

ALLOCATION STUDY CONTOUR LOCATION DATA

prepared for
Liberty University
 Lynchburg, Virginia

Table 2-A

WRXT (APP) (BMPED-920414IF) Roanoke, VA Ch 212C2
 2.40 kW, 339 m N 37° 23' 09" W 79° 40' 10"

<u>Azimuth</u> (deg)	<u>Effective</u> <u>Antenna</u> <u>Height</u> (meters)	<u>Effective</u> <u>Radiated</u> <u>Power</u> (dBK)	<u>Contour Distances</u>	
			<u>60 dBu F(50,50)</u> (km)	<u>100 dBu F(50,10)</u> (km)
0	316.2	-0.6	31.0	1.9
10	246.6	-0.6	27.5	1.9
20	210.4	-0.6	25.4	1.8
30	154.6	-0.6	22.2	1.7
40	34.0	-0.2	10.6	1.5
45	10.1	0.3	10.4	1.5
50	109.4	0.8	20.4	1.8
60	278.1	2.2	34.0	2.5
70	371.3	3.2	40.7	2.9
80	421.3	3.7	44.0	3.1
90	438.6	3.8	45.0	3.1
93	429.9	3.8	44.6	3.1
94	426.5	3.8	44.4	3.1
95	423.8	3.8	44.3	3.1
96	422.4	3.8	44.2	3.1
97	421.1	3.8	44.2	3.1
100	425.9	3.8	44.4	3.1
110	433.4	3.8	44.7	3.1
120	424.3	3.6	43.9	3.1
130	437.0	2.9	43.2	2.9
135	454.3	2.4	42.9	2.7
140	468.7	1.8	42.4	2.6
150	479.6	0.1	39.6	2.2
160	448.2	-1.5	35.2	1.8
170	461.9	-2.7	33.5	1.5
180	447.0	-3.2	32.0	1.5
190	439.7	-2.7	32.7	1.5
200	429.6	-1.4	34.7	1.8
210	416.6	0.4	37.4	2.2
220	389.7	1.8	38.9	2.5
225	357.2	2.2	38.2	2.6
230	300.0	2.6	35.9	2.6
240	240.9	2.9	32.9	2.6
250	312.9	2.9	37.1	2.7
260	326.7	2.9	37.8	2.7
270	341.7	2.9	38.6	2.7
280	259.1	2.9	34.0	2.6
290	303.3	2.9	36.6	2.7
300	325.2	2.8	37.6	2.7

Table 2-A Con't

<u>Azimuth</u> (deg)	<u>Effective</u> <u>Antenna</u> <u>Height</u> (meters)	<u>Effective</u> <u>Radiated</u> <u>Power</u> (dBK)	<u>Contour Distances</u>	
			<u>60 dBu F(50,50)</u> (km)	<u>100 dBu F(50,10)</u> (km)
310	352.1	2.0	37.5	2.5
315	352.9	1.1	36.0	2.3
320	365.4	0.2	35.0	2.1
330	370.6	-0.6	33.7	1.9
340	373.1	-0.6	33.8	1.9
350	357.1	-0.6	33.1	1.9

* 3 arc second USGS - DMA terrain data used to obtain average terrain elevations of these radials

Table 2-B
WRXT (CP) Roanoke, VA Ch 212C2
2.4 kW, 410 m N 37° 22' 27" W 79° 46' 08"

<u>Azimuth</u> (deg)	<u>Effective Antenna Height</u> (meters)	<u>Effective Radiated Power</u> (dBK)	<u>Contour Distances</u>	
			<u>60 dBu F(50,50)</u> (km)	<u>100 dBu F(50,10)</u> (km)
0	397.3	-0.6	34.7	1.9
10	390.1	-0.6	34.5	1.9
20	380.7	-0.6	34.1	1.9
30	328.4	-0.6	31.6	1.9
40	398.6	-0.2	35.6	2.0
45	441.1	0.3	38.3	2.2
50	431.2	0.8	38.8	2.3
60	362.4	2.2	38.4	2.6
70	364.6	3.2	40.4	2.8
80	426.0	3.7	44.2	3.1
90	457.1	3.8	46.0	3.2
100	495.3	3.8	48.0	3.2
110	500.1	3.8	48.2	3.2
120	429.7	3.6	44.1	3.1
130	447.3	2.9	43.7	2.9
135	441.7	2.4	42.3	2.7
140	456.4	1.8	42.0	2.6
150	445.2	0.1	38.1	2.1
160	448.9	-1.5	35.2	1.8
170	477.2	-2.7	34.1	1.5
180	472.7	-3.2	33.0	1.5
190	445.4	-2.7	33.0	1.5
200	391.2	-1.4	33.2	1.8
210	340.9	0.4	34.1	2.1
220	341.4	1.8	36.7	2.4
225	346.6	2.2	37.7	2.6
230	436.6	2.6	42.5	2.8
240	478.3	2.9	45.2	2.9
250	426.2	2.9	42.6	2.8
260	431.2	2.9	42.8	2.9
270	388.4	2.9	40.9	2.8
280	378.2	2.9	40.4	2.8
290	328.8	2.9	38.0	2.7
300	342.2	2.8	37.6	2.7
310	329.2	2.0	36.3	2.5
315	342.3	1.1	35.6	2.3
320	348.8	0.2	34.3	2.1
330	366.2	-0.6	33.5	1.9
340	379.0	-0.6	34.0	1.9
350	405.4	-0.6	35.0	1.9

Table 2-C
WPID Salem, VA Ch 217C3
3.3 kW, 275 m N 37° 22' 23" W 79° 55' 40"

Azimuth (deg)	Effective Antenna Height (meters)	Effective Radiated Power (dBK)	Contour Distances	
			60 dBu F(50,50) (km)	80 dBu F(50,10) (km)
0	291.1	5.2	40.0	13.4
10	291.1	5.2	40.0	13.4
20	286.0	5.2	39.8	13.3
30	274.5	5.2	39.1	13.0
40	292.3	5.2	40.0	13.4
45	291.1	5.2	40.0	13.4
50	269.0	5.2	38.8	12.9
60	196.7	5.2	33.7	11.1
70	96.0	5.2	24.3	7.6
80	258.0	5.2	38.1	12.6
90	235.9	5.2	36.7	12.0
100	242.0	5.2	37.2	12.2
110	283.3	5.2	39.6	13.2
120	236.6	5.2	36.7	12.1
130	267.8	5.2	38.7	12.8
135	265.2	5.2	38.5	12.8
140	305.5	5.2	40.8	13.7
150	316.1	5.2	41.4	13.9
160	341.0	5.2	42.9	14.5
170	366.9	5.2	44.2	15.0
180	365.3	5.2	44.2	15.0
225	358.6	5.2	43.9	14.8
270	228.3	5.2	36.2	11.9
315	166.6	5.2	31.1	10.2

Table 2-D
WTJU (APP) Charlottesville, VA Ch 216B1
0.75 kW, 288 m N 37° 58' 57" W 78° 29' 00"

<u>Azimuth</u> (deg)	<u>Effective</u> <u>Antenna</u> <u>Height</u> (meters)	<u>Effective</u> <u>Radiated</u> <u>Power</u> (dBK)	<u>Contour Distances</u>	
			<u>60 dBu F(50,50)</u> (km)	<u>54 dBu F(50,10)</u> (km)
0	318.4	-1.2	30.1	45.5
10	324.7	-1.2	30.4	46.0
20	326.0	-1.2	30.4	46.1
30	315.7	-1.2	30.0	45.3
40	252.7	-1.2	26.9	40.7
45	223.0	-1.2	25.4	38.3
50	202.8	-1.2	24.3	36.4
60	309.1	-1.2	29.6	44.8
70	332.1	-1.2	30.8	46.5
80	334.1	-1.2	30.8	46.7
90	339.3	-1.2	31.1	47.1
100	341.3	-1.2	31.2	47.2
110	347.0	-1.2	31.5	47.7
120	329.0	-1.2	30.6	46.3
130	315.5	-1.2	29.9	45.3
135	312.1	-1.2	29.8	45.0
140	308.8	-1.2	29.6	44.8
150	305.3	-1.2	29.5	44.6
160	301.3	-1.2	29.2	44.2
170	306.8	-1.2	29.5	44.7
180	312.6	-1.2	29.8	45.1
190	307.1	-1.2	29.5	44.7
200	300.2	-1.2	29.2	44.1
210	279.3	-1.2	28.2	42.7
220	275.7	-1.2	28.0	42.4
225	285.5	-1.2	28.5	43.2
230	288.6	-1.2	28.6	43.3
240	283.5	-1.2	28.4	43.0
250	255.5	-1.2	27.0	40.9
260	244.7	-1.2	26.5	40.1
270	233.7	-1.2	25.9	39.2
280	215.9	-1.2	25.0	37.6
290	242.3	-1.2	26.4	39.9
300	259.9	-1.2	27.3	41.3
310	279.9	-1.2	28.2	42.7
315	281.4	-1.2	28.3	42.8
320	288.9	-1.2	28.7	43.3
330	290.3	-1.2	28.7	43.4
340	297.4	-1.2	29.1	44.0
350	312.7	-1.2	29.8	45.1

Table 2-E
New App (BPED-911206MB)) Kenbridge, VA Ch 215A
1.0 kW, 62 m N 36° 54' 52" W 78° 05' 11"

<u>Azimuth</u> (deg)	<u>Effective</u> <u>Antenna</u> <u>Height</u> (meters)	<u>Effective</u> <u>Radiated</u> <u>Power</u> (dBK)	<u>Contour Distances</u>	
			<u>60 dBu F(50.50)</u> (km)	<u>40 dBu F(50.10)</u> (km)
0	66.3	0.0	14.8	52.7
10	72.7	0.0	15.5	54.4
20	78.7	0.0	16.2	55.9
30	78.8	0.0	16.2	55.9
40	71.8	0.0	15.4	54.2
45	75.6	0.0	15.9	55.1
50	79.5	0.0	16.3	56.0
60	73.6	0.0	15.6	54.6
70	66.2	0.0	14.8	52.7
80	59.7	0.0	14.1	50.7
90	59.6	0.0	14.1	50.7
100	56.6	0.0	13.8	49.7
110	62.9	0.0	14.5	51.8
120	71.3	0.0	15.4	54.1
130	66.8	0.0	14.9	53.0
135	66.4	0.0	14.8	52.7
140	65.3	0.0	14.7	52.5
150	63.5	0.0	14.5	51.9
160	70.0	0.0	15.2	53.7
170	77.3	0.0	16.1	55.5
180	70.9	0.0	15.3	53.9
190	88.5	0.0	17.4	58.1
200	80.4	0.0	16.4	56.3
210	76.9	0.0	16.0	55.4
220	72.5	0.0	15.5	54.4
225	69.7	0.0	15.2	53.6
230	67.4	0.0	15.0	53.0
240	64.3	0.0	14.6	52.1
250	59.7	0.0	14.1	50.7
260	48.7	0.0	12.8	46.2
270	43.6	0.0	12.1	43.6
280	37.1	0.0	11.2	39.9
290	41.0	0.0	11.8	42.2
300	34.9	0.0	10.9	38.6
310	39.0	0.0	11.5	41.0
315	46.3	0.0	12.5	45.0
320	47.5	0.0	12.7	45.6
330	54.4	0.0	13.5	48.8
340	61.4	0.0	14.3	51.3
350	66.4	0.0	14.8	52.7

Statement C

ALLOCATION CONSIDERATIONS

prepared for
Liberty University
Lynchburg, Virginia

Ch 215A (90.9 MHz) 0.10 KW (H&V) 184 m

This amendment requests a change in frequency of the proposed Liberty facility to resolve a conflict with a proposed site relocation of WRXT, Roanoke, Virginia. The proposed Liberty facility will move to channel 215A, a third adjacent channel to WRXT. Channel 215A is the only channel available for use at this site. There will be a *de minimus* amount of overlap between the proposed Liberty 100 dB μ contour and the proposed WRXT 60 dB μ contour. Support for a waiver of Section 73.509 of the Commission's Rules is contained herein.

The map of Figure 4 is an allocation study for channel 215A conducted in accordance with Section 73.509 of the FCC Rules. Except for critical situations and stations with directional antennas, all contours for stations operating with non-directional antennas were computed using the NGDC 30-second terrain data and standard 45-degree spaced radials. All stations with directional antennas listed in the FCC engineering database were computed at 10° azimuths, using the directional antenna parameters shown therein. All 60 dB μ contours were computed using the F(50,50) propagation curves; all other contours were computed using the F(50,10) curves, except where the distance was less than 16 kilometers, in which case the F(50,50) curves were employed, or as otherwise noted below. No prohibited overlap will occur between the proposed Lynchburg facility and any station other than WRXT. Tables 2A-E contain data with respect to facilities considered and their contour locations.

With respect to commercial stations operating on channels 268 and 269, the proposed facility will satisfy distance separation requirements of Section 73.207 of the Rules.

Statement C (Con't)

With respect to the facilities proposed in application BMPED-920414IF for WRXT, the Liberty facility will move from a second adjacent channel to a third adjacent channel. The proposed Liberty site is located within 0.3 kilometers of the closest point of the WRXT 60 dB μ contour. The WRXT proposal caused prohibited overlap between its 60 dB μ contour and the Liberty 80 dB μ contour.

The location of the WRXT contour was determined using the proposed antenna pattern, effective radiated power and antenna height above mean sea level. As shown in Table 2-A, USGS/DMA 3-arc second terrain data were employed to determine antenna height above average terrain at 1° azimuth increments for the critical bearings towards the proposed Liberty site. This is believed to provide the most accurate determination of antenna height above the average terrain elevation. The distance to the 60 dB μ contour was determined using a computer program that simulates the FCC's F(50,50) propagation curves, and employs the algorithm described in FCC/OCE Report RS76-01, Field Strength Calculation for TV and FM Broadcasting (Computer program TVFMFS).

This amendment proposes to relocate Liberty to Channel 215A, a third adjacent channel to WRXT. The overlap standard for this channel relationship is 60 dB μ (protected contour) and 100 dB μ (interfering contour).

At the proposed Liberty power level, 0.1 kilowatts, the distance to the 100 dB μ contour is below the minimum distance of 1.5 kilometers shown on the FCC's F(50,50) propagation curve. Therefore, the distance to the contour was computed using free space propagation. The distance to the 100 dB μ contour from the Liberty site is 0.7 kilometers. Within that 0.7 kilometers, the terrain drops sharply to the west, towards the WRXT 60 dB μ contour.

Statement C (Con't)

Figure 4B shows the relationship between the proposed WRXT 60 dB μ contour and the proposed Liberty 100 dB μ contour. There is 0.36 square kilometer of overlap between the proposed 100 dB μ contour and the WRXT proposed 60 dB μ contour, with a maximum extension of 0.5 kilometers of contour overlap.

Accordingly, waiver is hereby requested of the Commission's contour protection rules contained in Section 73.509. In support of that request, it is noted that the overlap is *de minimis* as the affected area is less than 0.008 percent of the overall WRXT coverage area, there is no population residing within the overlap area, and the nature of the terrain and the ownership of the site make it highly unlikely that there will ever be residences within the overlap area. The proposed frequency is the only frequency available at Lynchburg for a 100 watt (or greater) facility, and other sites would not allow adequate principal community coverage of Lynchburg. The public interest will be served as grant of this waiver will permit authorization of new service on channel 215 at Lynchburg, allow modification of the WRXT facility, and will only result in interference in a very small, totally unpopulated, area.

The land area within the contour overlap area shown in Figure 4B was determined to be 0.36 square kilometer by polar planimeter. The proposed WRXT 60 dB μ contour covers 4045 square kilometers. This was determined by mathematically integrating the area within the contour boundaries. The population within the entire 100 dB μ Liberty contour was determined to be zero persons, using 1990 Census digital tract data. Thus, there can be no population within the overlap area. An examination of Figure 4B, a portion of the U.S.G.S. 7.5 minute topographic map of the area shows no buildings within the overlap area, and precipitous terrain from the site to the edge of the overlap area. The undersigned has personally visited the site and hereby attests to the fact that the overlap area is entirely consumed by the right-of-way for a major highway, Candler Mountain Road, and steep, uninhabitable wooded mountainside.

Statement C (Con't)

The only other channel available for use at (or near) this site is channel 216A. Channel 216A would be limited to somewhat less than 50 watts ERP, to avoid interference to the proposed facilities of WTJU in Charlottesville. That power is not sufficient to provide 60 dB μ service to all of Lynchburg. In addition, the proposed Liberty site does not meet the IF spacing requirements to the licensed facilities of WJJS, Lynchburg. Thus, Channel 215A is the most suitable channel for use at Lynchburg.

It is believed that this proposal would meet the *de minimis* overlap waiver standards outlined in the **Memorandum Opinion and Order** released on April 24, 1992 involving the proposed modification of WCCE in Buies Creek, North Carolina. Accordingly, waiver of Section 73.509 of the Commission Rules is hereby respectfully requested.

Statement D

CHANNEL 6 CONSIDERATIONS

prepared for
Liberty University
Lynchburg, Virginia

Ch 215A (90.9 MHz) 0.10 KW (H&V) 184 m

This proposal has been analyzed in accordance with the provisions of Section 73.525 of the FCC Rules for potential interference to channel 6 television reception. There are two channel 6 facilities of concern, WVVA, Bluefield, Virginia, and WTVR, Richmond, Virginia. The proposed Lynchburg site is outside the grade B contours of both stations, and the Channel 215 interfering contour will not overlap the 47 dB μ grade B contour of any of the two stations.

The distances to each channel 6 television station 47 dB μ contour were determined in the direction of the proposed Lynchburg facility. The undesired-to-desired signal ratio for the grade B contour was determined from Section 73.599, Figure 1, of the Rules (27 dB for channel 215) and added to the 47 dB μ contour level to obtain the potentially interfering Lynchburg signal level (74 dB μ). Although not included in these calculations, it would also be appropriate to add the 6 dB receive antenna directivity factor to each of these potentially interfering signal levels as the Grade B contour for each station lies within the range of angles from the proposed station to which the directivity factor applies. The factor was not added due to the great distance between the proposed interfering contour and each Channel 6 Grade B contours.

The distances to each of these potentially interfering contours was determined from the proposed Lynchburg facility. The protected television and potentially interfering FM contours were plotted on a 1:2,000,000 U.S.G.S. map of the area. As demonstrated in Figure 5, the proposed FM interfering contour would not overlap any of the pertinent protected television contours. Thus, under the FCC Rules, objectionable interference is unlikely to occur, and this proposal will comply with the Channel 6 television protection criteria.

FIGURE 5
CHANNEL 6 INTERFERENCE STUDY

prepared August 1992 for
Liberty University, Inc.
Lynchburg, Virginia

Ch 215A 0.1 kW 184 m

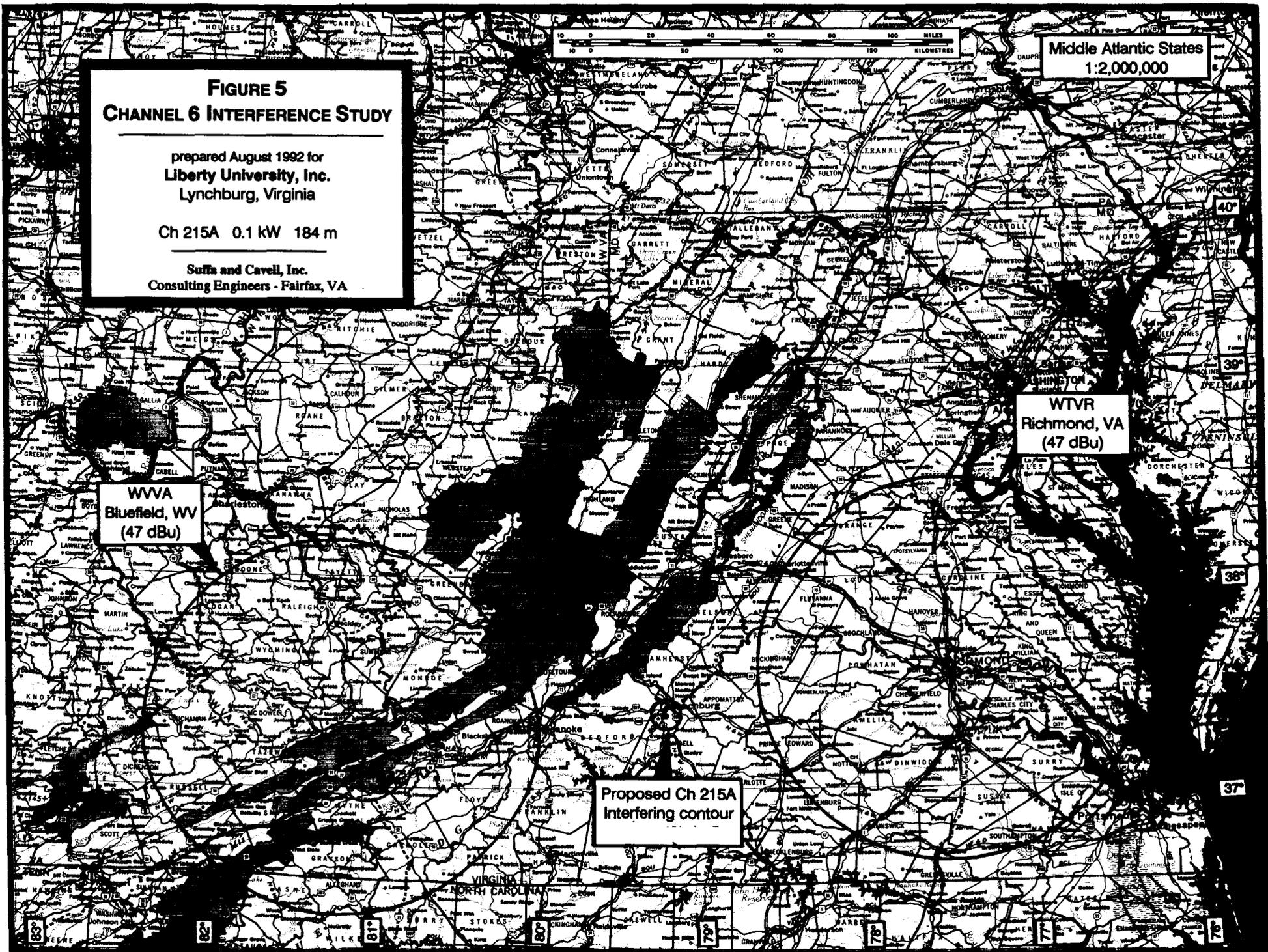
Suffa and Cavell, Inc.
Consulting Engineers - Fairfax, VA

Middle Atlantic States
1:2,000,000

WVA
Bluefield, WV
(47 dBu)

WTVR
Richmond, VA
(47 dBu)

Proposed Ch 215A
Interfering contour



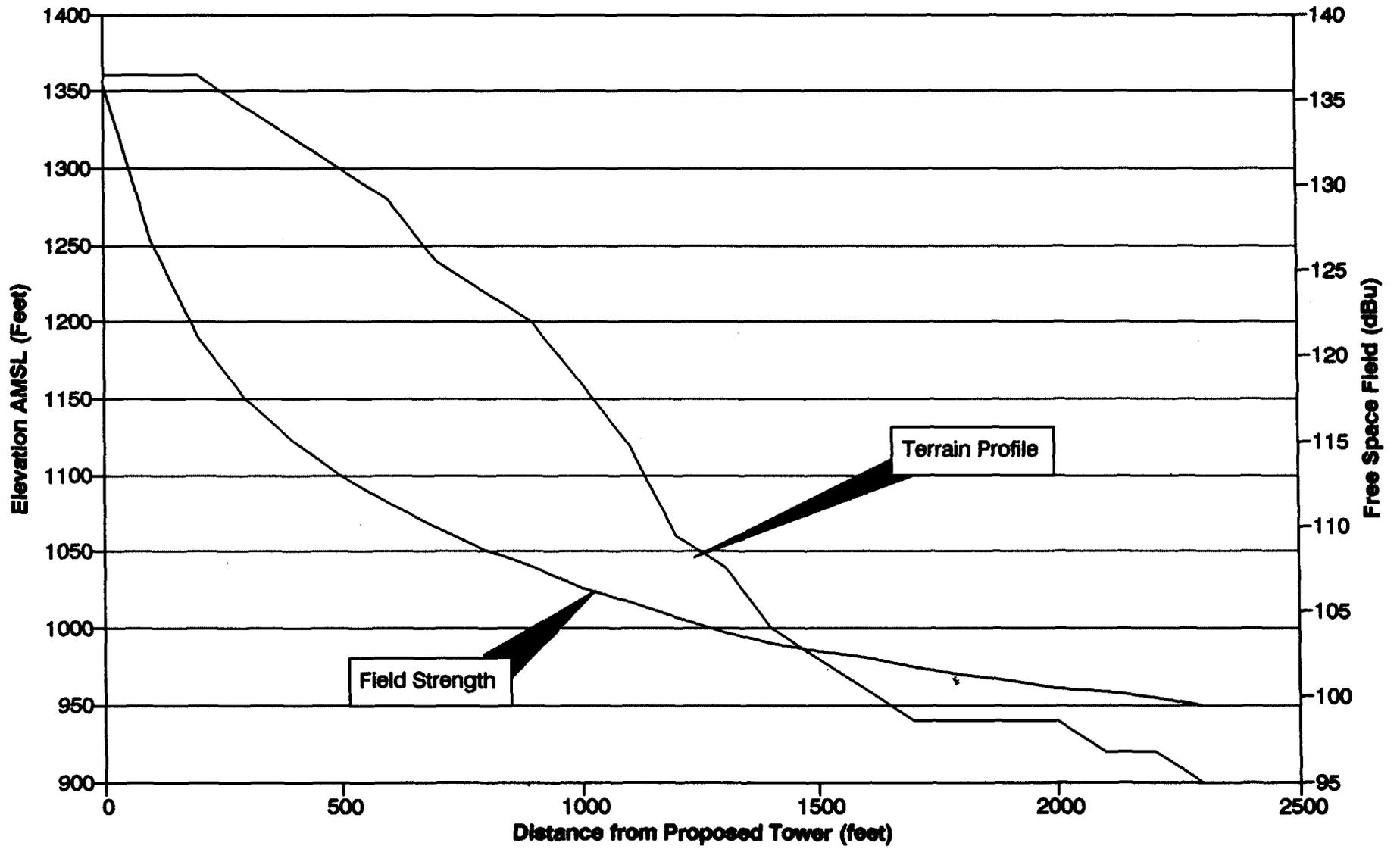


Figure 6
Terrain Profile and Field Strength
 prepared for

Liberty University

Suffa and Cavell, Inc.

ATTACHMENT A

June 2, 1992 FCC Letter

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

JUN 2 1992

IN REPLY REFER TO:
8920-JDB

RECEIVED
REDDY, BEGLEY & MARTIN

JUN - 5 1992

Vision Communications, Inc.
2023 Westvan Drive, NE
Roanoke, VA 24012

Liberty University, Inc.
3765 Candler's Mountain Road
Lynchburg, VA 24506

Addressed to _____
Handled by _____
File Lynchburg-Va FM comes

In re: WRXT (FM); Roanoke, VA
Vision Communications, Inc.
BMPED-920414IF

NEW (FM); Lynchburg, VA
Liberty University, Inc.
BPED-911206MB

(responded to 7/16/92)

Dear Applicants:

This refers to the above-captioned minor change application for WRXT to change antenna location, antenna height, and add a directional antenna, and the above captioned application for a new Class A FM station in Lynchburg, Virginia.

Preliminary engineering reviews of the subject applications reveal that the proposed facilities would result in objectionable interference due to prohibited overlap. Thus the applications are considered to be mutually exclusive as they now stand. Grant of either of these applications would come only after a comparative hearing. The policy of the Commission is to avoid sending educational applications to hearing, if at all possible, so that the substantial delays and expenses involved in the hearing can be avoided. This policy finds its underpinnings in the inability of many educational applicants to bear the costs (such as legal fees) that they would incur in prosecuting mutually exclusive applications through the hearing process. Accordingly, we are taking this opportunity to make you aware of your application's mutual exclusivity. We will withhold further action with respect to the subject applications for a period of sixty (60) days so that you have an opportunity to evaluate the situation and hopefully take such steps as would remove the mutual exclusivity. Possible alternatives include reducing effective radiated power or antenna height above average terrain, or changing frequency to increase the spectral separation of the proposed facilities. Share-time agreements between mutually exclusive educational applicants have also been employed to avoid designating their applications for hearing.

In sum, we urge you to communicate with each other concerning the mutual exclusivity issue and, if possible, to amend your applications so as to remove the present conflict between them. Action on these applications will be deferred for 60 days, to allow you the opportunity to negotiate. If no response is received during this period, these applications will be designated for a comparative hearing.

With respect to the application of WRXT, 47 C.F.R. § 73.3535(b) states that applications to modify unbuilt construction permits which are filed within 9 months of the grant date of the original permit must be accompanied by a statement that the permittee will begin construction immediately upon grant of the application. See Memorandum Opinion and Order, 102 FCC 2d 1054 (1985). Therefore, you must amend your application to provide this certification.

Finally, an engineering study of WRXT's application based upon OST Bulletin No. 65, October, 1985 entitled "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radiofrequency Radiation" reveals that the issue of potential occupational hazards caused by the proposed facility was not sufficiently resolved. WRXT's engineering report stated that, "[w]hen visits to the site by authorized personnel require exposure to RF fields in excess of 1.0 mV/cm squared, workers will be instructed that their exposure must not exceed six-minutes." However, OST Bulletin 65 states that exposure must be time-averaged over a six minute period. This means, for example, that if a worker is exposed to twice the ANSI levels for three consecutive minutes, he or she must not be exposed at all during the subsequent consecutive three minutes. Therefore, you must amend your application to include a further explanation of how workers will be protected.

Sincerely,

Arthur E. Doak

for Dennis Williams
Chief, FM Branch
Audio Services Division
Mass Media Bureau

cc: James E. Price (Vision)
Reddy, Begley & Martin (Liberty)
Lahm, Suffa & Cavell, Inc. (Liberty)

ATTACHMENT B

**July 16, 1992 Joint Letter
of Vision and Liberty**

LAW OFFICES
REDDY, BEGLEY & MARTIN

1001 22ND STREET, N. W.

SUITE 350

WASHINGTON, D. C. 20037

(202) 659-5700

DENNIS F. BEGLEY
HARRY C. MARTIN
MATTHEW H. MCCORMICK
CHERYL A. KENNY
ANDREW S. KERSTING

EDWARD B. REDDY
(1915-1990)

FACSIMILE NUMBER
(202) 659-5711

July 16, 1992

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: Station WRXT(FM)
Roanoke, Virginia
Vision Communication, Inc.
File No. BMPED-920414IF

Liberty University, Inc.
Lynchburg, Virginia
File No. BPED-911206MB

RECEIVED

JUL 16 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Searcy:

This is a joint response by the above-referenced applicants to Dennis Williams' letter of June 2, 1992 (your reference: 8920-JDB) addressing the mutual exclusivity of the applicants' proposals and admonishing them to negotiate a settlement.

It has been determined that there may exist a different FM frequency to which Liberty University, Inc. ("LBC") could amend its proposal. However, such an amendment prior to hearing designation would constitute a "major" change under Section 73.3573(a)(1) of the Commission's rules, thereby removing LBC's application from protected status under the cut-off rules. Thus, the submission of such an amendment would substantially delay processing of LBC's proposal and again subject it to competing applications. After hearing designation, however, it appears an amendment to LBC's application specifying a different frequency could be accepted pursuant to Section 73.3522(b) of the rules without assignment of a new file number or a loss of cut-off status.

Under these circumstances, LBC and Vision Communications, Inc. ("Vision") agree that the best way to resolve the mutual exclusivity of their applications is through the speedy designation of their applications for hearing. Accordingly, such immediate designation is hereby requested.

Ms. Donna R. Searcy
Federal Communications Commission
July 16, 1992
Page 2

The undersigned counsel for LBC has sent an advance copy of this letter to Mr. Worth M. Miller, President of Vision, for his approval, and such approval has been obtained.

Should questions arise concerning LBC's application, please communicate with the undersigned. Questions concerning Vision's application should be directed to Vision Communications, Inc., c/o Mr. Worth M. Miller, 2023 Westvan Drive, N.E., Roanoke, Virginia 24012, telephone: 703/982-3287.

Very truly yours,

HARRY C. MARTIN
Counsel for
LIBERTY UNIVERSITY, INC.

HCM/sbs

cc: Mr. Worth M. Miller
Mr. James D. Bradshaw

bc: Dr. Jerry Falwell

ATTACHMENT C

**Mass Media Bureau Comments
in Alabama Case**

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Applications of) MM DOCKET NO. 92-70
)
SABLE COMMUNITY BROADCASTING)
CORPORATION) File No. BPED-851003MB
Channel 217A)
Hobson City, Alabama)
)
BOARD OF TRUSTEES SHORTER COLLEGE) File No. BPED-860205MD
Channel 217A)
Rome, Georgia)
)
GADSDEN STATE COMMUNITY COLLEGE) File No. BPED-860307MK
Channel 217C2)
Gadsden, Alabama)
)
TRINITY CHRISTIAN ACADEMY) File No. BPED-860512MB
Channel 217A)
Oxford, Alabama)
)
For Construction Permits for)
New and Modified Noncommercial)
FM Facilities on Channel 217)

To: Administrative Law Judge
Arthur I. Steinberg

MASS MEDIA BUREAU'S COMMENTS
IN SUPPORT OF MOTION FOR LEAVE TO AMEND

1. On May 21, 1992, Gadsden State Community College ("Gadsden State") filed a Motion for Leave to Amend its above-captioned application to change its technical proposal. The Mass Media Bureau submits the following comments in support.

2. Gadsden State's amendment would substitute Channel 218

for its presently proposed Channel 217, and make other technical modifications. The change would eliminate the mutual exclusivity between Gadsden State and the above-captioned competing applicants. Thus, acceptance of the amendment would lead to the grant of Gadsden State's application.¹

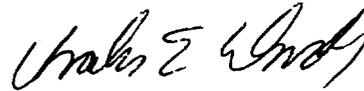
3. The Bureau's engineering staff has analyzed the proffered amendment and has concluded that the amendment conforms with the Commission's technical standards. We are of the view that Gadsden State has shown good cause for acceptance of the amendment, for the reasons set forth in the Motion. Gadsden State had submitted substantially the same amendment pre-designation, but the amendment was returned because it constituted a "major change." See Revision of Sections 73.3571, 73.3572 and 73.3573 of the Commission's Rules, 5 FCC Rcd 2993 (1990). The "major change" rule is not applicable to post-designation amendments. Revision, supra, at n. 10; California Broadcasting Corporation, 90 FCC 2d 800, 808 (1982), and cases cited therein. See also Rebecca Radio of Marco, 4 FCC Rcd 830 (1989). There is further good cause here because acceptance of the amendment would simplify, if not eliminate the need for, the above-captioned proceeding. Cf. Las Americas Communications.

¹ As Gadsden State acknowledges, at n. 2, Gadsden State must first resolve a pending issue concerning Section 73.525 of the Commission's Rules, which deals with Channel 6 protection. See Hearing Designation Order, 7 FCC Rcd 2356 (1992).

Inc., 5 FCC Rcd 1634 (1990); Rebecca Radio of Marco, supra.

4. Accordingly, the Bureau supports acceptance of Gadsden State's proffered amendment.

Respectfully submitted,
Roy J. Stewart
Chief, Mass Media Bureau



Charles E. Dziezic
Chief, Hearing Branch



Y. Paulette Laden
Attorney
Mass Media Bureau

Federal Communications Commission
2025 M Street N.W.
Suite 7212
Washington, D.C. 20554
(202) 632-6402

June 2, 1992

CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch Mass Media Bureau, certifies that she has, on this 2nd day of June, 1992, sent by regular United States mail, U.S. Government frank, copies of the foregoing "Mass Media Bureau's Comments in Support of Motion for Leave to Amend" to:

M. Scott Johnson, Esq.
Gardner, Carton & Douglas
1301 K Street, N.W.
Suite 900, East Tower
Washington, D.C. 20005

Harry C. Martin, Esq.
Reddy, Begley & Martin
1001 22nd Street, N.W.
Suite 350
Washington, D.C. 20037

Sable Community Broadcasting Corporation
611 Church Street
Hobson City, Alabama 36201

C. Wade Monk, Esq.
Shaw, Maddox, Graham, Monk & Boling
100 East Second Avenue, 4th Floor
Trust Company Bank Building
Post Office Box 29
Rome, Georgia 30162-0029

Michelle C. Mebane
Michelle C. Mebane

ATTACHMENT D

**Order of ALJ Steinberg Accepting
Amendment Proposing Channel Switch**