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FILE

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

MM Docket No. 92-253

In re Applications of	)	
	)	
BAKCOR BROADCASTING, INC., Debtor c/o DENNIS ELAM, TRUSTEE	)	File No. BRH-900330VV
	)	
For Renewal of License of Station KKIK(FM), Lubbock, Texas	)	
	)	
SOUTHWEST EDUCATIONAL MEDIA FOUNDATION OF TEXAS, INC.	)	File No. BPED-900629MK
	)	
For Construction Permit for a new FM Station on Channel 229C1, Lubbock, TX	)	

To: Administrative Law Judge Walter C. Miller

PETITION FOR LEAVE TO AMEND

Southwest Educational Media Foundation of Texas, Inc., by its counsel, hereby petitions for leave to amend its application in the above-captioned proceeding. In support whereof the following is stated:

1. The attached amendment provides the material required by para. 3-5 and 9-11 of the Hearing Designation Order ("HDO"). In response to para. 3, corrected tower height information is provided. In response to para. 4, a statement regarding potential intermodulation interference is provided. In response to para. 5 an Environmental Assessment is provided.

2. In addition to being required by the HDO, the amendment meets the normal "good cause" criterion developed by case law which include the following:

1) The applicant acted with due diligence in filing the

petition to amend;

2) acceptance of the proposed amendment will not necessitate a change in issues, or the addition of new issues or parties;

3) the proposed amendment is not required as a result of a voluntary act of the applicant;

4) other parties will not be unfairly prejudiced by the acceptance of the amendment; and

5) the applicant will not gain a comparative advantage through acceptance of the proposed amendment.

See Sands Broadcasting Corp., 22 R.R. 106, 110 (H.E. 1961). Accord, Radio Ridgefield, Inc., 47 F.C.C. 2d 402 (Rev. Bd. 1974), Click Broadcasting Co., 25 F.C.C. 2d 511 (Rev. Bd. 1970), Erwin O'Connor Broadcasting Co., 22 F.C.C. 2d 140 (Rev. Bd. 1970), Ultravision Broadcasting Co., 11 F.C.C. 2d 394 (Rev. Bd. 1968).

2. Specifically, the applicant has acted with due diligence in submitting the amendment within 30 days following release of the Hearing Designation Order as required. Acceptance of the amendment will not necessitate the modification or addition of issues or parties (it will in fact eliminate the environmental issue). The other parties will not be prejudiced by the acceptance of the amendment, and the applicant does not seek nor will it obtain any comparative advantage from the information provided by the amendment.

WHEREFORE THE PREMISES CONSIDERED, it is respectfully requested that the attached amendment be accepted for filing.

Respectfully submitted,

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SOUTHWEST EDUCATIONAL MEDIA
FOUNDATION OF TEXAS, INC.

By _____
James L. Oyster
Counsel

CERTIFICATE OF SERVICE

James L. Oyster hereby certifies that he has sent a copy of the foregoing PETITION FOR LEAVE TO AMEND by first class U.S. mail, postage prepaid, or by hand delivery, on or before the 11th day of November, 1992, to the following:

The Honorable Walter C. Miller
Administrative Law Judge
Federal Communications Commission
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Response to Paragraph 3 of the Hearing Designation Order.

The staff indicates that the applicant should either file FAA Form 7460-1 or amend its application to correspond to the Commission's Antenna Survey Branch database.

The applicant secured its data with regard to tower height from the staff of KJTV-TV in Lubbock, Texas which apparently provided incorrect information. It is assumed that the Commission's database is accurate.

Therefore, the applicant would like to amend Section V-B, Item 7 to reflect the following tower height values and thereby agree with the ASB database:

Overall tower height above ground level (AGL)	272.2 meters
Overall tower height above mean sea level (AMSL)	1249.7 meters

Response to Paragraph 4 in the Hearing Designation Order.

The staff's study raises the question of intermodulation product(s) generated between three stations located on the proposed tower site and 93.7 Mhz. The stations currently on the proposed tower site tower are as follows:

KAMY-FM	90.1 Mhz
KTEZ-FM	101.1 Mhz
KEJS-FM	106.3 Mhz

The four stations mentioned as having potential receiver-induced intermodulation interference are:

KATX-FM	97.3 (Plainview TX)
KDNC-FM	107.7 (Denver City TX)
KOKN-FM	102.9 (Hobbs NM)
KIOL-FM	100.3 (Lamesa TX)

The applicant has investigated the potential intermodulation between the above listed stations. The applicant has studied the potential interference of the product of the four stations on the proposed tower site.

Three factors contribute to the intermodulation level. They are transmitter output, network selectivity, the amplifier mode of operation, (class A, B2, C1 etc.), and the antenna isolation. First, Considering the antenna isolation of the four stations on the tower the intermodulation should be greater than 80 dB down. Second, the transmitter isolation should negate any unwanted intermodulation product. Lastly, the type of transmitters both proposed and in use should generate no undesirable product. (The applicant has reason to believe that all of the transmitters proposed or currently in use are the standard "tunable" transmitters and not wide band).

It is our opinion that these factors will make the products greater than 80 dB down in the proposed system. "Good engineering practices" require at least 80 dB attenuated.

However, the applicant will accept full responsibility for the elimination of any objectionable interference. The applicant will at its expense purchase and install any filter(s) necessary to filter the output of the transmitter to meet 5th order product being at least 80 dB below the carrier levels, or in accordance with Commission rules, and take such other steps as may be necessary.

The applicant will be responsible for making sure that all intermodulation products will be at least 80 dB attenuated and will be below either (and all) carrier amplitude of the stations involved.

Response to Paragraph 5 of the Hearing Designation Order.

The order requests the applicant to file an Environmental Assessment statement as required by C.F.R. § 1.1311 and file a copy with the Chief of the Audio Services Division.

The following Environmental Statement is now made as an amendment to the application.

The applicant has determined that the proposed site will not have a significant environmental effect under the criteria set forth in C.F.R. § 1.1307. The applicant has used Table 1 of the guidelines released by the Commission January 28, 1986, (ANSI C95.1-1982) under O.S.T. Bulletin 65. All of the radio and television transmitters were considered in the study. Even in the "worst case" situation the center of radiation of the lowest antenna array on the tower was 147.7 meters (AGL). This facility now has an application on file to increase its E.R.P to 40 KW. Based on the above mentioned guidelines there should be no ground radiation exposure. According to the table 1, even at 200 KW the antenna array is far above the minimum of 81.7 meters. At 40 KW an interpolated minimum of 36.1 meters would be sufficient.

To protect the public and station workers from exposure to RF levels a six foot fence surrounds the base of the tower. The gate is locked. Signs will be posted warning "Danger - High RF Radiation Levels."

During maintenance or repair the transmitter(s) will be shut down so that so that access to the tower will pose no danger to workers.

Respectfully submitted,
Southwest Educational Media
Foundation of Texas, Inc.

by T. Kent Atkins, president
November 5, 1992