

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark. 1.8 km north of the intersection of Routes 14, 61 and 35 in La Crosse County, Wisconsin

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

| Latitude | 43° | 46' | 07" | Longitude | 91° | 11' | 55" |
|---|---|---|---|---|---|---|---|

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? [ ] Yes [X] No

If Yes, give call letter(s) or file number(s) or both. _____

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

_____

SECTION V-B – FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates? ☐ Yes ☒ No
If Yes, list old coordinates.

| Latitude ° ' " | Longitude ° ' " |
|---|---|

5. Has the FAA been notified of the proposed construction? ☒ Yes ☐ No
If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available. Exhibit No.

Date January 18, 1991 Office where filed Great Lakes Region

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

| | Landing Area | Distance (km) | Bearing (degrees True) |
|---|---|---|---|
| (a) | La Crosse | 12.0 | N 330°E |
| (b) | | | |

7. (a) Elevation: *(to the nearest meter)*

(1) of site above mean sea level; 351 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 43 meters

(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)] 394 meters

(b) Height of radiation center: *(to the nearest meter)* H - Horizontal; V - Vertical

(1) above ground 38 meters (H)

38 meters (V)

(2) above mean sea level [(a)(1) + (b)(1)] 389 meters (H)

389 meters (V)

(3) above average terrain 119 meters (H)

119 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator. Exhibit No. E-1

9. Effective Radiated Power:
(a) ERP in the horizontal plane
18 kw (H*) 18 kw (V*)

(b) Is beam tilt proposed? ☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field. Exhibit No.

_____ kw (H*) _____ kw (V*)

*Polarization

10. Is a directional antenna proposed? ☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of the relative field. Exhibit No.

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)? ☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service. Exhibit No.

12. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal? ☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125. Exhibit No.

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207? ☒ Yes ☐ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply? ☐ Yes ☐ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers. Exhibit No.

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose. Exhibit No.

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following: Exhibit No.

(1) Protected and interfering contours, in all directions (360°), for the proposed operation.
(2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
(3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
(4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
(5) The official title(s) of the map(s) used in the exhibits(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast *(except citizens band or amateur)* radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference? ☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. *(See 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)* Exhibit No. E

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No. E-2, E-3

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No. E-4

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 3.16 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 4,840 sq. km. Population 139,705

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

[X] Linearly interpolated 30-second database [ ] 7.5 minute topographic map

(Source: NGDC )

[ ] Other *(briefly summarize)*

| Radial bearing (degrees True) | Height of radiation center above average elevation of radial from 3 to 16 km (meters) | Predicted Distances | |
|---|---|---|---|
| | | To the 3.16 mV/m contour (kilometers) | To the 1 mV/m contour (kilometers) |
| * | | | |
| 0 | 104.6 | 22.0 | 37.1 |
| 45 | 101.7 | 21.7 | 36.6 |
| 90 | 80.9 | 19.3 | 33.0 |
| 135 | 78.7 | 19.0 | 32.6 |
| 180 | 107.5 | 22.3 | 37.5 |
| 225 | 145.0 | 25.7 | 42.3 |
| 270 | 182.0 | 28.5 | 46.5 |
| 315 | 152.3 | 26.3 | 43.2 |

*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

20. Environmental Statement *(See 47 C.F.R. Section 1.1301 et seq.)*

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No

If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311. Exhibit No.

If No, explain briefly why not. Proposal does not involve any action specified in Section 1.1307(a)&(b) of the Commission's Rules.

**CERTIFICATION**

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

| Name *(Typed or Printed)* | Relationship to Applicant *(e.g., Consulting Engineer)* |
|---|---|
| S. K. Khanna | Consulting Engineer |
| Signature S. K. Khanna | Address *(Include ZIP Code)* Cohen, Dippell and Everist, P.C. 1300 L Street, N.W., Suite 1100 Washington, D.C. 20005 |
| Date January 18, 1991 | Telephone No. *(Include Area Code)* ( 202 ) 898-0111 |

COHEN, DIPPELL AND EVERIST, P. C.

EXHIBIT E

# ENGINEERING REPORT RE
# APPLICATION FOR A CONSTRUCTION PERMIT
# FOR A NEW FM STATION AT LA CROSSE, WISCONSIN
# CHANNEL 292C3 (106.3 MHZ) 18 KW (H&V) 119 METERS
# JANUARY 1991

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington )
) ss
District of Columbia )

Sudhir K. Khanna, being duly sworn upon his oath, deposes and states:

That he is a graduate electrical engineer, a registered professional engineer in the District of Columbia, and is a Vice President of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

That his qualifications are a matter of record in the Federal Communications Commission;

That the attached engineering report was prepared by him or under his supervision and direction; and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts, he believes them to be true.

S. K. Khanna

Sudhir K. Khanna
District of Columbia
Professional Engineer
Registration No. 8057

Subscribed and sworn to before me this 18th day of January, 1991.

Carol L. Lyons
Notary Public

My Commission Expires:
2/28/93

## Introduction

This engineering report has been prepared on behalf of Broadcast Properties of La Crosse, Inc. in support of its application for a construction permit for a new FM broadcast station at La Crosse, Wisconsin. The FM operation is proposed on Channel 292C3 (106.3 mHz) with 18 kW (H&V) effective radiated power (ERP) and 119 meters antenna height above average terrain (HAAT), equivalent of 25 kW and 100 meters, the maximum permitted for a Class C3 station.

The closing window date for filing of the application has been set for January 21, 1991.

Exhibits requested by Section V-B of FCC Form 301 are included in this engineering report.

## Transmitter Site

The proposed FM antenna will be side-mounted on a new self-supporting tower. The proposed antenna site is located 1.8 km north of the intersection of Routes 14, 61, and 35 in La Crosse County, Wisconsin. The geographic coordinates of the proposed site are as follows:

North Latitude: 43° 46' 07"

West Longitude: 91° 11' 55"

The attached Exhibits E-2 and E-3 show the proposed site on USGS 7.5 minute series topographic map (La Crosse, WIS-MINN).

The following tabulation shows the pertinent data for the proposed installation.

Equipment Data

Transmitter: Type-approved

Antenna: Harris, FMH-4AE, 4-bay, circularly polarized or equivalent

Power Data

| | |
|---|---|
| Power Input to Antenna: | 8.44 kW |
| Antenna Power Gain (H&V): | 2.1322 |
| Effective Radiated Power (H&V): | 18 kW |

Elevation Data

| | |
|---|---|
| Elevation of site above mean sea level | 350.5 meters (351 m) |
| Elevation of the top of supporting structure above ground including antenna | 43 meters |
| Elevation of the top of supporting structure above mean sea level including antenna | 393.5 meters (394 m) |
| Height of antenna radiation center above ground (H&V) | 38.1 meters (38 m) |
| Height of antenna radiation center above mean sea level (H&V) | 388.6 meters (389 m) |
| Height of antenna radiation center above average terrain (H&V) | 119.1 meters (119 m) |

( ) To Nearest Meter

The attached Exhibit E-1 shows a sketch of the proposed antenna supporting structure.

## Allocation Situation

The attached Table I shows the distances to the pertinent co-channel and adjacent channel stations from the proposed FM operation. As indicated, all distances comply with the minimum separation requirements listed under Section 73.207 of the Commission's Rules. The distances were computed using the FCC listed geographic coordinates.

## Topographic Data

The terrain data between 3 to 16 kilometers for the eight radials (each 45 degrees of azimuth starting with true north) was based on the National Geophysical Data Center (NGDC) 30-second data base.

## Contour Data

The distances along these radials to the limits of the 3.16 mV/m (70 dBu) and the 1 mV/m (60 dBu) contours were determined from Figure 1, Section 73.333 of the Commission's Rules and are shown on the attached Table II. The 3.16 mV/m and the 1 mV/m contours are shown on the attached map (Exhibit E-4).

## Population and Area Data

The proposed 1 mV/m (60 dBu) contour was transferred to U.S. Census minor civil division maps of Wisconsin, Iowa, and Minnesota, and the population was counted using the 1980 census

data. Where the 1 mV/m contour included only a portion of a minor civil division, uniform distribution of the population exclusive of cities and towns was assumed. The proportionate population served within the contour and cities and towns within the contour was included in the total. The area of the 1 mV/m contour was measured with a polar planimeter using the original map. The proposed FM operation would provide service to 4,840 square kilometers area and 139,705 people (1980 census) within its 1 mV/m contour.

FAA Data

The FAA has been notified of the proposed construction of a new tower by mailing an FAA Form 7460-1 to the Great Lakes Regional office.

Main Studio Location

The main studio will be located within the 3.16 mV/m contour.

Other Radio Stations

There are no full service TV stations located within 10 km of the proposed FM site. There are three FM broadcast stations authorized within 10 km of the proposed site. These stations are WLSU, Channel 205C2 (88.9 mHz); WQJY, Channel 261A (100.1 mHz); and WLXR, Channel 285A (104.9 mHz). There is potential

of receiver induced intermodulation products on FM channels 230 (93.9 mHz); 278 (103.5 mHz); 299 (107.7 mHz); and TV Channel 4 (66-72 mHz).

In case of a problem to any authorized broadcast, non-broadcast facilities or radio receivers, the applicant would take the necessary remedial steps to resolve the intermodulation interference.

Blanketing Contour

The proposed blanketing contour (115 dBu) based on an ERP of 18.0 kW will extend 1.7 km from the site. The applicant will comply with all the pertinent requirements of Section 73.318 of the FCC Rules and Regulations.

Environmental Statement

According to the applicant the proposed transmitter site is not located in an officially designated wilderness area or wildlife preserve. The proposed facilities will not affect any threatened or endangered species and their critical habitats. The proposed facilities will also not affect Indian religious sites.

The proposed facilities are not located in a flood plain area. The construction of the tower as well as the transmitter building will require some excavation. The dirt removed will be distributed uniformly in the area and site will be restored

to its original condition as close as possible. Therefore, the construction of an FM facility at the proposed site does not involve significant changes in the surface features.

The proposed facilities will not affect any known districts, sites, buildings, structures, or objects significant in American history, architecture, archaeology, engineering or culture.

It is not proposed to equip the antenna tower with high intensity white lights.

An evaluation has been made to determine compliance with the FCC specified standards for human exposure to RF radiation as set forth in the OST Bulletin No. 65 dated October 1985. For a maximum combined effective radiated power of 36 kW (horizontal plus vertical polarization) and a radiation center of 38.1 meters above ground level, the proposed FM operation would have a maximum of 923 microwatts per square centimeter ($uW/cm^2$) at 2 meters above the base of the tower. This determination is based on maximum power being radiated toward ground near the tower (antenna relative field factor of 1). A typical 4-bay FM antenna has a relative field factor of approximately 0.3 toward ground. Therefore, the actual radiation toward ground would be substantially below the above computed value. The ANSI standard for the FM band is 1000 $uW/cm^2$.

Therefore, members of the public and personnel working around the proposed transmitting facility will not be exposed to levels above those prescribed by ANSI. Appropriate warning signs will be posted on the tower. With respect to work performed on the tower structure, the proposed station will establish procedures to ensure that workers are not exposed to levels of radio frequency radiation in excess of the "Radio Frequency Protection Guides" recommended in "American National Standard Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 300 kHz to 100 GHz", (ANSI C95.1-1982) issued by the American National Standards Institute (ANSI).

For the reasons stated above, the proposed FM operation does not involve any action specified in Section 1.1307(a)&(b) of the Commission's Rules; therefore, under Section 1.1306, it is categorically excluded from environmental processing.

COHEN, DIPPELL AND EVERIST, P. C.

TABLE I
FM ALLOCATION SITUATION
FOR CHANNEL 292C3 OPERATION AT
LA CROSSE, WISCONSIN
JANUARY 1991

| Channel | Call | City/State | Geographic Coordinates | Separation | |
|---|---|---|---|---|---|
| | | | | Actual km | Required km |
| 292C3 | Proposed | La Crosse, WI | N 43°46'07" W 91°11'55" | -- | -- |
| 289C | KOKC | Waterloo, IA | N 42°24'35" W 92°05'10" | 167.4 | 96 |
| 290C2 | KWNG CP | Redwing, MN | N 44°29'15" W 92°13'56" | 115.0 | 56 |
| 291C1 | KLSS-FM | Mason City, IA | N 43°08'31" W 93°06'40" | 169.7 | 144 |
| 292A | WWQM-FM | Middleton, WI | N 43°03'01" W 89°29'15" | 159.9 | 142 |
| 293C1 | WLJY | Marshfield, WI | N 44°38'41" W 89°51'11" | 145.1 | 144 |
| 294A | WFDL | Lomira, WI | N 43°36'06" W 88°32'27" | 215.1 | 42 |
| 295C | KROC-FM | Rochester, MN | N 43°34'15" W 92°25'37" | 101.5 | 96 |
| 238C | None within 100 km | | -- | -- | 35 |
| 239C2 | WSPL | La Crosse, WI | N 43°37'58" W 91°17'06" | 16.6* | 17 |

* When rounded to nearest km as per Section 73.208(c), the actual separation (16.6 km) meets the required distance of 17 km.