

920813MB

RECEIVED

WALKER, BORDELON, HAMLIN, THERIOT AND HARDY AUG 13 1992

ATTORNEYS AT LAW

701 SOUTH PETERS STREET, SUITE 100  
NEW ORLEANS, LOUISIANA 70130

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

DAVID E. WALKER, OF COUNSEL  
MICHAEL T. TUSA, JR.

TELEPHONE: 504-524-5328  
TELEFAX 504-528-1071  
OUR FILE NO.

350-005

ALVIN J. BORDELON, JR.  
WILLIAM J. HAMLIN  
DONALD E. THERIOT\*  
ASHTON R. HARDY  
BRADFORD D. CAREY  
REGINA S. WEDIG

August 13, 1992

WILLIAM C. ELLISON  
MARJORIE R. ESMAN  
CRAIG E. FROSCHE  
LAURIE S. WAHLDER  
KATHERINE B. HARDY  
DONALD F. CASS, JR.

\*LL.M. IN TAXATION

AUG 13 1992  
AUG 13 2 28 PM '92

HAND DELIVERED

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

Re: Educational Media Foundation of Bryan/College Station  
Applicant, New Non-Commercial Educational FM Station  
Bryan, Texas - FCC File No. BPED-910924MC

Amendment

Dear Ms. Searcy:

Enclosed please find an original and two (2) copies of an Amendment to the above-referenced application. This Amendment, in part, addresses the Supplement to Petition to Deny or Hold in Abeyance filed on or about July 29, 1992 by Channel 6, Inc. Filed simultaneously is an Opposition to that Supplement to Petition to Deny or Hold in Abeyance.

If the Commission has any questions, please feel free to contact me at any time.

Sincerely,



Marjorie R. Esman

RECEIVED  
AUG 13 3 40 PM '92  
FM EXAMINERS

MRE/bgc  
Enclosures

cc: Dennis Williams  
Ann K. Ford  
Buddy Holiday

APPLICATION FOR CONSTRUCTION PERMIT FOR  
NONCOMMERCIAL EDUCATIONAL BROADCAST STATION  
(Carefully read instructions before filing form) Return only form to FCC

For Commission Use Only

File No.

Section I - GENERAL INFORMATION

RECEIVED

AUG 13 1992

1. Name of Applicant Educational Media Foundation of Bryan/College Station		
FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY		
Street Address or P.O. Box P.O. Box 187		
City Humble	State TX	ZIP Code 77347
Telephone No. (Include Area Code) (713) 446-5725		

Send notices and communications to the following person at the address below:		
Name Buddy Holiday *		
Street Address or P.O. Box P.O. Box 187		
City Humble	State TX	ZIP Code 77347
Telephone No. (Include Area Code) (713) 446-5725		

2. This application is for:  AM  FM  TV

(a) Channel No. or Frequency 89.9
--------------------------------------

(b) Principal Community	City	State
	Bryan	TX

(c) Check one of the following boxes:

- Application for NEW station
- MAJOR change in licensed facilities; call sign: \_\_\_\_\_
- MINOR change in licensed facilities; call sign: \_\_\_\_\_
- MAJOR modification of construction permit; call sign: \_\_\_\_\_  
File No. of construction permit: \_\_\_\_\_
- MINOR modification of construction permit; call sign: \_\_\_\_\_  
File No. of construction permit: \_\_\_\_\_
- AMENDMENT to pending application; application file number: \_\_\_\_\_ BPED-910924MC

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

\* Copy to Ashton R. Hardy, Bordelon, Hamlin, Theriot & Hardy  
701 S. Peters St., New Orleans, LA 70130

3. Is this application mutually exclusive with a renewal application?  Yes  No

If Yes, state:	Call letters	Community of License	
		City	State

**SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

1. Does the applicant propose to employ two or more full-time employees?

Yes  No

If Yes, the applicant must include an EED program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 396-A).

**SECTION VII - CERTIFICATION**

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580?

Yes  No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.85, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.  
U.S. CODE, TITLE 18, SECTION 1001.**

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant Educational Media Foundation of Bryan/College Station	Title Vice President
Signature 	Date 8-11-92

**FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT  
AND THE PAPERWORK REDUCTION ACT**

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 76 to 80 hours with an average of 78 hours 04 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Office of Managing Director, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0034), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

**GALLAGHER & ASSOCIATES**

CONSULTING RADIO ENGINEERS

CLARKSVILLE MD

ORIGINAL

EXHIBIT NO. E-1  
(Amended)

**ENGINEERING STATEMENT  
REGARDING AN AMENDMENT TO THE  
APPLICATION FOR CONSTRUCTION PERMIT  
NEW EDUCATIONAL FM BROADCAST STATION  
CHANNEL 210A, 89.9 MHz  
ERP 100 WATTS AT 101 METRES AAT**

This engineering statement and associated exhibits have been prepared on behalf of Educational Media Foundation of Bryan-College Station, to accompany an amendment to their application for a new educational FM broadcast station at Bryan, Texas, to operate on Channel 210A with an effective radiated power of 100 Watts and an antenna height of 101 metres above average terrain (FCC File No. BPED-910924MC). The amendment presently on file supplies additional information requested by the FCC in its letters dated December 6, 1991 and February 24, 1992, and contains Section V-B of FCC Form 340 and the exhibits and data required by that section and the FCC Rules. This amendment corrects an error in the methods used to calculate interference to the channel 6 operation of KCEN-TV, Temple, Texas. This amendment contains Exhibit No. E-1 (Amended) which should be substituted for the Exhibit No. E-1 presently on file. In addition, this amendment contains Exhibit No. E-6A (Amended) and Exhibit No. E-6B (Amended) which should be substituted for the correspondingly numbered exhibits presently on file. All other exhibits and data remain unchanged.

EXHIBIT NO. E-1

(Amended)

Page 2

It is proposed to lease space to mount the proposed antenna on an existing tower at a height of 187 metres above mean sea level. This tower has been approved by the FAA in Study No. 81-ASW-2255-OE for a height of 809 feet (246.6 metres) above mean sea level, 499 feet (152 metres) above ground level (corresponding to a ground level of 310 feet). The owner of the tower insists that these figures are correct and the FAA agrees with the tower owner. For this reason, these figures are used in this application. The location of the proposed transmitting site is described on the forms and exhibits attached hereto. When rounded to the nearest whole kilometre, the transmitting site will comply with all of the separation requirements of Section 73.207 of the FCC Rules, with respect to stations operating 53 or 54 channels above the channel proposed herein. The proposed site is more than 320 kilometres from either Mexico or Canada. Five FM stations and eight TV stations are located within 10 kilometres of the site proposed herein. The applicant will employ such measures as necessary to assure operation in accordance with Section 73.317 of the FCC Rules. The effects of receiver induced intermodulation are dependent on the characteristics of the individual receivers involved and therefore cannot be predicted. If complaints of interference are received, the applicant agrees to rectify any complaints in accordance with Section 73.318 of the Commission's Rules, and past policies regarding such interference.

Exhibit No. E-4 is a U.S.G.S. Topographic Map to a scale of 1:250,000 showing the proposed site, radials used for terrain analysis,

EXHIBIT NO. E-1

(Amended)

Page 3

the 1 mV/m contours, and the city limits of Bryan. The original latitude and longitude lines have been enhanced and relabeled for clarity. The distance to the field strength contours shown were determined in accordance with Section 73.313 of the Commission's Rules using a computer program that duplicates the results that would be obtained from Figure 1 and Figure 1a of Section 73.333 of the Rules. The average 3 to 16 kilometre terrain elevation of each radial was computer generated using the National Geophysical Data Center thirty-second data point data base.

Exhibit No. E-5 is an allocation study in response to Paragraph 21 on Form 340. The normally protected and interfering contours for the proposed operation are shown. The nearest station operating on a channel requiring consideration is KPFT, Houston, Texas. KPFT operates on Channel 211 and is located 118 kilometres southeast of the proposed site. The KPFT 54 dBu contour clears the proposed 60 dBu contour by more than 22 kilometres. All other stations and pertinent contours clear by even greater distances.

The nearest Channel 6 television station is KCEN-TV, Temple, Texas, located at a distance of 103 kilometres at a bearing of 312° True, and is licensed to operate with an ERP of 100 kW and an antenna height of 573 metres above average terrain. The KCEN-TV field strength at the proposed site, based on an antenna height of 610 metres AAT at 131° True, is 56 dBu, and varies between 54 and 58 dBu in the vicinity of the proposed site as shown on Exhibit No. E-6A. Since it is proposed to operate on Channel 210, the protection ratio varies, as shown on the exhibit, in such a

EXHIBIT NO. E-1

(Amended)

Page 4

manner that the interfering contour varies between 66.0 dBu and 66.3 dBu throughout the area. The difference between the 66.0 and the 66.3 dBu contour is less than 0.1 km and not easily seen on the scale map used. The interference contour is shown and labeled as the 66 dBu contour. It is proposed to operate with an ERP of 100 watts using an antenna that is

EXHIBIT NO. E-1

(Amended)

Page 5

the interference that extends beyond the Grade A contour encompasses 8.4% of the land area of West Brazos Division (7,756 persons), and 12.7% of the land area of that portion of Bryan City that is within West Brazos Division (4,288 persons). The population within the interference area is therefore 8.4% of 7,756 persons plus 12.7% of 4,288 persons within these sub-divisions (see table on Exhibit No. E-6B (Amended)) for a total of 1197 persons, well below the maximum of 3000 persons permitted by Section 73.525 of the Rules.

In October, 1985, the Commission issued OST Bulletin No. 65, entitled "Evaluating Compliance with FCC Specified Guidelines for Human Exposure to Radiofrequency Radiation". The following evaluation is based on worst case figures from Table 1 for FM, page 37, (Appendix B) of OST No. 65. That table shows that an FM station with a combined effective radiated power (ERP) of 0.5 kW (H+V) must have a center of radiation above ground level of at least 4.1 metres. It is proposed to operate with an ERP of 0.1 kW and an antenna height of 93 metres above ground level. As can be seen, the operation as proposed herein will comply with the guidelines in OST-65, since none of the area within 4.1 metres of the antenna will be accessible to the public. A fence or anti-climbing device will be installed to prevent unauthorized access to the tower. The following procedures have been established for workers who must climb the tower. If the workers are to be at a height of less than 88 metres (288 feet) above ground, the transmitter will continue to operate at full

**GALLAGHER & ASSOCIATES**

CONSULTING RADIO ENGINEERS

CLARKSVILLE, MD

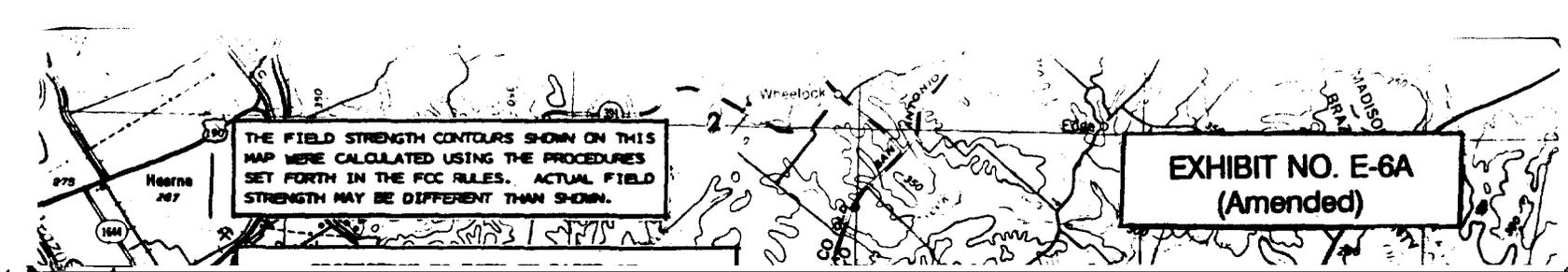
EXHIBIT NO. E-1

(Amended)

Page 6

power. If the workers are to be more than 88 metres above ground, the proposed station will cease operation.

It is proposed to side-mount the FM broadcast transmitting antenna on an existing tower. No changes in the overall height, location or obstruction lighting are proposed. Further, as discussed above, the proposed operation would not involve conflict with Section 1.1307(b) of the FCC Rules. Therefore, pursuant to Section 1.1306(b) of the Rules, any



THE FIELD STRENGTH CONTOURS SHOWN ON THIS MAP WERE CALCULATED USING THE PROCEDURES SET FORTH IN THE FCC RULES. ACTUAL FIELD STRENGTH MAY BE DIFFERENT THAN SHOWN.

EXHIBIT NO. E-6A  
(Amended)

# GALLAGHER & ASSOCIATES

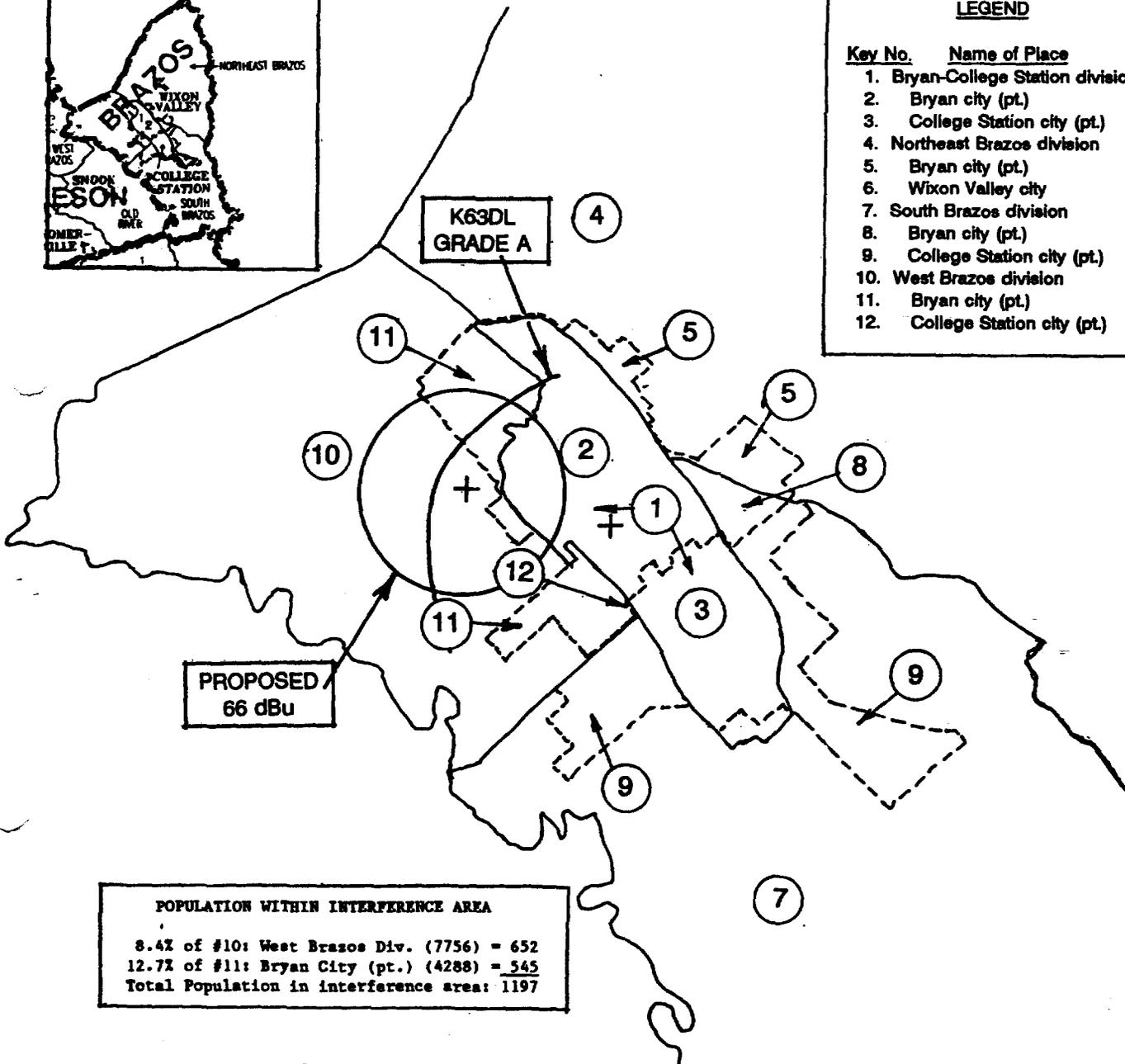
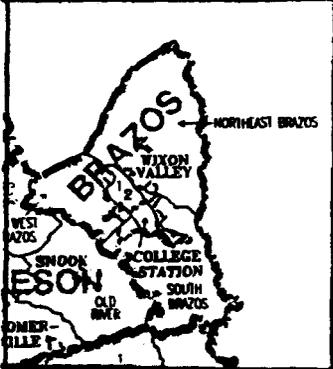
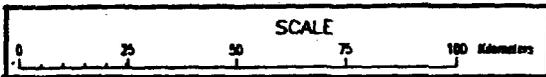
CONSULTING RADIO ENGINEERS

CLARKSVILLE MD

**EXHIBIT NO. E-6B**  
(Amended)

**LEGEND**

Key No.	Name of Place	Persons
1.	Bryan-College Station division	81,859
2.	Bryan city (pt.)	44,868
3.	College Station city (pt.)	36,930
4.	Northeast Brazos division	7,747
5.	Bryan city (pt.)	2,592
6.	Wixon Valley city	186
7.	South Brazos division	12,495
8.	Bryan city (pt.)	2,481
9.	College Station city (pt.)	4,241
10.	West Brazos division	7,756
11.	Bryan city (pt.)	4,288
12.	College Station city (pt.)	80



**POPULATION WITHIN INTERFERENCE AREA**  
 8.4% of #10: West Brazos Div. (7756) = 652  
 12.7% of #11: Bryan City (pt.) (4288) = 545  
 Total Population in interference area: 1197

**INTERFERENCE TO TV CHANNEL 6  
 KCEN-TV, TEMPLE, TEXAS  
 FROM THE PROPOSED NEW FM STATION  
 BRYAN, TEXAS**

