WIQH 88.3 FM

500 Walden Street Concord, Mass. 01742

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AUDIO SERVICES DIVISION

April 23, 1986

The Secretary of The Commission
Federal Communications Commission
Washington, D.C. 20554

in re: WIQH, Concord, Massachuetts
Concord-Carlisle Regional
School District
File No. 851105MA and:

Letter from The Commission
File No. 8920-CMJ

Mr. Secretary,

This letter refers to the above-captioned application for a non-commercial educational FM Station construction permit and to the above-captioned letter from the Commission dated March 24, 1986. Copies of the application and the letter are enclosed.

WIQH hereby files a Petition for Reconsideration of the aforementioned application, pursuant to Section 1.106 of the Commission's Rules. The station is aware of the predicted overlap of signal strength contours (referred to in the attached letter from the Commission) with station WERS-FM, and, thus, requested a waiver of portions of Section 73.509(a) of the Commission's Rules. The request for waiver and evidence to support said request is presented in detail in the Engineering Statement enclosed as part of WIQH's application. See pages 3 and 4 of the Engineering Statement, particularly the paragraph entitled "Third-Adjacent Channel" and the "Summary". Note that the Commission's letter explaining the return of the application makes no reference to the waiver request. This petition specifically requests action on the request for waiver.

It should be noted that the application filed by WIQH was carefully researched. It is the belief of the station that a grant of the requested waiver in in the public interest, convenience and necessity for the following reasons.

As part of the preparation of WIQH's application for power increase, every frequency in the FM band, both non-commercial and commercial, was considered as a possible place to which to relocate WIQH. The study clearly showed that there are no frequencies in the non-commercial band that WIQH would be able to move to without causing significant interference to one or more existing stations. The results of the study of the non-commercial band are displayed in tabular form in the application'c Engineering Statement (see Table 1 of

the Engineering Statement). Although not specifically shown in the application, the study also revealed that there are no frequencies in the commercial band to which WIQH can move without causing interference to existing stations. WIQH is also prohibited from moving to 87.9 MHz due to the proximity of WLNE-TV, Channel 6, in New Bedford, Massachusetts (see Engineering Statement page 4, paragraph entitled "TV Channel 6"). This leaves WIQH with no option but to remain a Class D station on its present frequency unless the request for waiver is granted.

As carefully described in the application, WIQH's proposed facilities would cause predicted interference to WERS that is so minor as to be considered de minimus. At the same time, the station's proposed facilities would make particularly efficient use of the FM spectrum. With WBMT-FM, Boxford, Massachusetts, WIQH in Concord, Massachusetts and WGAO-FM, Franklin, Massachusetts all operating on 88.3 MHz, that frequency is fully utilized and yet the three stations do not interfere with each other (see Table 2, "CO-CHANNEL INTERFERENCE STUDY" and pages 1 and 2, paragraph entitled FM INTERFERENCE STUDY "Co-Channel", both in the Engineering Statement).

In summary, it is the station's belief that a grant of the requested waiver is clearly in the public interest, convenience and necessity; that the station's proposed facilities would make most efficient use of the FM spectrum in a highly congested FM band; that any interference to WERS would be de minimus; and, thus, that this Petition for Reconsideration should be considered and a waiver granted as requested.

Respectfully submitted,

Ned Roos

Edwin (Ned) Roos, WIQH Advisor and Technical Director

In addition to this Petition for Reconsideration, this envelope contains:

1. The original application filed by WIQH and returned by The Commission.
2. A copy of the application which, along with the copy retained by The Commission, provides The Commission with the required three copies of the application.
3. The statement of Public Notice filed by WIQH and returned by The Commission along with the text of the Public Notice originally filed by WIQH with said statement.