

ORIGINAL

9/08/91 MA

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

AUG 7 3 15 PM '91

RECEIVED

AUG 6 1991

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Application of)
James Killinger Cornick)
_____))

File No.
BPH-910311MA

For Construction Permit for
a New FM Station on Channel 278A
at Marion, Virginia

To: Chief, FM Branch

RECEIVED

AUG 07 1991

FM EXAMINERS

**Petition for Leave
to Amend and Amendment**

James Killinger Cornick ("Cornick"), by his attorneys and pursuant to 47 C.F.R. § 73.3522(a)(2), hereby seeks leave to submit the attached amendment to establish that Cornick's application qualifies for processing under 47 C.F.R. § 73.215. Cornick states the following:

I. Introduction

Good cause exists for acceptance of Cornick's amendment. By way of background, Cornick filed his application on March 11, 1991. In his application, Cornick included an exhibit requesting processing under 47 C.F.R. § 73.215. Cornick's exhibit (and entire application) met the tenderability criteria set forth in Processing of FM Applications, 65 R.R. 2d 1663 (1989), including the tenderability criteria for processing under § 73.215.

The Commission found Cornick's application to be tenderable on May 10, 1991 (Report No. 14991, Mimeo No. 13012). The

Commission accepted Cornick's application for filing on May 29, 1991 (Report No. NA-148, Mimeo No. 13247.^{1/} Mutually exclusive applicant Cope II Broadcasting Partners ("Cope II") subsequently filed a Petition to Dismiss or Deny Cornick's application because Cornick's contour protection map was in error, and, according to Cope II, prohibited contour overlap would occur between WIMZ and Cornick's proposed station.

Cornick seeks leave to amend to correct the error and to show that his application, as amended, does qualify for treatment under 47 C.F.R. § 73.215. The Bureau should accept Cornick's amendment under the "good cause" standard; the Commission's policy, as quoted below, is that once an application is accepted for filing, errors subsequently found may be corrected by amendment. Cornick merely seeks to submit such an amendment.

II. The Bureau Should Accept Cornick's Amendment

The Commission has a clear policy concerning applications that are accepted for filing, but are subsequently found not to be grantable:

If an application is accepted for filing but is subsequently found not to be grantable, the applicant, if not mutually exclusive with other applicants, will be given one opportunity to correct the application. If the acceptable but not grantable application is mutually exclusive, an appropriate issue will be specified in the

^{1/} Cornick paid his hearing fee on July 15, 1991.

Hearing Designation Order, or a post-designation amendment, if appropriate, will be required.

Statement of New Policy Regarding Commercial FM Applications That Are Not Substantially Complete Or Are Otherwise Defective, 65 RR 2d 1664, 1666 (1989) ("Statement").

Cornick merely asks for the opportunity to show in the attached amendment that his application does qualify for processing under § 73.215. Cornick's amendment should be accepted under the "good cause" test set forth in Erwin O'Connor Broadcasting Co., 22 F.C.C. 2d 140 (Rev. Bd. 1970). First, the amendment is not the result of a voluntary act; the amendment is necessary for Cornick's application to comply with § 73.215. Second, the amendment does not confer any comparative advantage on Cornick; the amendment relates solely to Cornick's basic qualifications. Third, the need for the amendment was not foreseeable; Cornick's consulting engineer relied on faulty data from a database that, for whatever reason beyond Cornick's control, was erroneous. See Attached Declaration of James E. Price. Fourth, the amendment will not disrupt this proceeding; no hearing has yet been designated. Fifth, Cornick has been diligent. As soon as the error was brought to Cornick's attention, Cornick's engineer obtained the correct data and prepared the amendment. Last, no other applicant will suffer any prejudice. Cornick merely seeks to show that his application does qualify for processing under § 73.215.

Thus, good cause does exist for the acceptance of Cornick's amendment.

III. Conclusion

Wherefore, James Killinger Cornick respectfully requests that the Bureau accept his enclosed amendment.

Respectfully submitted,

By: 

William H. Crispin
Dean R. Brenner
VERNER, LIIPFERT, BERNHARD,
McPHERSON and HAND, Chartered
901 15th Street, N.W.
Suite 700
Washington, D.C. 20005-2301

Attorneys for James Cornick

DECLARATION OF JAMES E. PRICE

JAMES E. PRICE hereby declares as follows:

1. I am holder of a valid General Radio Telephone Operator's License, No. PG-6-22427, issued for life;

2. I have been a member of the Society of Broadcast Engineers since 1978;

3. That I am employed as a staff engineer with the firm of STERLING COMMUNICATIONS, INC., of Chattanooga, Tennessee, specializing in matters relating to the utilization of broadcast radio frequency allocations and the associated RF transmission systems;

4. That STERLING has been retained by James Killinger Cornick (BPH-910311MA), applicant for a new commercial FM broadcast station at Marion, Virginia, for the purpose of assistance in preparing his application for submission to the Federal Communication Commission;

5. That I downloaded by means of a computer, a terrain study on WIMZ Knoxville, Tennessee, which used data obtained from the NGDC. The terrain study was used to prepare an exhibit for inclusion in the application for construction permit. The purpose of the exhibit was to support a request for processing of the application under Section 73.215 of the Rules.

6. That I received a telephone call from Cornick on July 3, 1991. Cornick reported that the competing applicant indicated that there was a problem with the exhibit, specifically with regard to WIMZ.

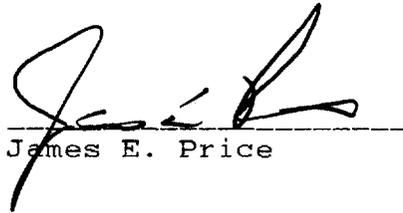
7. That I ran the program again, using the identical specification used in the application. The result of the terrain study did, however, confirm that the original terrain study with

regard to WIMZ contained an error.

8. That I immediately began preparation of an amendment to the application.

9. That all information presented herein is true to the best of my knowledge, information, and belief.

I DECLARE under penalty of perjury that the foregoing is true and correct. Executed on July 31, 1991.



James E. Price

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

For COMMISSION Fee Use Only	FEE NO: AUG 7 3 16 PM '91	For APPLICANT Fee Use Only
	FEE TYPE: AUDIO SERVICES	Is a fee submitted with this application? <input type="checkbox"/> Yes <input type="checkbox"/> No
	FEE AMT:	If fee exempt (see 47 C.F.R. Section 1.1112), indicate reason therefor (check one box): <input type="checkbox"/> Noncommercial educational licensee <input type="checkbox"/> Governmental entity
	ID SEQ:	FOR COMMISSION USE ONLY
		FILE NO.

Section I - GENERAL INFORMATION

1. Name of Applicant James Killinger Cornick			Send notices and communications to the following person at the address below:		
Street Address or P.O. Box P.O. Box 85			Name James Cornick		
City Marion	State VA	ZIP Code 24354	City Marion	State VA	ZIP Code 24354
Telephone No. (include Area Code) (703) 783-5126			Telephone No. (include Area Code) (703) 783-5126		

2. This application is for: AM FM TV

(a) Channel No. or Frequency 278A	(b) Principal Community Marion	City Marion	State VA
---	--	-----------------------	--------------------

(c) Check one of the following boxes:

- Application for NEW station
- MAJOR change in licensed facilities; call sign: _____
- MINOR change in licensed facilities; call sign: _____
- MAJOR modification of construction permit; call sign: _____
File No. of construction permit: _____
- MINOR modification of construction permit; call sign: _____
File No. of construction permit: _____
- AMENDMENT to pending application; Application file number: **BPH-910311MA**

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application? Yes No

If Yes, state:

Call letters	Community of License	
	City	State

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

Name of Applicant
 James Killinger Cornick

Call letters (if issued) (NEW)	Is this application being filed in response to a window? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, specify closing date: <u>March 14, 1991</u>
-----------------------------------	---

Purpose of Application: (check appropriate boxes)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Construct a new (main) facility | <input type="checkbox"/> Construct a new auxiliary facility |
| <input type="checkbox"/> Modify existing construction permit for main facility | <input type="checkbox"/> Modify existing construction permit for auxiliary facility |
| <input type="checkbox"/> Modify licensed main facility | <input type="checkbox"/> 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.

- | | |
|---|--|
| <input type="checkbox"/> Antenna supporting-structure height | <input type="checkbox"/> Effective radiated power |
| <input type="checkbox"/> Antenna height above average terrain | <input type="checkbox"/> Frequency |
| <input type="checkbox"/> Antenna location | <input type="checkbox"/> Class |
| <input type="checkbox"/> Main Studio location | <input type="checkbox"/> Other (Summarize briefly) |

File Number(s) BPH-910311MA

1. Allocation:

Channel No.	Principal community to be served:			Class (check only one box below)
278	City	County	State	<input checked="" type="checkbox"/> A <input type="checkbox"/> B1 <input type="checkbox"/> B <input type="checkbox"/> C3 <input type="checkbox"/> C2 <input type="checkbox"/> C1 <input type="checkbox"/> C
	Marion	Smyth	VA	

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.

SR 622, 7.08 kilometers at 63.51 degrees from the Marion, Smyth County, Virginia, reference point.

(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	36°	52'	00"	Longitude	81°	26'	38"
----------	-----	-----	-----	-----------	-----	-----	-----

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? Yes 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 3)

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.
E-2

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-2

(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.
E-2

- (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 exhibit(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.

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-3*

on file,
no change,
BPH-910311MA

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 419.13 sq. km. Population 27134

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)*

Linearly Interpolated 30-second database 7.5 minute topographic map

(Source: NGDC)

Other *(briefly summarize)*

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 8 to 16 km (meters)	Predicted Distances	
		To the 8.16 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
* 244	See Exhibit E-5		
0			
45			
90			
135			
180			
225			
270			
315			

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

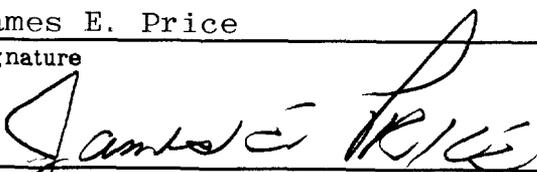
20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

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.

If No, explain briefly why not.
The proposed construction does not require any action covered by 1.1307 of the Rules. ANSI standards regarding non-ionizing radiation would not be exceeded. See ANSI Exhibit CERTIFICATION E-6.

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)
James E. Price	Technical Consultant
Signature	Address (Include ZIP Code)
	Sterling Communications, Inc. P.O. Box 80484 Chattanooga, TN 37411-7484
Date	Telephone No. (Include Area Code)
July 23, 1991	(615) 899-9393



U.S. Department
of Transportation

Eastern Region

Fitzgerald Federal Building
John F. Kennedy
International Airport
Jamaica, New York 11430

Federal Aviation
Administration

ACKNOWLEDGEMENT OF NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

CITY	STATE	LATITUDE/LONGITUDE	MSL	AGL	AMSL
MARION	VA	36-52-00.00 081-26-38.00	2280	320	2600

JAMES K. CORNICK
STERLING COMMUNICATIONS, INC.
P.O. BOX 80484
CHATTANOOGA, TN 37411-7484

AERONAUTICAL STUDY
No: 91-AEA-0416-OE

Type Structure: ANTENNA TOWER 103.5 MHZ 6 KW ERP ONLY

The Federal Aviation Administration hereby acknowledges receipt of notice dated 03/06/91 concerning the proposed construction or alteration contained herein.

A study has been conducted under the provisions of Part 77 of the Federal Aviation Regulations to determine whether the proposed construction would be an obstruction to air navigation, whether it should be marked and lighted to enhance safety in air navigation, and whether supplemental notice of start and completion of construction is required to permit timely charting and notification to airmen. The findings of that study are as follows:

The proposed construction would not exceed FAA obstruction standards and would not be a hazard to air navigation. However, the following applies to the construction proposed:

The structure should be obstruction marked and lighted per FAA Advisory Circular AC 70/7460-1, 'Obstruction Marking and Lighting'. CHAPTERS: -3 -4 -5 -6 -7 -8 -9.

Supplemental notice is required at least 48 hours before the start of construction and within five days after construction reaches its greatest height (use the enclosed FAA form).

This determination expires on 10/18/91 unless application is made, (if subject to the licensing authority of the Federal Communications Commission), to the FCC before that date, or it is otherwise extended, revised or terminated.

If the structure is subject to the licensing authority of the FCC, a copy of this acknowledgement will be sent to that Agency.

NOTICE IS REQUIRED ANYTIME THE PROJECT IS ABANDONED OR THE PROPOSAL IS MODIFIED

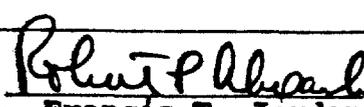
SIGNED  Specialist, Systems Management Branch
Francis T. Jordan (718)917-1230/1228
ISSUED IN: Jamaica, New York ON 04/18/91

Exhibit E-2 (Amended 07/91)
James K. Cornick
Marion, Virginia
Request For Processing Under FCC R&R 73.215

The Commission assigned FM Channel 278A to Marion, Virginia, in a Report And Order (Docket 90-412), Released December 26, 1990. The assignment became effective February 11, 1991. The filing window opened February 12, 1991, and closes March 14, 1991.

The applicant hereby requests processing under Section 73.215 of the Rules. In support of this request, the following is shown:

(1) The Marion, Virginia, assignment was made with a site restriction 13.5 kilometers northeast to avoid a short-spacing to WIMZ Knoxville, Tennessee. The Commission substituted FM Channel 237A for FM Channel 276A, assigned to Rural Retreat, Virginia, at the transmitter site specified in the construction permit of WCRR Rural Retreat, Virginia.

(2) The applicant's proposed transmitter site meets the distance separation requirements of Section 73.207 of the Commission's Rules with the exception of WIMZ Knoxville, Tennessee. The applicant's proposed transmitter site is located 219.88 kilometers from co-channel WIMZ Knoxville, Tennessee. The required separation is 226 kilometers.

(3) Marion, Virginia, is located in the Appalachian Mountains. Much of the area in which a fully spaced transmitter site may be located is within the Jefferson National Forest. This area is further limited by the need to provide line-of-site and city grade coverage to the community.

(4) The site chosen by the applicant is on private property. It is owned by the applicant's father, and there is no question regarding the availability of the proposed transmitter site.

(5) The proposed site will permit unobstructed city grade coverage to 98.22 percent of Marion, Virginia.

(6) The site is level. Extensive grading or fill will not be necessary.

(7) Electric power and telephone service is available at the site.

(8) The site is accessible the year around via SR 622. SR 622 is paved and maintained by the State Of Virginia.

Figure 1 of this exhibit is an FM separation map showing each facility and assignment receiving consideration. Figures 2, 3, and 4 are furnished to identify the facilities shown on the separation map.

Figures 5 & 6 are furnished to show that there is no overlap of the 60 and 40 dBu contours of the proposed new Marion, Virginia, facility, and WIMZ Knoxville, Tennessee. Shown are the protected (60 dBu) and interfering (40 dBu) contours, in all directions, for the proposed facility, and the protected and interfering contours, over pertinent arcs, for WIMZ. The transmitter site for the proposed new Marion, Virginia, facility, and the transmitter site for WIMZ have been plotted on Figure 5. Both maps, Figures 5 & 6, include a scale of kilometers and lines of longitude and latitude so the location of the transmitter sites may be verified. Figure 7 is a tabulation of the contour calculations for WIMZ.

Request For Waiver of 73.315

The proposed facility will cover 98.22 percent of Marion, Virginia, with a 70 dBu signal. Figure 8 of this exhibit shows the area of Marion outside the 70 dBu contour. Within the 1.78 percent (0.2 square kilometers) of Marion outside the 70 dBu contour, there resides approximately one-hundred twenty-five (125) persons, or 1.7 percent of the population of Marion, Virginia.

Based upon the foregoing, the applicant respectfully requests that the Commission waive Section 73.315 of its Rules to the extent necessary to permit a grant of the instant application.

IDENTIFICATION OF FACILITIES FOR FM SEPARATION MAP

MARION VA : 910703 :

REFERENCE POINT: N LAT 36-52-00 W LNG 81-26-38

COMMERCIAL FM SEPARATION STUDY FOR CHANNEL 278 A
(FREQUENCY 103.5 MHZ.)

CHAN	CALL	CITY AND STATE	CL	TYP	N LAT	W LNG	D(km)	D(mi)	AZIMUTH	ERP	HAAT(M)	REQ'D SEP., KM
275C3		Clarkesville GA	C3	AD	34-30-00	83-30-00	321.86	199.99	215.81	0	0	41.5 km.
275A		Clarkesville GA	A	DE	34-38-09	83-36-52	315.92	196.3	218.93	0	0	30.5 km.
275A		Clarkesville GA	A	AS	34-36-36	83-31-12	312.99	194.48	217.36	0	0	30.5 km.
275A	WMJE	Clarkesville GA	A	CP	34-33-49	83-38-26	323.74	201.16	218.4	1.8	125	30.5 km.
275A		West Liberty KY	A	AS	37-55-24	83-15-30	198.92	123.6	306.79	0	0	30.5 km.
275A	NEW	West Liberty KY	A	AP	37-55-36	83-16-35	200.42	124.54	306.61	6	100	30.5 km.
275A	NEW	West Liberty KY	A	AP	37-55-33	83-13-55	197.2	122.53	307.25	6	100	30.5 km.
275A		Mount Vernon KY	A	AS	37-23-32	84-25-59	271.95	168.98	283.34	0	0	30.5 km.
275A	NEW	Mount Vernon KY	A	CP	37-21-32	84-27-40	273.68	170.06	282.47	2.5	106	30.5 km.
275A		Raleigh NC	A	AS	35-48-31	78-37-56	278.4	172.99	114.2	0	0	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-50-18	78-36-41	278.68	173.16	113.42	3	100	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-50-59	78-36-56	277.81	172.62	113.22	3	100	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-50-47	78-38-38	275.65	171.28	113.51	3	98	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-49-08	78-36-58	279.22	173.5	113.86	3	100	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-49-58	78-40-39	273.55	169.98	114.07	3	100	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-50-47	78-38-38	275.65	171.28	113.51	3	100	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-50-44	78-38-38	275.68	171.3	113.53	3	99	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-49-20	78-37-06	278.88	173.29	113.81	3	100	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-48-55	78-37-13	279.05	173.39	113.97	3	100	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-50-44	78-38-35	275.75	171.34	113.52	3	100	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-50-09	78-36-50	278.6	173.11	113.49	3	100	30.5 km.
275A	NEW	Raleigh NC	A	AP	35-48-30	78-37-29	279.02	173.37	114.15	3	100	30.5 km.
275C1	WEZC	Hickory NC	C1	LI	35-24-26	81-07-47	164.39	102.15	170.05	31	488	74.5 km.
275A	WELC	Welch WV	A	CP	37-25-01	81-36-58	62.956	39.119	346.05	1.8	129	30.5 km. (CLOSE 32.5)
275A		Welch WV	A	AS	37-24-49	81-34-58	61.94	38.488	348.6	0	0	30.5 km. (CLOSE 31.4)
276A	WECL	Elkhorn City KY	A	LI	37-16-05	82-21-37	92.878	57.712	299.04	.12	418	30.5 km.
276A	WWXL	Manchester KY	A	LI	37-09-14	83-46-31	209.93	130.44	279.47	2.85	94	30.5 km.
276A	WWXL	Manchester KY	A	CP	37-09-13	83-46-26	209.81	130.37	279.47	2.65	103	30.5 km.
276A	WTKT	Georgetown KY	A	LI	38-06-57	84-31-19	305.49	189.82	298.02	3	91	30.5 km.
276A	WRCQ	Dunn NC	A	LI	35-13-41	78-38-53	310.69	193.05	125.11	2.7	98	30.5 km.
276D	WDAG	Greensboro NC	D	LI	36-03-51	79-48-37	171.38	106.49	120.93	.01	79	
276A	WRAC	West Union OH	A	LI	38-51-25	83-36-38	291.81	181.32	319.98	1.4	128	30.5 km.
276A	WOMG	Columbia SC	A	LI	34-03-05	81-00-07	314.91	195.68	172.58	3	91	30.5 km.
276A	WRIX	Honea Path SC	A	AP	34-25-31	82-32-26	288.51	179.27	200.38	5.8	100	30.5 km.
276A	WRIX	Honea Path SC	A	LI	34-23-43	82-29-49	290.32	180.4	199.41	3	91	30.5 km.
276D	W6AL	Greeneville, TN	D	LI	36-01-24	82-42-56	147.5	91.652	230.88	.04	0	
276D	W6AH	Johnson City, TN	D	CP	36-25-45	82-08-30	79.059	49.125	232.2	0	0	

Exhibit E-2 - Figure 2
James K. Cornick
Marion, Virginia
Identification Of Facilities
Shown On Allocation Study Map

CHAN	CALL	CITY AND STATE	CL	TYP	N	LAT	W	LNG	D(km)	D(mi)	AZIMUTH	ERP	HAAT(M)	REQ'D SEP., KM
276A	WDRZ	Etowah TN	A	LI	35-19-15	84-30-34	325.02	201.96	238.94	3	-4			30.5 km.
276C2		Etowah TN	C2	AS	35-26-46	84-32-20	320.02	198.85	241.3	0	0			54.5 km.
276C2	WDRZ	Etowah TN	C2	CP	35-27-24	84-40-43	330.45	205.33	242.6	50	150			54.5 km.
276A	WCLC	Jamestown TN	A	LI	36-26-31	84-55-28	314.76	195.58	262.39	1.1	140			30.5 km.
276A		Rural RetreatVA	A	AS	36-53-39	81-14-20	18.529	11.513	80.419	0	0			30.5 km. (SHORT-12)
276A	NEW	Rural RetreatVA	A	CP	36-54-15	81-10-51	23.817	14.799	79.815	3	100			30.5 km. (SHORT-6.7)
276A	WXXK	Parkersburg WV	A	LI	39-21-00	81-33-57	275.85	171.41	357.84	.73	168			30.5 km.
277A	NEW	Lenoir NC	A	AP	35-58-40	81-34-27	99.324	61.717	186.76	3	100			71.5 km. (CLOSE 27.8)
277A	NEW	Lenoir NC	A	AP	35-58-17	81-33-40	99.898	62.074	186.07	.83	193			71.5 km. (CLOSE 28.4)
277A	NEW	Lenoir NC	A	AP	35-58-24	81-33-22	99.638	61.912	185.81	.86	185			71.5 km. (CLOSE 28.1)
277A	NEW	Lenoir NC	A	AP	35-58-30	81-32-58	99.395	61.761	185.47	.74	204			71.5 km. (CLOSE 27.9)
277A	NEW	Lenoir NC	A	AP	35-58-07	81-34-23	100.32	62.336	186.64	3	100			71.5 km. (CLOSE 28.8)
277A	NEW	Lenoir NC	A	AP	35-58-31	81-33-05	99.381	61.752	185.57	.55	235			71.5 km. (CLOSE 27.9)
277A	NEW	Lenoir NC	A	AP	35-58-17	81-33-39	99.896	62.072	186.02	.7	195			71.5 km. (CLOSE 28.4)
277A		Lenoir NC	A	AS	35-58-38	81-33-57	99.3	61.702	186.33	0	0			71.5 km. (CLOSE 27.8)
277A	NEW	Lenoir NC	A	AP	35-59-56	81-34-17	96.969	60.254	186.78	3	100			71.5 km. (CLOSE 25.5)
277A	NEW	Lenoir NC	A	AP	36-00-46	81-34-24	95.46	59.316	186.99	3	100			71.5 km. (CLOSE 24)
277C2	WJMX	Cheraw SC	C2	LI	34-30-19	79-54-15	296.76	184.4	151.64	44	160			105.5 km.
277C2		Cheraw SC	C2	AS	34-31-26	80-00-49	290.39	180.44	153.21	0	0			105.5 km.
277A		Greer SC	A	AS	34-56-24	82-13-36	225.15	139.9	198.45	0	0			71.5 km.
277A	NEW	Greer SC	A	AP	34-57-18	82-16-03	224.76	139.66	199.48	3	100			71.5 km.
277A	NEW	Greer SC	A	AP	34-56-59	82-14-43	224.66	139.6	198.94	3	100			71.5 km.
277A	NEW	Greer SC	A	AP	34-59-41	82-14-20	219.74	136.54	199.21	3	100			71.5 km.
277A	NEW	Greer SC	A	AP	34-57-18	82-16-03	224.76	139.66	199.48	3	100			71.5 km.
277A	NEW	Greer SC	A	AP	34-57-18	82-16-04	224.77	139.67	199.48	3	100			71.5 km.
277A	NEW	Greer SC	A	AP	34-55-33	82-08-04	224.19	139.31	196.28	3	100			71.5 km.
277A	NEW	Greer SC	A	AP	34-57-23	82-10-43	222.09	138	197.52	3	100			71.5 km.
277A		New Market VA	A	AS	38-38-00	78-42-42	310.53	192.95	49.894	0	0			71.5 km.
277A	NEW	New Market VA	A	AP	38-39-32	78-49-16	304.93	189.47	48.364	6	100			71.5 km.
277A	NEW	New Market VA	A	AP	38-35-11	78-47-21	302	187.65	49.875	3	100			71.5 km.
277A	NEW	New Market VA	A	AP	38-36-31	78-54-07	295.95	183.89	48.317	2.1	166			71.5 km.
277A	NEW	New Market VA	A	AP	38-36-00	78-50-08	299.8	186.29	49.168	6	100			71.5 km.
277A	NEW	New Market VA	A	AP	38-41-10	78-49-29	306.64	190.54	47.892	1	233			71.5 km.
277A	NEW	New Market VA	A	AP	38-39-32	78-49-16	304.93	189.47	48.364	6	100			71.5 km.
277C1	WAKG	Danville VA	C1	LI	36-44-28	79-23-05	184.29	114.51	93.737	100	192			132.5 km.
277B	WTCR	Huntington WV	B	LI	38-25-11	82-24-06	191.98	119.29	334.26	50	150			112.5 km.
278B	WGMS	Washington DC	B	LI	38-56-09	77-05-33	446.33	277.34	57.602	46	155			177.5 km.
278A		Gibson GA	A	AD	33-09-36	82-29-33	422.2	262.34	193.35	0	0			114.5 km.
278A		Radcliff KY	A	AS	37-50-48	85-56-36	413.21	256.76	286.68	0	0			114.5 km.
278A	NEW	Radcliff KY	A	AP	37-51-08	85-56-45	413.57	256.98	286.76	3	100			114.5 km.
278A	NEW	Radcliff KY	A	AP	37-47-47	85-56-08	411.23	255.53	285.95	3	100			114.5 km.
278C2		Dunn NC	C2	AS	35-02-45	78-36-30	325.97	202.55	127.58	0	0			165.5 km.
278C2	WRCQ	Dunn NC	C2	CP	35-03-09	78-38-54	322.68	200.5	127.89	48	153			165.5 km.
278B	WRKY	Steubenville OH	B	LI	40-20-32	80-37-14	392.42	243.84	10.231	16	268			177.5 km.
278A		Lancaster OH	A	AS	39-45-48	82-35-05	336.66	209.19	343.18	0	0			114.5 km.
278A	WSWZ	Lancaster OH	A	CP	39-43-58	82-35-43	333.7	207.35	342.86	3	100			114.5 km.
278B	WGRB	Hamilton OH	B	AP	39-12-01	84-31-22	374.38	232.63	314.84	10.5	322			177.5 km.
278B	WGRB	Hamilton OH	B	LI	39-16-24	84-31-37	380.2	236.25	315.7	19.5	241			177.5 km.
278A	WLAK	Huntingdon PA	A	LI	40-29-51	78-08-00	495.49	307.88	34.42	.16	435			114.5 km.
278C1	WZLZ	Charleston SC	C1	LI	32-49-04	79-50-08	472.64	293.68	161.48	100	201			199.5 km.

Exhibit E-2 - Figure 3
James K. Cornick
Marion, Virginia
Identification Of Facilities
Shown On Allocation Study Map

CHAN	CALL	CITY AND STATE	CL	TYP	N	LAT	W	LNG	D(km)	D(mi)	AZIMUTH	ERP	HAAT(M)	REQ'D SEP., KM
278C	WEZL	Charleston SC	C	CP	32-48-55	79-50-10	472.89	293.84	161.49	100	301	225.5 km.		
278A	WMTY	Greenwood SC	A	DE	34-09-46	82-11-41	307.62	191.15	192.95	0	0	114.5 km.		
278C3	WMTY	Greenwood SC	C3	AD	34-09-28	82-07-42	306.89	190.69	191.82	0	0	141.5 km.		
278A		Greenwood SC	A	AS	34-11-36	82-09-30	303.6	188.65	192.48	0	0	114.5 km.		
278A	WMTY	Greenwood SC	A	LI	34-09-46	82-11-41	307.62	191.15	192.95	3	100	114.5 km.		
278C	WINZ	Knoxville TN	C	LI	36-08-06	83-43-29	219.88	136.63	248.93	100	524	225.5 km. (SHORT-5.6)		
278A		Marion VA	A	AD	36-54-28	81-23-25	6.6071	4.1055	46.189	0	0	114.5 km. (SHORT-107.9)		
279A		Royston GA	A	AS	34-17-18	83-06-30	323.41	200.96	208.19	0	0	71.5 km.		
279A	WBIC	Royston GA	A	LI	34-16-50	83-07-09	324.63	201.72	208.28	3	100	71.5 km.		
279C3	WBIC	Royston GA	C3	AD	34-19-59	83-12-17	323.23	200.85	209.99	0	0	88.5 km.		
279A	WBIC	Royston GA	A	DE	34-16-50	83-07-09	324.63	201.72	208.28	0	0	71.5 km.		
279A		Frankfort KY	A	AS	38-12-48	84-54-16	340.41	211.52	297.19	0	0	71.5 km.		
279A	NEW	Frankfort KY	A	AP	38-13-17	84-54-52	341.58	212.25	297.26	3	100	71.5 km.		
279A	NEW	Frankfort KY	A	AP	38-13-17	84-54-52	341.58	212.25	297.26	2.5	109	71.5 km.		
279A	NEW	Frankfort KY	A	AP	38-09-07	84-51-04	333.32	207.12	296.46	3	90	71.5 km.		
279A	NEW	Frankfort KY	A	AP	38-07-11	84-53-09	334.66	207.95	295.69	3	100	71.5 km.		
279A	NEW	Frankfort KY	A	AP	38-12-58	84-53-35	339.64	211.04	297.31	3	100	71.5 km.		
279C	WSOC	Charlotte NC	C	LI	35-15-41	80-43-38	189.46	117.72	159.95	99	320	164.5 km. (CLOSE 25)		
279A		Fisher WV	A	AS	39-03-06	79-00-16	323.69	201.13	40.612	0	0	71.5 km.		
279A	NEW	Fisher WV	A	AP	39-05-05	79-01-47	324.97	201.93	39.892	6	100	71.5 km.		
279B	WCIR	Beckley WV	B	LI	37-56-51	81-18-32	120.55	74.906	5.6336	5	452	112.5 km. (CLOSE 8.1)		
280A	WPPL	Blue Ridge GA	A	LI	34-52-02	84-20-03	342.58	212.87	230.37	3	73	30.5 km.		
280A	WXKQ	Whitesburg KY	A	LI	37-04-27	82-48-44	124	77.05	281.16	.21	287	30.5 km.		
280A	WNEL	London KY	A	LI	37-08-28	84-04-45	236.53	146.97	278.22	3	58	30.5 km.		
280C3	WNND	Fuquay-Varina NC	C3	AD	35-33-46	78-41-51	286.22	177.85	119.66	0	0	41.5 km.		
280A	WNND	Fuquay-Varina NC	A	LI	35-38-43	78-43-29	279.45	173.64	118.31	1.5	142	30.5 km.		
280A	WNND	Fuquay-Varina NC	A	DE	35-38-43	78-43-29	279.45	173.64	118.31	0	0	30.5 km.		
280A	WLWZ	Rasley SC	A	LI	34-50-21	82-31-37	245.31	152.43	203.73	3	100	30.5 km.		
280A	WXIS	Erwin TN	A	LI	36-08-15	82-23-00	116.75	72.545	226.28	2.45	100	30.5 km.		
280D	WOAE	Etowah TN	D	LI	35-19-36	84-31-05	325.33	202.15	239.12	0	0			
280A	WDEB	Jamestown TN	A	LI	36-25-55	84-56-33	316.55	196.7	262.24	1.6	137	30.5 km.		
280A	WYFT	Luray VA	A	AP	38-38-17	78-24-06	332.47	206.59	52.707	6	92	30.5 km.		
280A	WYFT	Luray VA	A	LI	38-38-17	78-24-06	332.47	206.59	52.707	3	91	30.5 km.		
280A	WXCF	Clifton Forge VA	A	AP	37-54-12	79-52-15	180.68	112.27	49.853	.15	582	30.5 km.		
280A	WXCF	Clifton Forge VA	A	LI	37-49-18	79-48-46	179.23	111.37	53.138	3	-155	30.5 km.		
280A	WATQ	New Martinsville WV	A	LI	39-40-40	80-52-42	315.93	196.31	8.8031	3	91	30.5 km.		
281A		Clayton GA	A	AS	34-52-42	83-23-18	281.97	175.21	218.97	0	0	30.5 km.		
281A	WQXJ	Clayton GA	A	CP	34-52-23	83-22-35	281.76	175.08	218.72	.48	249	30.5 km.		
281C3	WCKG	Campbellsville KY	C3	AD	37-19-29	85-18-36	347.44	215.89	279.61	0	0	41.5 km.		
281C	WTQR	Winston-Salem NC	C	LI	36-22-28	80-22-31	110.1	68.413	119.53	100	433	94.5 km. (CLOSE 15.6)		
281C1	WPAY	Portsmouth OH	C1	LI	38-43-20	83-00-05	247.46	153.76	326.92	100	256	74.5 km.		
281C	WPAY	Portsmouth OH	C	CP	38-43-20	83-00-05	247.46	153.76	326.92	100	305	94.5 km.		
281A		Calhoun TN	A	AS	35-19-11	84-46-39	345.83	214.89	241.12	0	0	30.5 km.		
281A	WDCI	Bridgeport WV	A	CP	39-17-59	80-17-30	288.36	179.18	20.087	3	100	30.5 km.		
281A		Bridgeport WV	A	AS	39-16-48	80-16-54	286.63	178.1	20.404	0	0	30.5 km.		
224A	WABN	Abingdon VA	A	LI	36-43-07	81-56-55	47.952	29.796	250.03	1.8	113	9.5 km. (CLOSE 38.5)		
224D	W4AE	Wytheville VA	D	LI	36-54-30	81-04-15	33.578	20.863	21.938	0	0			
224A	WPMW	Mullens WV	A	LI	37-35-59	81-22-48	80.845	50.235	2.9331	1.65	135	9.5 km.		
225C2		Gray TN	C2	AD	36-15-00	82-25-36	111.41	69.227	232.33	0	0	14.5 km.		

Exhibit E-2 - Figure 4
 James K. Cornick
 Marion, Virginia
 Identification Of Facilities
 Shown On Allocation Study Map

MARION VA | 910703 | Channel 278A Ref. N365200 W812638

WIMZ 278C 100kW 600M
NEW 278A 1kW 18M

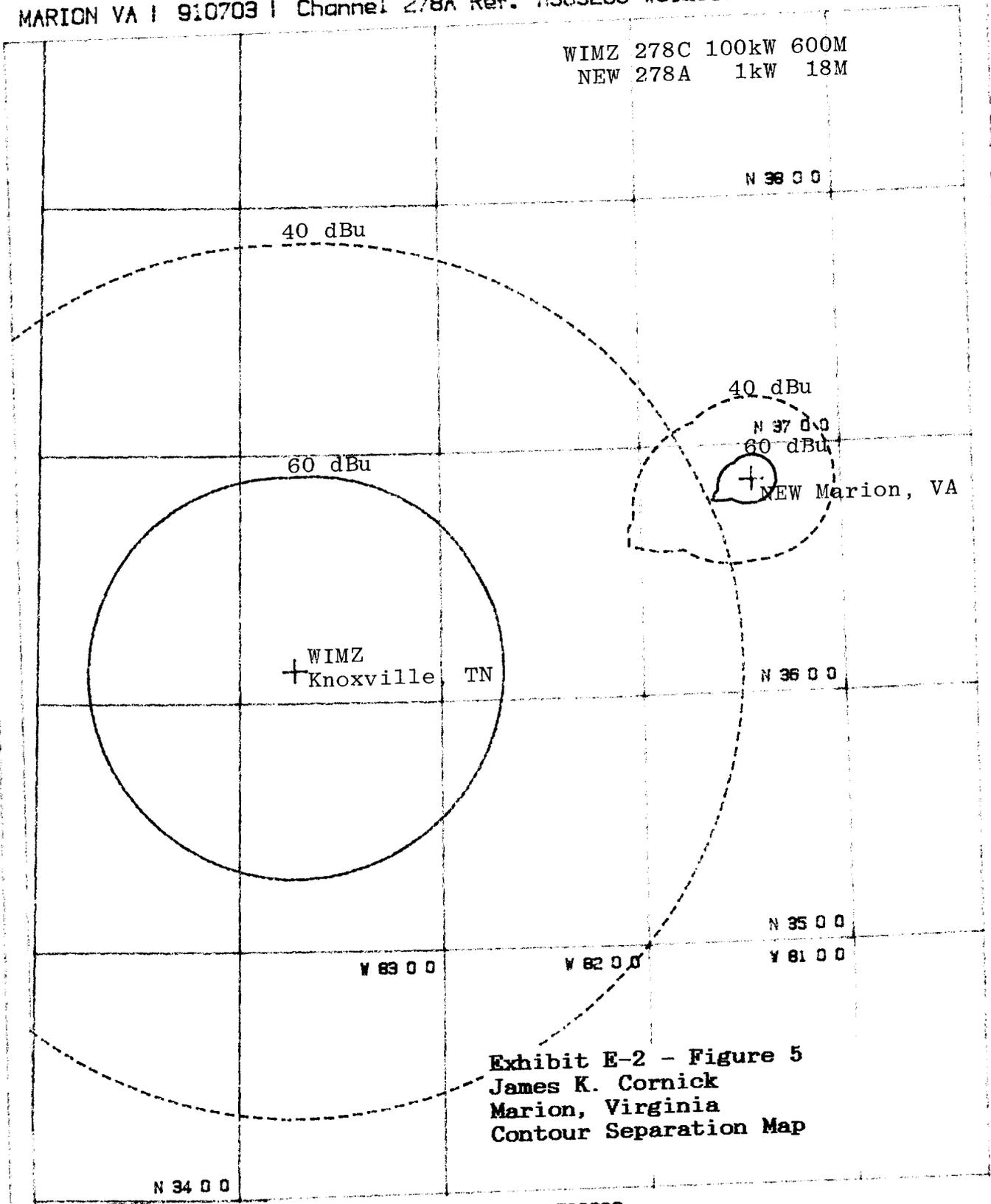
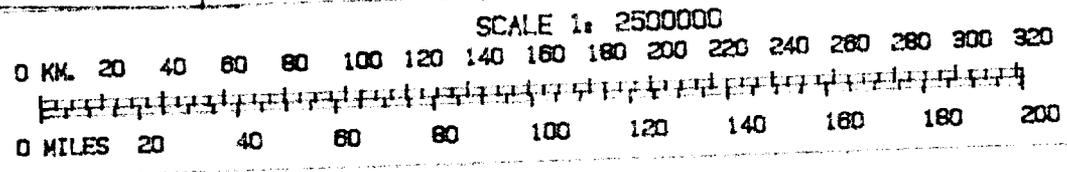


Exhibit E-2 - Figure 5
James K. Cornick
Marion, Virginia
Contour Separation Map



MARION VA | 910703 | Channel 278A Ref. N365200 W812638

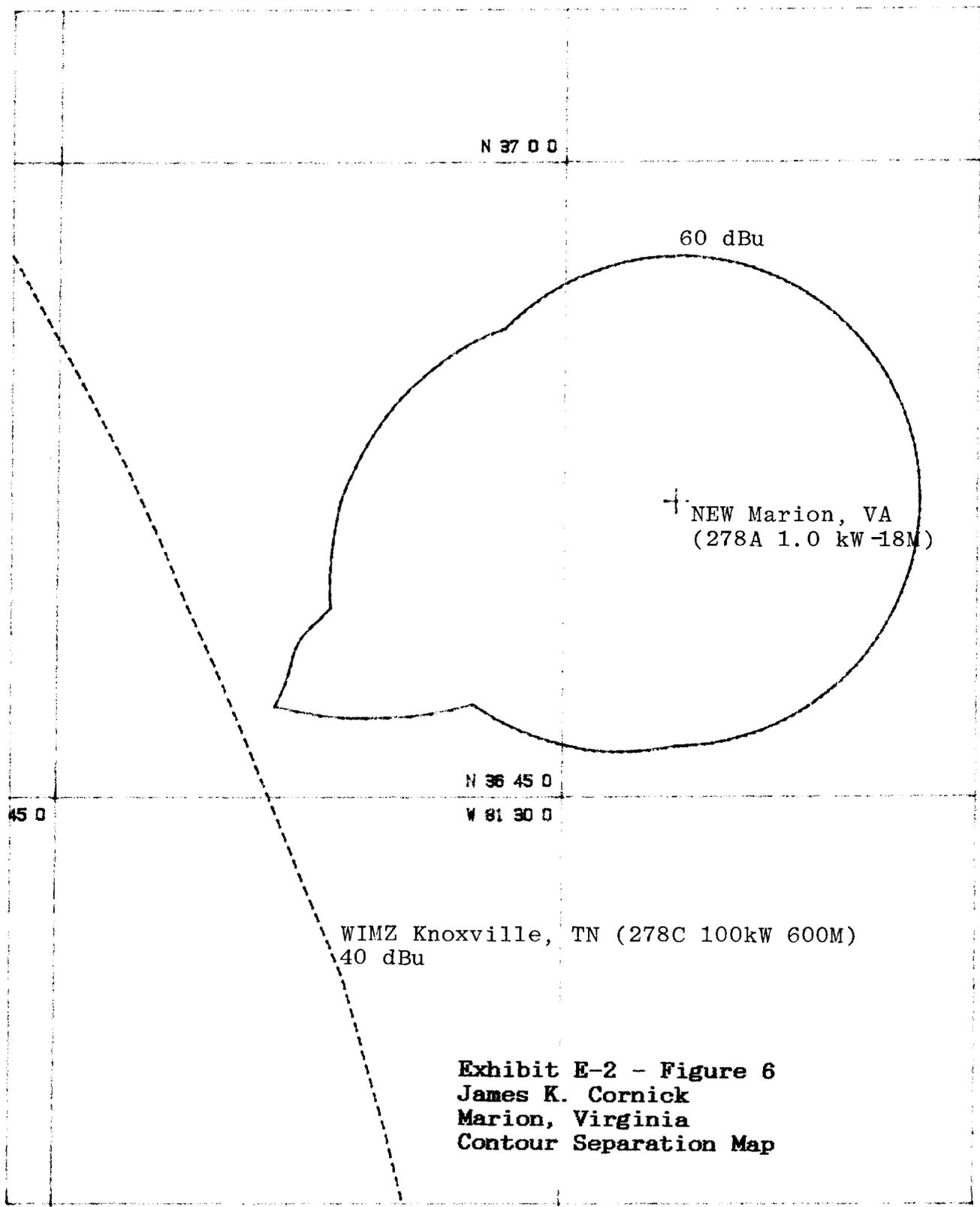
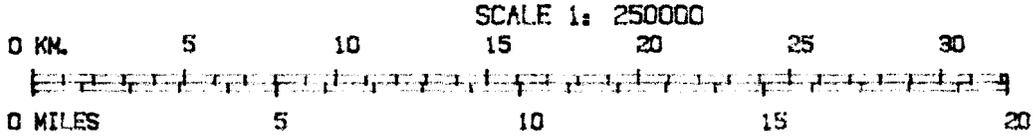


Exhibit E-2 - Figure 6
James K. Cornick
Marion, Virginia
Contour Separation Map



WIMZ KNOXVILLE TN ; ED-26 WIMZI WINTCI / 910703 ;
 TABULATION OF TV/FM CONTOUR CALCULATIONS ON CHANNEL 27B

AZIMUTH	ERP, KW.	HAAT (M)	50.50%	40/10%
0	100	507.68	87.054	191.38
45	100	598.51	91.784	197.72
90	100	626.86	92.864	199.54
135	100	640.27	93.305	200.36
180	100	644.54	93.447	200.64
225	100	603.69	92.026	198.08
270	100	598.21	91.77	197.71
315	100	579.01	90.875	196.37
63	100	596.07	91.67	197.56
64	100	598.51	91.784	197.72
65	100	601.26	91.911	197.92
66	100	604	92.04	198.11
67	100	605.83	92.125	198.22
68	100	605.83	92.125	198.22
69	100	608.57	92.252	198.42
70	100	610.7	92.336	198.54
71	100	613.45	92.426	198.72
72	100	617.41	92.555	198.96
73	100	622.9	92.735	199.3

AREAS, Sq. Km. : 26395 122850

OVERALL HEIGHT ABOVE AVERAGE TERRAIN = 599.85 (M)

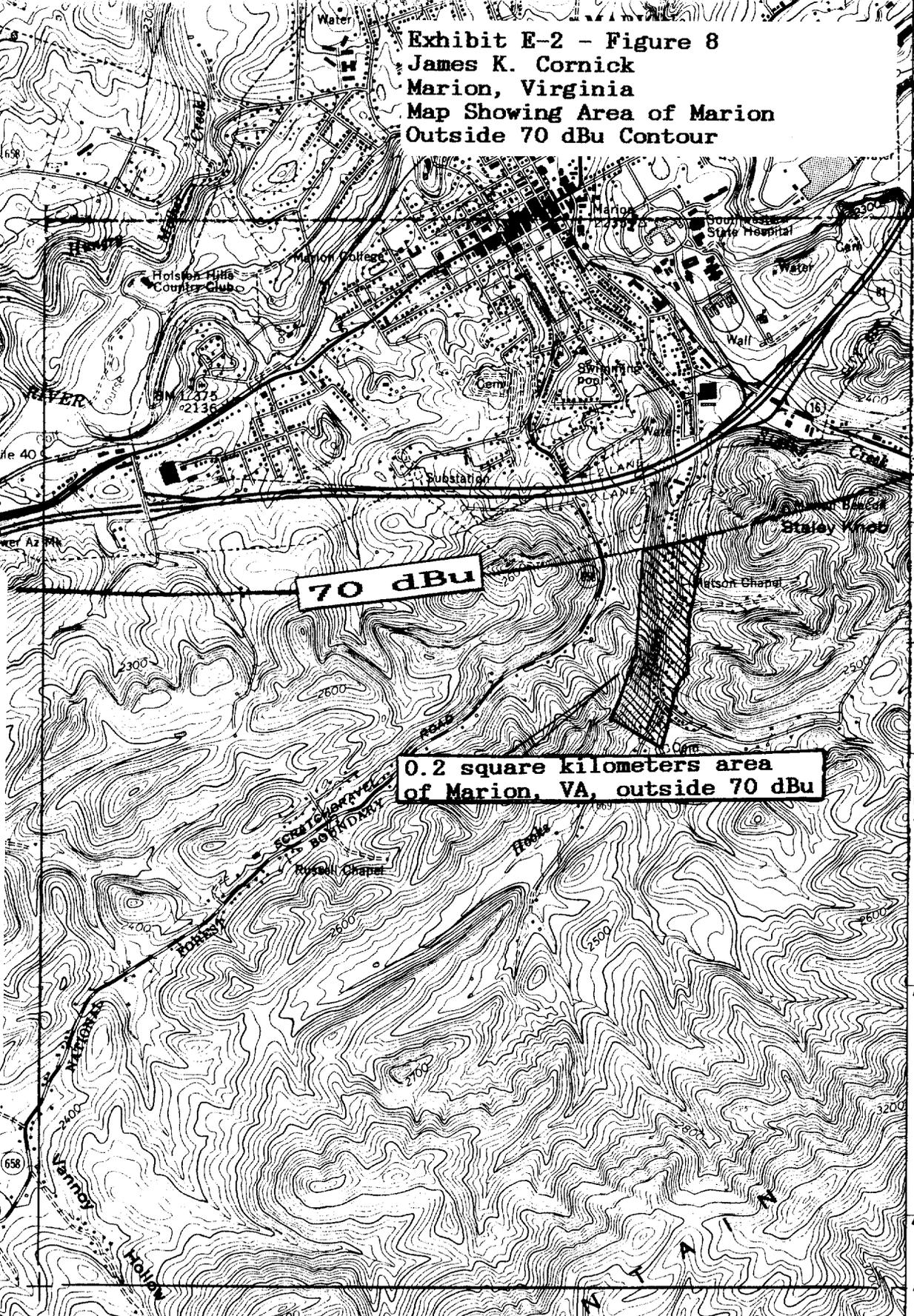
ALL HEIGHTS IN METERS. ALL CONTOUR DISTANCES IN KILOMETERS.

ALL CONTOURS IN DBU AS DETERMINED BY BIVARIATE INTERPOLATION
 USING VALUES FROM APPROPRIATE FCC F(50,50) AND F(50,10) CURVES.

FM BLANKETING CONTOUR 115 dBu = 2.45 MILES, 3.94 KM.
 CALCULATED PURSUANT TO R&R 73.318(a) FOR MAXIMUM ERP.

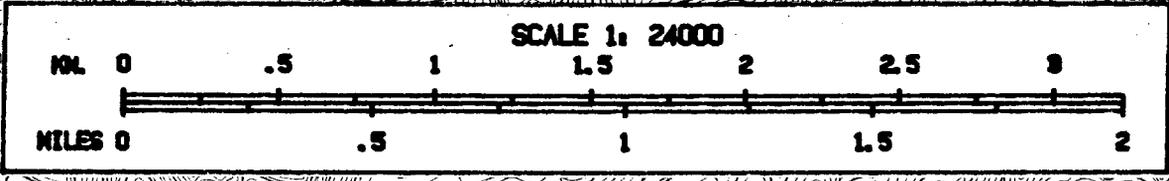
Exhibit E-2 - Figure 8
James K. Cornick
Marion, Virginia
Map Showing Area of Marion
Outside 70 dBu

Map: MARION, VA, USGS 7.5' Series
1:24000 Scale
Ref. N3645 - W8130/7.5



70 dBu

0.2 square kilometers area
of Marion, VA, outside 70 dBu

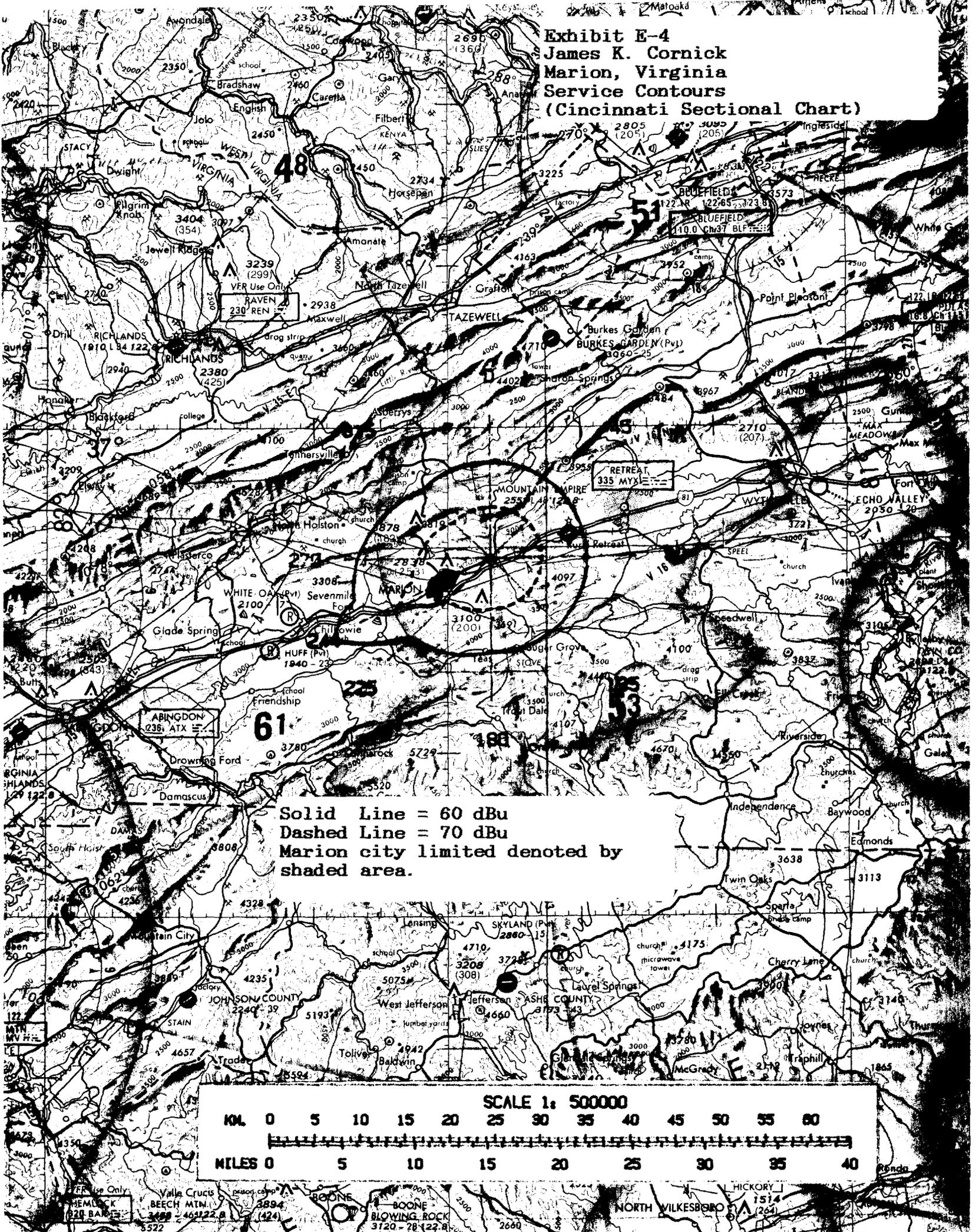


4077
4076
4073
4072
4071
WYTHEVILLE 24 MI
ATTOWAY 2.2 MI
24 MI. TO U.S. 58
(ATKINS 223-SW)
4757 IV SW

50658
8120

P O N D
RESTRICTED

Exhibit E-4
James K. Cornick
Marion, Virginia
Service Contours
(Cincinnati Sectional Chart)



Solid Line = 60 dBu
Dashed Line = 70 dBu
Marion city limited by shaded area.

