

FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION FM

FAITH

The following application is submitted for action by the Chief, Broadcast Bureau.

ST	FILE NUMBER	CALL	APPLICANT AND LOCATION	NATURE OF APPLICATION
NY	BPH -920513MF N/M	NEW 97.7MHZ	NEW HORIZONS B/CASTING PARTNERSHIP WHITESBORO NY	CP FOR NEW FM STATION ON: 97.9 MHZ., ERP: 2.90 (H&V) HAAT: 129 METERS (H&V) 42 03 27 75 25 04

LICENSE EXPIRATION DATE \_\_\_\_\_

*Jon Faith Hodge*  
CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT( ) CONSTRUCTION DATES, START \_\_\_\_\_ END \_\_\_\_\_  
CONTESTED ( ) UNCONTESTED ( )

APPROVED \_\_\_\_\_

FOR CHIEF, BROADCAST BUREAU

F.C.C.-WASHINGTON, D.C.

Approved by OMB  
3060-0440  
Expires 12/31/90

FEDERAL COMMUNICATIONS COMMISSION  
**FEE PROCESSING FORM**

FOR  
FCC  
USE  
ONLY  
**RECEIVED**

~~FCC/MELLON MAY 13 1992~~

**FCC/MELLON MAY 13 1992**

Please read instructions on back of this form before completing it. Section I MUST be concurrent actions which require you to list more than one Fee Type Code, you must must accompany all payments. Only one Fee Processing Form may be submitted per application legibly. All required blocks must be completed or application/filing will be returned without action.

05-14-92 8195249 001

**SECTION I**

APPLICANT NAME (Last, first, middle initial) **FM EXAMINERS**  
**NEW HORIZONS BROADCASTING PARTNERSHIP**

MAILING ADDRESS (Line 1) (Maximum 85 characters - refer to Instruction (2) on reverse of form)  
**510 E. Bloomfield Street, Apartment 4**

MAILING ADDRESS (Line 2) (if required) (Maximum 85 characters)

CITY **Rome**

STATE OR COUNTRY (if foreign address) **New York** ZIP CODE **13440** CALL SIGN OR OTHER FCC IDENTIFIER (if applicable) **not applicable**

MAY 15 3 09 PM '92

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in FCC Fee Filing Guides. Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number entered in Column (B), if any.

(A)	(B)	(C)	FOR FCC USE ONLY
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	
(1) M T R		\$ 2030.00	

**SECTION II** — To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)	(B)	(C)	FOR FCC USE ONLY
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	
(2)		\$	
(3)		\$	
(4)		\$	
(5)		\$	
ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (5), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.		TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING	FOR FCC USE ONLY
		\$ 2030.00	2030.00

This form has been authorized for reproduction.

## INSTRUCTIONS FOR COMPLETING FEE PROCESSING FORM, FCC FORM 155, May 1990

- (1) "Applicant Name" - Enter the name (last, first, middle initial) of the applicant as it appears on the original application or filing being submitted with this Fee Processing Form. If company, enter name which is used commercially.
- (2) "Mailing Address (Line 1)" - Enter the street address or post office box number to which the applicant wishes correspondence sent.
- (3) "Mailing Address (Line 2)" - This line may be used for further identification of the address if additional space is required.
- (4) "City" - Enter the name of the city associated with the given street address.
- (5) "State or Country" - Enter the appropriate two-digit state abbreviation as prescribed by the U.S. Postal Service. If address is foreign, enter the appropriate country name here.
- (6) "ZIP Code" - Enter the appropriate five or nine-digit ZIP code prescribed by the U.S. Postal Service.
- (7) "Call Sign or Other FCC Identifier" - Enter an applicable call sign or unique FCC identifier, if any, as shown on your attached application or filing. If applying for a service affecting more than one call sign, enter one call sign only.
- (8) Column (A), "Fee Type Code" - Enter correct Fee Type Code(s) from the appropriate Fee Filing Guide. Only one Fee Processing Form may be submitted per application or filing. Inaccurate or erroneous Fee Type Codes may result in your application or filing being returned to you without further processing.
- (9) Column (B), "Fee Multiple" - Certain applications and filings may request action with respect to more than one station, license, frequency, or party and can be submitted together with one check if they meet specific conditions. This column is used only if a multiple, i.e., two or more, is being applied for. Examples of when this would be used are renewing more than one call sign, frequency, station, or the transfer of control of more than one station. Refer to the appropriate Fee Filing Guide for additional information.
- (10) Column (C), "Fee Due For Fee Type Code in Column (A)" - Enter in this block the amount of the fee associated with the Fee Type Code shown in Column (A) (times (x) the fee multiple, if required).
- (11) "Total Amount Remitted With This Application or Filing" - Enter the total of lines (1) through (5) of Column (C). This amount should equal the amount of your check or money order. We will not accept multiple checks.

### HOW TO SUBMIT APPLICATIONS AND FILINGS

o Each application or filing should be assembled with the Fee Processing Form stapled to the top of the application with the check placed on top of the Fee Processing Form. DO NOT STAPLE THE CHECK TO THE APPLICATION OR FEE PROCESSING FORM. Required copies of applications should be clearly identified as "duplicate copy" and placed behind the original package. A copy of an application or filing submitted for receipt purposes only should be placed at the bottom of the submission. Extraneous material and extra copies should be avoided at all times. Failure to abide by these instructions will delay the processing of your submission.

o Completed applications or filings should be mailed to the proper address shown in the Fee Filing Guide for the particular service for which you are applying or making a filing. Applications and filings which are properly addressed to the appropriate P.O. box number may also be hand delivered to the following address. Applications received before midnight on a normal business day will receive that day's date as the receipt date. Deliveries made after midnight on Fridays will not be "officially" receipted until the next Monday. Applications received on weekends and government holidays are dated the next regular business day.

Federal Communications Commission  
c/o Mellon Bank  
Three Mellon Bank Center  
525 William Penn Way  
27th Floor, Rm. 153-2713  
Pittsburgh, Pennsylvania  
(Attention: Wholesale Lockbox Shift Supervisor)

o A single check, bank draft or money order made payable to the Federal Communications Commission and denominated in U.S. dollars and drawn upon a U.S. financial institution must be included with each application or filing requiring a fee. No postdated, altered or third-party checks will be accepted. Do not send cash.

o Parties hand delivering applications or filings may receive dated receipt copies by presenting copies of the applications or filings to the acceptance clerk at the time of delivery. Receipts will be provided for mail-in applications or filings if an extra copy of the application or filing is provided along with a self-addressed stamped envelope. Only one piece of paper per application or filing will be stamped for receipt purposes.

### REMEMBER

o A separate completed Fee Processing Form is required with each application or filing except in certain circumstances. Please refer to the appropriate Fee Filing Guide for additional information.

o A wrong Fee Type Code or incorrect remittance may result in your application or filing being returned without processing, or result in the dismissal of your application or filing. Please ensure that FEE TYPE CODES are correct and that your check or money order equals the amount shown in the TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING block before submitting your application or filing.

o If you have any questions completing this form, please call the Fees Hotline, 202/632-FEES.

### FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 1, Subpart G of the Commission's rules authorize the FCC to request the information on this form. The information requested is required in order to obtain a license or authorization from the Commission. The purpose of the information is to provide a means to link a fee payment to a specific invoice, application or filing. The information will be used by the Commission to maintain data concerning fees paid to the Commission, for internal financial control, audit, and reporting purposes. Information requested on this form will be available to the public. Your response is required to obtain a license or other authorization from the Commission.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Federal Communications Commission, Office of Managing Director, Washington, DC 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0440), Washington, DC 20503.

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

For COMMISSION Fee Use Only	FEE NO:	For APPLICANT Fee Use Only Is a fee submitted with this application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If fee exempt (see 47 C.F.R. Section 1.1112), indicate reason therefor (check one box): <input type="checkbox"/> Noncommercial educational licensee <input type="checkbox"/> Governmental entity
	FEE TYPE:	
	FEE AMT:	
	ID SEQ:	
		FOR COMMISSION USE ONLY FILE NO. <b>BPN-920513MF</b>

Section I - GENERAL INFORMATION

1. Name of Applicant  NEW HORIZONS BROADCASTING PARTNERSHIP			Send notices and communications to the following person at the address below: Name Robert C. Savage, Esq.		
Street Address or P.O. Box 510 E. Bloomfield St., Apt. 4			Street Address or P.O. Box 5620 South Lima Road		
City Rome	State NY	ZIP Code 13440	City Avon	State NY	ZIP Code 14414
Telephone No. (Include Area Code) (315) 339-2698			Telephone No. (Include Area Code) (716) 346-3000		

2. This application is for:  AM  FM  TV

(a) Channel No. or Frequency  
250A

(b) Principal Community	City	State
	Whitesboro	NY

(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: \_\_\_\_\_

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.

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

If Yes, state:

97.7MHZ	State
BPH -920513MF NEW	
WHITESBORO NY	
NEW HORIZONS B/CASTING PARTNERSHIP	

**Section II - LEGAL QUALIFICATIONS**

Name of Applicant

NEW HORIZONS BROADCASTING PARTNERSHIP

1. Applicant is (check one box below)

- Individual
- General partnership
- For-profit corporation
- Other
- Limited partnership
- Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.

Exhibit No.

not applicable

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (eg, a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date MAY 11, 1992 Place ONEIDA COUNTY OFFICE BUILDING

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3 above, relating to future ownership interests in the applicant, including but not limited to, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, or debentures?

Yes  No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No.

5. Complete, if applicable, the following certifications:

not applicable

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

Yes  No

not applicable

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

Yes  No

not applicable

If Yes, applicant certifies that the entity holding such interest exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

Yes  No

not applicable

Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

- 1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
- 2. Citizenship.
- 3. Office or directorship held.
- 4. Number of shares or nature of partnership interests.
- 5. Number of votes.
- 6. Percentage of votes.
- 7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.
- 8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 78.655 and 78.651, including the nature and size of such interests and the positions held.

1.	Lori J. Leppert 510 E. Bloomfield Street Apartment 4 Rome, New York 13440	Michael J. Johnson 405 N. Levitt Street Apartment 6 Rome, New York 13440	
2.	USA	USA	
3.	General Partner	General Partner	
4.	60.0%	40.0%	
5.	60.0%	40.0%	
6.	60.0%	40.0%	
7.	none	none	
8.	none	none	

Section 11 - LEGAL QUALIFICATIONS (Page 3)

7. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

- (a) a broadcast station, or pending broadcast station application before the Commission?  Yes  No
- (b) a broadcast application which has been dismissed with prejudice by the Commission?  Yes  No
- (c) a broadcast application which has been denied by the Commission?  Yes  No
- (d) a broadcast station, the license of which has been revoked?  Yes  No
- (e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?  Yes  No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.  
1

- (1) Name of party having interest;
- (2) Nature of interest or connection, giving dates;
- (3) Call letters of stations or file number of application or docket; and
- (4) Location.

- 8. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?  Yes  No
- (b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?  Yes  No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.

not applicable

9. State in an Exhibit any interest the applicant or any party to this application proposes to divest in the event of a grant of this application.

Exhibit No.  
2

OTHER MASS MEDIA INTERESTS

- 10. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction B to Section 11.)  Yes  No
- (b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of an individual holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?  Yes  No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.  
3

Section 11 - LEGAL QUALIFICATIONS (Page 4)

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

11. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction C to Section 11.)  Yes  No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?  Yes  No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance. not applicable

Exhibit No.

12. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination?  Yes  No

(b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?  Yes  No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving full disclosure concerning persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.

not applicable

**SECTION III - FINANCIAL QUALIFICATIONS**

NOTE: If this application is for a change in an operating facility do not fill out this section.

1. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.  Yes  No
2. State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue. \$ 150,000.00
3. Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

Source of Funds (Name and Address)	Telephone Number	Relationship	Amount
John O. Johnson 21 Tarrytown Drive Rochester, NY 14624	(716) 426-2273	Father of Michael J. Johnson	\$ 150,000.00

**Section IV-A - PROGRAM SERVICE STATEMENT**

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.  
4

**Section IV-B - INTEGRATION STATEMENT**

Attach as an Exhibit the information required in 1. and 2. below.

Exhibit No.  
5

1. List each principal of the applicant who, in the event of a grant of the application on a comparative basis proposes to participate in the management of the proposed facility and, with respect to each such principal, state whether he or she will work full-time (minimum 40 hours per week) or part-time (minimum 20 hours per week) and briefly describe the proposed position and duties.
2. State with respect to each principal identified in response to Item 1. above, whether the applicant will claim qualitative credit for any of the following enhancement factors:
  - (a) Minority Status
  - (b) Past Local Residence  
If Yes, specify whether in the community of license or service area and the corresponding dates.
  - (c) Female Status
  - (d) Broadcast Experience  
If Yes, list each employer and position and corresponding dates.
  - (e) Daytime Preference

**SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

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

Yes  No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 898-A).

**SECTION VII - CERTIFICATIONS**

1 Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.6580?

Yes  No

2 Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

Yes  No

If No, attach as an Exhibit, a full explanation.

not applicable

Exhibit No.

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted John Altdoerffer (Oneida Communications Inc.)

Telephone No. (include area code) (315) 736-5225

Person contacted: (check one box below)

Owner

Owner's Agent

Other (specify)

Officer of owner corporation

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 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

SECTION VII - CERTIFICATION (Page 5)

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	Signature
NEW HORIZONS BROADCASTING PARTNERSHIP	<i>Teri J. Zappert</i>
Date	Title
May 12, 1992	General Partner

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 71 hours 45 minutes to 801 hours 50 minutes with an average of 118 hours 28 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 (3060-0027), 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.

**NEW HORIZONS BROADCASTING PARTNERSHIP**

FM Channel 250 A - 97.9 mHz  
Whitesboro, N.Y.  
FCC Form 301

**EXHIBIT # 1**

Legal qualifications of applicant - Question 7(a), page 4

40.0% general partner of applicant, Michael J. Johnson, held a 5.0% interest in Monroe-Livingston Radio Associates, a partnership applicant for a new FM broadcast station at Honeoye Falls, New York. The application was merged in a settlement with a competing mutually-exclusive application and has been granted by the Commission. The Honeoye Falls file # is BPH-870817MI (Docket 88-309.)

**NEW HORIZONS BROADCASTING PARTNERSHIP**

FM Channel 250 A - 97.9 MHz  
Whitesboro, N.Y.  
FCC Form 301

**EXHIBIT # 2**

Legal qualifications of applicant - Question 9, page 4

Both principals of applicant are currently employees of WKGW(FM)/WRUN(AM), Utica, New York. Specifically, Lori J. Leppert is an advertising account executive, and Michael J. Johnson is station manager, at the two stations, licensed to Oneida Communications Inc. Both principals of the applicant certify that they will divest themselves of these positions, and sever their employment with WKGW/WRUN, in the event of grant of the instant application.

**NEW HORIZONS BROADCASTING PARTNERSHIP**

FM Channel 250 A - 97.9 MHz  
Whitesboro, N.Y.  
FCC Form 301

**EXHIBIT # 3**

Legal qualifications of applicant - Question 10, page 4

Michael J. Johnson is station manager, and Lori J. Leppert is an advertising account executive, for WKGW(FM)/WRUN(AM), Utica, New York. Neither principal of applicant is an equity owner nor officer of WKGW/WRUN or its licensee, Oneida Communications, Inc. WKGW/WRUN serve substantially the same area as would the station proposed by the instant application.

**NEW HORIZONS BROADCASTING PARTNERSHIP**

FM Channel 250 A - 97.9 MHz  
Whitesboro, N.Y.  
FCC Form 301

**EXHIBIT # 4**

PROGRAM SERVICE STATEMENT

The applicant shall strive to conform informational programming elements on the proposed station to expressed needs by the public in the station's service area. The new station shall include news broadcasts, free public service messages, and shall address topics of general interest, including (without limitation) education, transportation, housing, economic development, small business needs and concerns, and local projects of service groups and organizations. Regular discussion programs shall aid the applicant in identifying and addressing issues as they arise from time to time. The facilities of the station shall always be available for reasonable use by the inhabitants of its city of license.

**NEW HORIZONS BROADCASTING PARTNERSHIP**

FM Channel 250 A - 97.9 MHz  
Whitesboro, N.Y.  
FCC Form 301

**EXHIBIT # 5**

INTEGRATION STATEMENT

Michael J. Johnson (40% partner of applicant) has four years' broadcast experience, the last three and a half of which have been as sales manager and station manager of WKGW/WRUN in Utica. He has resided in Rome and Clinton, NY since 1988. Mr. Johnson will serve as general manager of the proposed station, fulltime, 40 hours weekly.

Lori J. Leppert (60% partner of applicant) has one year and three months' broadcast experience as an advertising account executive at WKGW/WRUN, Utica, New York. Ms. Leppert was born in Rome, New York, and resided there from 1967 to 1971; in Holland Patent, New York, from 1971 to 1989; and again in Holland Patent and Rome from 1991 to present. Ms. Leppert will serve as General Sales Manager of the proposed station.

All residences herein specified for Mr. Johnson and Ms. Leppert are within the proposed service area.

Mr. Johnson will claim qualitative enhancement credit for local residence and broadcast experience.

Ms. Leppert will claim qualitative enhancement credit for female status, local residence and broadcast experience.

Both Ms. Leppert and Mr. Johnson will work at the proposed station on a fulltime basis (40 hours weekly.)

<b>Section V-B - FM BROADCAST ENGINEERING DATA</b>	<b>FOR COMMISSION USE ONLY</b> File No. _____ ASB Referral Date _____ Referred by _____
--	--

Name of Applicant

New Horizons Broadcasting

Call letters (if issued)

n/a

Is this application being filed in response to a window?  Yes  No

If Yes, specify closing date: May 14, 1992

Purpose of Application: (check appropriate boxes)

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Construct a new (main) facility            | <input type="checkbox"/> Construct a new auxiliary facility                         |
| <input type="checkbox"/> Modify existing construction permit for main facility | <input type="checkbox"/> Modify existing construction permit for auxiliary facility |
| <input type="checkbox"/> Modify licensed main facility                         | <input type="checkbox"/> Modify licensed auxiliary facility                         |

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- |   |  |
|---|--|
| <input type="checkbox"/> Antenna supporting-structure height  | <input type="checkbox"/> Effective radiated power  |
| <input type="checkbox"/> Antenna height above average terrain | <input type="checkbox"/> Frequency                 |
| <input type="checkbox"/> Antenna location                     | <input type="checkbox"/> Class                     |
| <input type="checkbox"/> Main Studio location                 | <input type="checkbox"/> Other (Summarize briefly) |

File Number(s) n/a

1. Allocation:

Channel No.	Principal community to be served:		
	City	County	State
250A	Whitesboro	Oneida	NY

Class (check only one box below)

- A   
  B1   
  B   
  C3  
 C2   
  C1   
  C

2. Exact location of antenna.

- (a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark. Licensed antenna site of Radio Station WKGW(FM), Griffin Road, adjacent to campus of Hamilton College, Kirkland township, Oneida County, NY.
- (b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	43	°	03	'	27	"	Longitude	75	°	25	'	04	"
----------	----	---	----	---	----	---	-----------	----	---	----	---	----	---

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)?  Yes  No

If Yes, give call letter(s) or file number(s) or both. WKGW(FM), Channel 282B (104.3 MHz.)

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.  
No Change proposed in existing structure's height.



SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

Yes  No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of the relative field.

Exhibit No.  
n/a

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)?

Yes  No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Exhibit No.  
n/a

12. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal?

Yes  No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.  
n/a

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

Yes  No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.218 apply?

Yes  No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.  
n/a

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose. (§ 73.215 contour protection study provided)

Exhibit No.  
FIG: 3-6 & ENG.

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.  
FIG: 3, 4, 5, 6  
& ENG.

- (1) Protected and interfering contours, in all directions (360), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

Yes  No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)

Exhibit No.  
ENG.

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
FIG: 2A,2B

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
FIG: 7

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 8.18 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 2,294.5 sq. km. Population 257,885  
(1990 census)

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
n/a

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

Linearly interpolated 30-second database  7.5 minute topographic map

(Source: NGDC 30-second database)

Also see: ENG.

Other *(briefly summarize)*

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 8 to 16 km (meters)	Predicted Distances	
		To the 0.16 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
* 54°T	218.6	20.1	34.4
0	206.4	19.5	33.5
45	218.5	20.1	34.4
90	148.3	16.5	28.5
135	9.6	7.5	13.2
180	79.5	12.0	21.5
225	8.7	7.5	13.2
270	164.1	17.5	29.9
315	194.0	19.0	32.4

\*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT. For supplemental bearings used in allocation analysis, See FIGS: 5A, 5B & 5C.

20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 11807 of the FCC Rules, such that it may have a significant environmental impact?  Yes  No

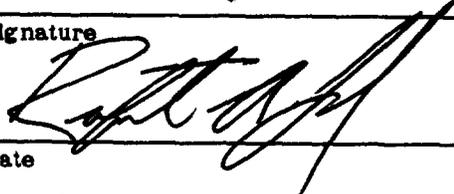
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 11811.

Exhibit No.  
n/a

If No, explain briefly why not. This proposal does not involve the facilities or actions listed under § 1.1305 or § 1.1307 of the Rules. Radiofrequency emission concerns are addressed in the Engineering Statement.

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed) Robert A. Lynch	Relationship to Applicant (e.g., Consulting Engineer) Consulting Engineer
Signature 	Address (Include ZIP Code) c/o Independent Broadcast Consultants, Inc. 110 County Road 146 Trumansburg, N.Y. 14886
Date May 8, 1992	Telephone No. (Include Area Code) ( 607 ) 273-2970

Village of Trumansburg)

Tompkins County ) SS.

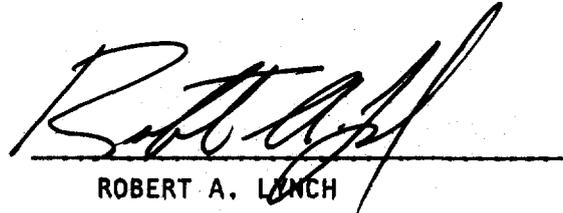
State of New York )

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

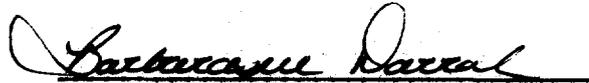
He is an employee and a consultant with the firm Independent Broadcast Consultants, Inc., with offices at 110 County Road 146, Trumansburg, New York 14886-9721.

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 8<sup>th</sup> day of May, 1992.



NOTARY PUBLIC  
**BARBARASUE DARRAH**  
Notary Public Duly Authorized  
in Tompkins County 4921209  
My Commission Expires March 7, 1994

NEW HORIZONS BROADCASTING  
Proposed New FM Broadcast Station  
Whitesboro, NY  
Ch. 250A; 2.9kW, 129m AAT

ENGINEERING STATEMENT

This proposal has been prepared on behalf of New Horizons Broadcasting (a general partnership) which proposes a new FM broadcast station on Channel 250A (97.9 MHz.) with 2.9 kilowatts effective radiated power at 129 meters (422') above average terrain, said station to be licensed to Whitesboro, New York. This application is filed in response to MM Docket 90-610, with filing window due to close May 14, 1992. Since this proposal would utilize a site short-spaced to one other licensed facility, the applicant takes advantage of § 73.215 rules and provides contour protection for that short-spaced station.

CONTOUR PROTECTION ANALYSIS:

FIGURE 3 of this report is a copyright FM Channel study for Channel 250A and its adjacent and I.F.-related channels at the designated coordinates for this proposal. As may be observed, other than to the Doc. 90-610 allocation at Whitesboro which this proposal seeks to fill, the location is short-spaced to one other licensed station, namely WPXY-FM, Rochester, NY, which operates on Channel 250B. Since the site-to-site distance falls 1.43 kilometers short of that required under § 73.207 rules, contour protection analysis is required. FIGURES 4, 5 & 6 of this report provide the map and mathematical analysis necessary to satisfy § 73.215 requirements.

For this analysis, all terrain and contour calculations for WPXY-FM are based on the coordinates: N 43° 08' 07", W 77° 35' 02", those listed in the database for the WPXY-FM CP, but not the WPXY-FM license. The one-second discrepancy between licensed and CP site locations for WPXY appears in error. Engineering personnel for WPXY confirm both the licensed site and the coordinates for the CP (which covers an auxiliary antenna) should be identical. And engineering staff at WROC-TV, Rochester, on whose tower the WPXY antenna space is leased, confirm their station's licensed coordinates match those used in this report. In any event, regardless of the discrepancy, any difference between the two sets of WPXY coordinates would prove insignificant in the calculation of interference contours.

Section 73.215 rules require that with WPXY-FM assumed to operating with maximum reference facilities of 50 kW at 150 meters above average terrain, this proposal's 34dBu contour (by FCC F(50,10) curves) not cross the protected WPXY-FM 54dBu contour (by FCC F(50,50) curves.) Likewise, WPXY's interfering 40dBu contour

cannot cross the predicted 60dBu contour of this proposal. As will be shown, such protection is demonstrated in this report.

FIGURE 4A is a portion of an aeronautical base map showing the locations and coordinates for both WPXY-FM and this proposal. Also shown is the WPXY protected 54dBu and interfering 40dBu contour; and the protected 60dBu and interfering 34dBu contours for this proposal. No overlap exists between protected and interfering contours. In terms of potential interference received by this proposal, no further analysis is necessary. Since the proposal's 34dBu contour lies close (less than 2 km) to WPXY's protected contour over a limited span, a more detailed analysis over that span is provided.

FIGURES 4B & 4C are first connected photoreduced portions of the Savannah and Montezuma, NY USGS 7½-min quadrangles; and next a photoreduced portion of the Wolcott, NY quadrangle, both maps showing in detail the relationship of the proposal's interfering 34dBu contour with regard to the protected WPXY 54dBu contour. Pertinent terrain bearings from both WPXY-FM and this proposal are shown, and distances from the designated points to their respective site coordinates were computed using standard FCC methodology. Adjacent bearings to those shown were also used in the drafting of contour curves, but those adjacent points fell outside of the map areas shown. Based on the apparent closest point between contours, namely in the proximity of the WPXY 90°T and this proposal's 275°T terrain radials, the contours clear by approximately 0.8 kilometer.

FIGURES 5A & 5B are computer-generated service and interference contours for this proposal, utilizing FCC F(50,50) curves for the 70dBu and 60dBu contours, and the F(50,10) curves for the 34dBu contour.

FIGURE 5C is the printout of a computer derived terrain averaging program to establish terrain data used to calculate service contours in the prior exhibit. This program employs the NGDC 30-second database.

FIGURE 6A is a tabulation of the protected 54dBu and interfering 40dBu contours for WPXY-FM, utilizing presumed maximum facilities of 50kW at 150m AAT and terrain data generated and then adjusted by subsequent exhibits in accordance with FCC rules. The tabulation presented was based on a computer derived program similar to that cited in Figures 5A & 5B.