

~~AMHUB~~

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October 11, 1991

FAX: (202) 686-8282

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Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

FM EXAMINERS  
Federal Communications Commission  
Office of the Secretary

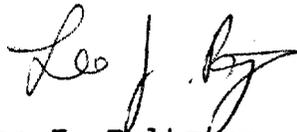
Re: File No. BPED-900606MC  
Murrysville, PA

Dear Ms. Searcy:

Transmitted herewith, on behalf of He's Alive Incorporated, applicant, applicant for a new non-commercial educational FM station on Channel 201A at Murrysville, Pennsylvania, are an original and two (2) copies of its Petition for Leave to Amend.

Should questions arise with respect to this Amendment, please contact the undersigned.

Very truly yours,



Lee J. Peltzman  
Counsel for  
HE'S ALIVE INCORPORATED

LJP:bpt  
Enclosure  
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Before the  
Federal Communications Commission  
Washington, D.C. 20554

OCT 11 1991

Federal Communications Commission  
Office of the Secretary

In re Application of )  
 )  
HE'S ALIVE, INCORPORATED )  
 )  
Construction Permit for a New )  
Non-Commercial Educational )  
FM Station on Channel 201A at )  
Murrysville, Pennsylvania )

File No. BPED-900606MC

OCT 15 3 27 PM '91  
AUDIO SERVICES  
DIVISION

To: Chief, Mass Media Bureau

PETITION FOR LEAVE TO AMEND

He's Alive Incorporated ("He's Alive"), by its attorneys, hereby petitions for leave to amend its application for a new non-commercial educational FM station on Channel 201A at Murrysville, Pennsylvania. In support of its request, He's Alive submits the following:

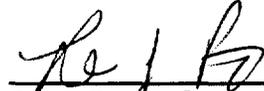
This amendment is being filed as a matter of right pursuant to Section 73.3522(a)(1) of the Commission's rules. The attached amendment is submitted to correct a minor drafting error contained in the engineering portion of He's Alive's application as amended. Accordingly, there is good cause for the amendment's acceptance, although legally it is not required under the Commission's rules to offer any good cause showing in support of an amendment to an application for a nonreserved band FM station prior to hearing designation.

Accordingly, in view of the above, He's Alive requests that the Commission grant this petition for leave to amend and accept the attached amendment.

Respectfully submitted,

**HE'S ALIVE INCORPORATED**

By:



\_\_\_\_\_  
Lee J. Peltzman  
Its Attorney

**BARAFF, KOERNER, OLENDER  
& HOCHBERG, P.C.  
5335 Wisconsin Avenue, N.W.  
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(202) 686-3200**

**October 11, 1991**

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Federal Communications Commission  
Office of the Secretary

AUDIO SERVICES  
SECTION

**ENGINEERING STATEMENT**

**HE'S ALIVE, INC.  
APPLICATION FOR A NEW NCE-FM STATION  
MURRYSVILLE, PENNSYLVANIA**

**Channel 201A**

**199.5 Watts (Max. DA)**

**74 Meters**

This Engineering Statement is prepared on behalf of He's Alive, Inc., applicant seeking permission from the FCC to construct a new non commercial FM station to serve Murrysville, Pennsylvania, to respond to a "Supplement to Petition to Dismiss or Deny" filed by Carnegie-Mellon Student Government Corporation, licensee of NCE-FM Station WRCT, Pittsburgh, Pennsylvania. Their Consulting Engineer has stated that He's Alive, Inc. application (BPED-900606MC) proposed directional antenna system violates Section 73.316 of the Rules and Regulations by not providing the pattern 15 dB ratio of maximum radiation, 2 dB per 10 degree of azimuth swing, and a complete description of the proposed antenna system including manufacturers and model numbers.

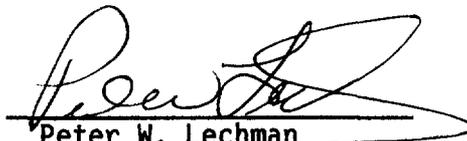
He's Alive, Inc. proposed directional antenna system is addressed in Exhibit VB-11 of its application. The Exhibit specifically states that the design of the directional antenna system is an envelop whereby the fields being produced would not cause objectional interference to other licensed facilities. The Federal Communications Commission, by its policy, has allowed on various occasions and accepted by them, design of envelop radiation patterns for the non-commercial allocated frequencies. The application in question has provided the Commission the requirements of an envelop radiation pattern. Should the applicant be successful in obtaining a Construction Permit, all appropriate radiation patterns provided by a manufacturer will be submitted to the Commission when filing for its license.

Submitted herewith are amended Exhibits VB-11, pages 2 and 4. The radiation pattern on Page 2 submitted in the application inadvertently showed a minor drafting error. This amended pattern merely corrects this oversight. Page 4 is a tabulation of information pertaining to the relative fields of the directional antenna system. The relative fields are shown on the amended Exhibit to four significant figures instead of two significant figures in its application. Computations now can be made to show that the applicants meets the requirements of Section 73.316 (b) of the FCC Rules and Regulations.

**LECHMAN & JOHNSON, INC.**

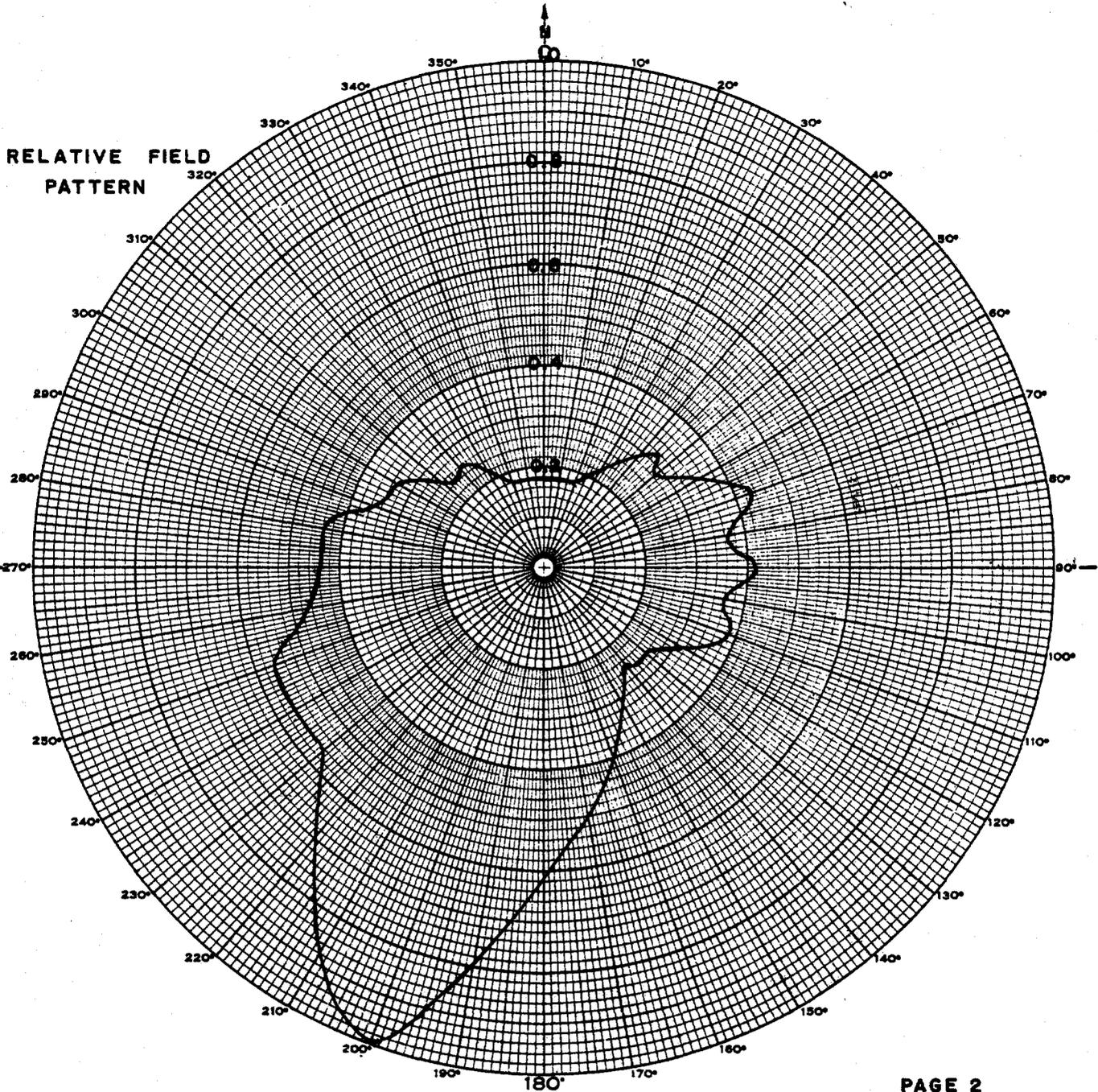
With regards to the concern about coverage of Murrysville, the FCC has no requirements regarding non commercial FM proposals.

LECHMAN & JOHNSON, INC.

A handwritten signature in black ink, appearing to read "Peter W. Lechman", written over a horizontal line.

Peter W. Lechman  
President  
September 9, 1991

**LECHMAN & JOHNSON, INC.**



PAGE 2

**EXHIBIT - VB-II Amended**

HE'S ALIVE, INC.  
FURTHER AMENDMENT TO APPLICATION FOR A NEW  
NON COMMERCIAL FM STATION  
MURRYSVILLE, PENNSYLVANIA

Channel 201A                      199.5 (MAX) DA                      74 Meters

Prepared By  
**LECHMAN & JOHNSON, Inc.**  
TELECOMMUNICATIONS CONSULTANTS  
LAWAN, MARYLAND

AMENDED (August 1991)

EXHIBIT VB-11 - Page 4

DIRECTIONAL ANTENNA INFORMATION

HE'S ALIVE, INC.  
APPLICATION TO MODIFY THE LICENSED FACILITIES  
MURRYSVILLE, PENNSYLVANIA

	Channel 201A	199.5 Watts (MAX) DA		74 Meters
<u>Azimuth</u>	<u>Rel. Fld.</u>	<u>dB</u>	<u>dBk</u>	<u>kW</u>
0	0.1778	-15.0	-22.0	0.0063
10	0.1778	-15.0	-22.0	0.0063
20	0.1778	-15.0	-22.0	0.0063
30	0.2239	-13.0	-20.0	0.0100
40	0.2818	-11.0	-18.0	0.0159
45	0.3199	- 9.9	-16.9	0.0204
50	0.2818	-11.0	-18.0	0.0159
60	0.3467	- 9.2	-16.2	0.0240
70	0.4365	- 7.2	-14.2	0.0380
80	0.3631	- 8.8	-15.8	0.0263
90	0.4217	- 7.5	-14.5	0.0355
100	0.3631	- 8.8	-15.8	0.0263
110	0.3890	- 8.2	-15.2	0.0302
120	0.3199	- 9.9	-16.9	0.0204
130	0.2600	-11.7	-18.7	0.0135
135	0.2661	-11.5	-18.5	0.0141
140	0.2512	-12.0	-19.0	0.0126
150	0.3162	-10.0	-17.0	0.0200
160	0.3981	- 8.0	-15.0	0.0316
170	0.5012	- 6.0	-13.0	0.0501
180	0.6310	- 4.0	-11.0	0.0794
190	0.7943	- 2.0	- 9.0	0.1259
200	1.0000	0.0	- 7.0	0.1995
210	0.8913	- 1.0	- 8.0	0.1585
220	0.7079	- 3.0	-10.0	0.1000
225	0.6310	- 4.0	-11.0	0.0794
230	0.5623	- 5.0	-12.0	0.0631
240	0.5623	- 5.0	-12.0	0.0631
250	0.5623	- 5.0	-12.0	0.0631
260	0.4732	- 6.5	-13.5	0.0447
270	0.4467	- 7.0	-14.0	0.0398
280	0.4467	- 7.0	-14.0	0.0398
290	0.3548	- 9.0	-16.0	0.0251
300	0.3350	- 9.6	-16.6	0.0219
310	0.2630	-11.6	-18.6	0.0138
315	0.2371	-12.5	-19.5	0.0112

LECHMAN & JOHNSON, INC.

EXHIBIT VB-11 (Continued) Page 4

DIRECTIONAL ANTENNA INFORMATION

HE'S ALIVE, INC.  
APPLICATION TO MODIFY THE LICENSED FACILITIES  
MURRYSVILLE, PENNSYLVANIA

	Channel 201A	199.5 Watts (MAX) DA		74 Meters
<u>Azimuth</u>	<u>Rel. Fld.</u>	<u>dB</u>	<u>dBk</u>	<u>KW</u>
320	0.2570	-11.8	-18.8	0.0132
330	0.2239	-13.0	-20.0	0.0100
340	0.1778	-15.0	-22.0	0.0063
350	0.1778	-15.0	-22.0	0.0063

## SECTION III - FINANCIAL QUALIFICATIONS

Note: If this application is for a change in an operating facility, DO NOT fill out this Section.

1. Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration?  Yes  No

2. Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision?  Yes  No

NOTE: If either Questions 1 or 2 is answered "Yes," your application cannot be granted until all of the necessary funds are committed or appropriated. In the case of grants from the National Telecommunications and Information Administration no further action on your part is required. If you rely on funds from a source specified in Question 2, you must advise the F.C.C. when the funds are committed or appropriated. This should be accomplished by letter amendment to your application, in triplicate, signed in the same manner as the original application, and clearly identifying the application to be amended.

3. The applicant certifies, except as noted above, 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 additional funds.  Yes  No

## SECTION IV - PROGRAM SERVICE STATEMENT

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.

NOTE: No program service statement need be filed where the proposed station's programming would be wholly "instructions" as that type of programming is defined in the instructions to this Section.

**CERTIFICATE OF SERVICE**

I, Barbara P. Taylor, a secretary in the law office of Baraff, Koerner, Olender & Hochberg, P.C., do hereby certify that on this 11th day of October, 1991, copies of the foregoing document were sent first class United States mail, postage prepaid to the following:

Dennis Williams, Chief\*  
FM Branch - Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N.W.  
Room 332  
Washington, D.C. 20554

David M. Hunsaker, Esq.  
Putbrese, Hunsaker & Ruddy  
6800 Fleetwood Road, Suite 100  
P.O. Box 539  
McLean, VA 22101

Earl R. Stanley, Esq.  
Wilkinson, Barker, Knauer  
& Quinn  
1735 New York Avenue, N.W.  
Washington, D.C. 20006

  
Barbara P. Taylor

\*Via Hand Delivery