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August 20, 1991

RECEIVED

AUG 20 1991

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

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
Re: File No. BPH 910708ME
Shirley A. Penrod
South Waverly, PA

Dear Ms. Searcy:

Transmitted herewith, in triplicate, on behalf of Shirley A. Penrod, applicant for a construction permit for a new FM station on Channel 241A at South Waverly, Pennsylvania, is an amendment to its engineering to expand its radio frequency statement specifically addressing the question of RF radiation to maintenance personnel.

Should further information be desired in connection with this matter, please communicate with this office.

Very truly yours,

Robert L. Olender
Counsel for
SHIRLEY A. PENROD

RLO:bpt
Enclosure
25164.06\Searcy.820

cc: W. Jan Gay, Esq. (w/enclosure via Hand Delivery FCC Room 302)

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AUG 21 1991

FM EXAMINERS

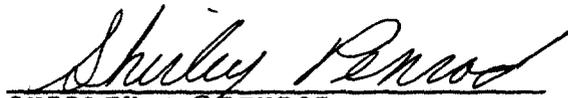
August 15, 1991

Mr. Robert L. Olender
Baraff, Koerner, Olender & Hochberg
5335 Wisconsin Avenue, N.W., Suite 300
Washington, D.C. 20015

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AUG 20 1991
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Bob:

I, Shirley A. Penrod, authorize amendment of my pending FM broadcast application BPH-910708ME, by the attached engineering.


SHIRLEY A. PENROD

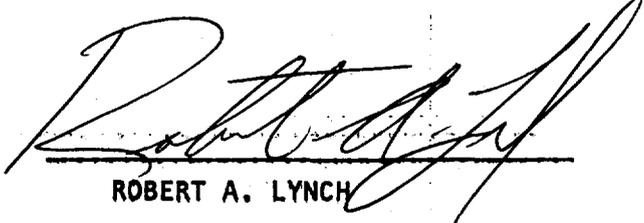
Village of Trumansburg)
Tompkins County) SS.
State of New York)

Robert A. Lynch, being duly sworn upon his oath, deposes and states that:

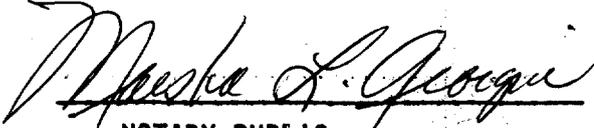
He is an employee and a consultant with the firm Independent Broadcast Consultants, Inc., with offices at 110 County Road 146, Trumansburg, New York 14886-9721.

His qualifications are a matter of record with the Federal Communications Commission, having filed numerous technical reports with them in the past and having participated in other technical projects and applications which have been accepted for filing and subsequently were granted construction permits.

That facts contained in this report subscribed by him are true of his own personal knowledge, except those stated on information and belief, and those facts he verily believes to be true.


ROBERT A. LYNCH

Subscribed and sworn before me this 13 day of August, 1991.


NOTARY PUBLIC

BARBARA L. GIBSON
Notary Public, State of New York
No. 291738
Qualified in Tompkins County
Commission Expires Sept. 24, 1991

SHIRLEY A. PENROD
Ch. 241A; 0.620kW, 217m AAT
South Waverly, PA

ENGINEERING STATEMENT

This report has been prepared on behalf of Shirley A. Penrod, applicant for a new FM broadcast station on Channel 241A (96.1 MHz.) with 0.620 kilowatts effective radiated power at 217 meters above average terrain, said station to be licensed to South Waverly, PA in accordance with application BPH-910708ME. By this filing, the applicant seeks to provide a minor technical amendment to BPH-910708ME, expanding upon its discussion of environmental impact pertaining to radiofrequency emissions.

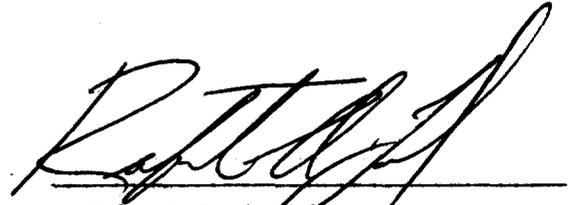
Subsequent to the undersigned's preparation of the engineering report for Ms. Penrod's application, Commission staff advised this office that they have altered policy or modified enforcement criteria for such policy so as to demand an expanded showing to document RF radiation compliance. In the Engineering Statement for BPH-910708ME, calculations clearly documented that the proposal would produce radiofrequency emissions at ground level far less than those deemed sufficient to constitute an environmental health risk. However, the Commission now requires the applicant also demonstrate that its proposal would pose no RF emission risk to those climbing the supporting structure for maintenance or other authorized purposes. It is that latter issue that this report addresses.

The applicant, Shirley A. Penrod, proposes to place her proposed two-bay side-mounted FM antenna near the top of a uniform cross-section guyed steel tower 59 meters in height above ground. This tower will be constructed new and for the specific purpose of this proposal. No other facilities other than those of this applicant are immediately anticipated. To ensure that those climbing this tower for construction or maintenance activities are not exposed to excessive levels of radiofrequency emissions, the applicant certifies that whenever maintenance or other activities are performed on the tower by authorized personnel, the proposed station's transmitter will be turned off, and that personnel will verify that status prior to climbing the supporting structure. Should other services unrelated to the applicant later locate on the structure, the applicant will also terminate operations for the duration of those services' construction or maintenance, and likewise demand the same from those services should work prove necessary on her proposed antenna. (Based on the formulas and procedures contained in OST Bulletin No. 65, RF emissions at the point ten meters, or 33 feet, beneath the FM antenna's bottom bay equal 0.414 mw/cm^2 , or 41.4% of the allowed 1 mw/cm^2 limit; therefore, maintenance on the tower at least 10 meters beneath the bottom bay, or put another way,

no higher than 46 meters (152 feet) AGL would be exempt from this requirement to terminate FM broadcast operations, though any other facilities on said tower would require termination.)

Based on the foregoing discussion, this proposal is deemed to comply with radiofrequency emission standards as they affect both maintenance personnel and the general public.

August 12, 1991



Robert A. Lynch
Consulting Engineer

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