

FEDERAL COMMUNICATIONS COMMISSION

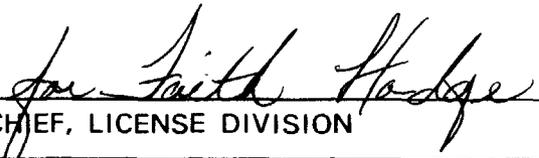
CLASS OF STATION FM

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 -920512MC N/M	NEW 97.9MHZ	FRANK B. DUROSS WHITESBORO	NY	CP FOR NEW FM ON FREQUENCY 97.9 MHZ; #250; ERP 2.5 KW H&V; HAAT 157 METERS H&V 43 08 37 75 10 31

LICENSE EXPIRATION DATE _____



 CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT() CONSTRUCTION DATES, START _____ END _____

CONTESTED () UNCONTESTED ()

APPROVED _____

FOR CHIEF, BROADCAST BUREAU

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

ORIGINAL

LAW OFFICES
SMITHWICK & BELENDIUK, P.C.

TELECOPIER
(202) 785-2804

1980 M STREET, N.W.
SUITE 510
WASHINGTON, D.C. 20036

TELEPHONE
(202) 785-2800

May 12, 1992

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

Re: Channel 250A, Whitesboro, New York
Frank B. DuRoss

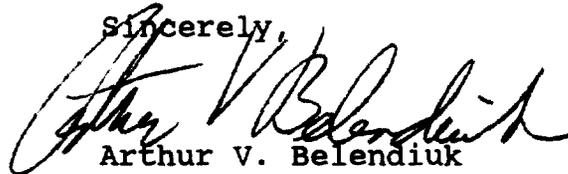
Dear Ms. Searcy:

Transmitted herewith, on behalf of Frank B. DuRoss, are an original and two copies of FCC Form 301, Application for Construction Permit, for a new FM station on Channel 250A, Whitesboro, New York.

Also enclosed is a check in the amount of \$2,030.00 in payment of the filing fee (Fee Code: MTR).

If there are any questions with respect to this matter, please communicate with the undersigned.

Sincerely,



Arthur V. Belendiuk
Counsel for
FRANK B. DUROSS

Enc.
AVB/lmv.A0512

cc: Whitesboro Public File
Mr. Frank B. DuRoss

Approved by OMB
 -3080-0027
 Expires 11/30/94

FCC 301

FEDERAL COMMUNICATIONS COMMISSION
 WASHINGTON, DC 20541

RECEIVED

FCC/MELLON MAY 12 1992

FOR
 FCC
 USE
 ONLY

05-14-92 B195246 004

APPLICATION FOR CONSTRUCTION PERMIT
 FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY

FILE NO. BPH-920512 MC FM EXAMINERS

Section 1 - GENERAL INFORMATION

1. APPLICANT NAME

Frank B. DuRoss

MAILING ADDRESS (Line 1) (Maximum 66 characters)

22 Stonebridge Road

MAILING ADDRESS (Line 2) (If required) (Maximum 66 characters)

CITY

New Hartford

STATE OR COUNTRY (If foreign address)

New York

ZIP CODE

13413

TELEPHONE NUMBER (include area code)

(315) 732-1854

CALL LETTERS

OTHER FCC IDENTIFIER (IF APPLICABLE)

FOR MAILING THIS APPLICATION, SEE INSTRUCTIONS FOR SECTION 1 - GENERAL INFORMATION B.

2 A. Is a fee submitted with this application?

Yes No

B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1112) and go to Question 8.

Governmental Entity

Noncommercial educational licensee

C. If Yes, provide the following information:

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

(A) FEE TYPE CODE	(B) FEE MULTIPLE (if required)	(C) FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY
(1) M T R	0 0 0 1	\$ 2,030.00	

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
(2) [] [] []	0 0 0 1	\$ []	

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED WITH THIS APPLICATION

\$ 2,030.00

FOR FCC USE ONLY

2030.00

8. This application is for: (check one box)

AM

FM

TV

(b) Channel No. or Frequency

250A

(b) Principal Community

City

Whitesboro

State

NY

97.9MHZ

BPH -920512MC NEW

WHITESBORO

NY

FRANK B. DUROSS

FCC 301

February 1992

Section I - GENERAL INFORMATION (Page 2)

(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.

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

If Yes, state:

	Call letters	Community of License	
		City	State

Section II - LEGAL QUALIFICATIONS

Name of Applicant

Frank B. DuRoss

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.
N/A

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 (e.g., 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 N/A Place N/A

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.
N/A

5. Complete, if applicable, the following certifications:

(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

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 90 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

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
N/A

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 73.3555 and 73.501, including the nature and size of such interests and the positions held.

1	Frank B. DuRoss 22 Stonebridge Road New Hartford, NY 13413		
2	U.S.A.		
3	Individual		
4	N/A		
5	N/A		
6	N/A		
7	None		
8	None		

Section 11 - LEGAL QUALIFICATIONS (Page 3)

7. Does the applicant, or any party to the application, have a petition to migrate to the expanded band (1605-1705 (kHz) or a permit or license either in the existing band or expanded band that is held in combination with the AM facility proposed to be modified herein?

Yes No

If Yes, provide particulars as an Exhibit.

Exhibit No.
N/A

8. 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.
N/A

(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.

9. (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.
N/A

10. 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.
N/A

OTHER MASS MEDIA INTERESTS

11. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officerhip or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction 6 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. N/A

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

12. (a) Is the applicant in violation of the provisions of Section 810 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction 8 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.

Exhibit No. N/A

13. (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; mass media related antitrust or unfair competition; fraudulent statements to 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 as an Exhibit a full disclosure of the 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. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 U.S.C. Section 165(c) in the case of adjudicated proceedings, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 165 information was filed, and the date of filing; and (ii) a description of the current status or disposition of the previously reported matter.

Exhibit No. N/A

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.

\$369,377.00

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
Frank B. DuRoss 22 Stonebridge Road New Hartford, NY 13413	(315) 732-1854	Applicant	\$375,000.00

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.
1

Section IV-B - INTEGRATION STATEMENT

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

Exhibit No.
2

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

(f) Civic activities

If Yes, describe the activities, specify whether in the community of license or service area, and state the corresponding dates.

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 73.8560?

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

Exhibit No.

If No attach as an Exhibit a full explanation

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 David E. Doughty

Telephone No. (include area code) (315) 797-5761

Person contacted: (check one box below)

Owner Owner's Agent Other (specify)

4. The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 880a, or, in the case of a non-individual applicant (eg, corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

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 1.65, 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/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

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 Frank B. DuRoss	Signature <i>Frank B. DuRoss</i>
Date May 11, 1992	Title Individual/Applicant

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 Commission will not release information provided in this application if the release of such information is in the public interest. In reaching this determination, the Commission may find it necessary to refer personal information contained in this form to another government agency. In addition, all information provided in this form will be available for public inspection. If information requested on the form is not provided, processing of the application may be delayed or the application may be returned without action pursuant to the Commission's rules. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 72 hours to 602 hours 45 minutes with an average of 162 hours 61 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, Information Resources Branch, Room 416, Paperwork Reduction Project, 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.

EXHIBIT 1
PROPOSED PROGRAMMING

Applicant proposes to serve Whitesboro, New York and its surrounding areas through programming designed to meet the needs of the area.

Applicant intends to present news and other programming which would be responsible to the concerns of its audience. In this regard, Applicant will take such steps as are necessary to familiarize itself with the issues confronting its proposed service area.

To address community issues, Applicant contemplates the broadcast, on a regular basis, of both long-form and short-form programs.

EXHIBIT 2

INTEGRATION STATEMENT

In the event of a grant of the application, Frank B. DuRoss will participate in the management of the proposed facility at Whitesboro, New York.

Mr. DuRoss will terminate all other employment, except for his current work with the Maine Mariners Hockey Team which requires an approximate commitment of ten hours per week. Mr. DuRoss will serve as General Manager of the station on a full-time basis (40 or more hours per week). Mr. DuRoss' responsibilities and duties will include, but are not limited to:

1. Overall management of station operation and personnel, including supervisory staff.
2. Formation and implementation of personnel policies.
3. Formation and implementation of station's EEO program, including policy dissemination, recruitment, and training.
4. Management of the financial affairs of the station.
5. Ensuring compliance with all FCC Rules and Policies.

Mr. DuRoss' integration will be enhanced by his past local residency and civic participation.

Mr. DuRoss is claiming integration credit for past local residency. He currently resides in New Hartford, New York and has no plans to move. Mr. DuRoss has lived at the following addresses in the proposed stations service area:

December 1986-Present

22 Stonebridge Road
New Hartford, NY 13413

October 1979-December 1986	36 Nob Road Utica, New York 13501
September 1973-October 1979	609 Plymouth Place Utica, New York 13501
June 1971-September 1973	504 James Street Utica, New York 13501
November 1950-June 1971	1559 Taylor Avenue Utica, New York 13501

Mr. DuRoss has resided in the service area his entire life.

Mr. DuRoss is claiming integration for civic participation.

Mr. DuRoss has been involved in the following civic activities in the service area:

1963-1967	Blessed Sacrament Catholic Church Altar Server 1601 St. Agnes Ave. Utica, NY 13501
1960-1962	Cub Scouts of America Member Utica, New York
1962-1964	Boy Scouts of America Member Utica, New York
1961-1963	Cornhill Youth Association Little League Member Utica, New York
1963-1965	Pony League Baseball Member Utica, New York

1966-1967

Junior Achievement
President
Notre Dame High School
Utica, NY 13502

Junior Achievement is an organization of young adults who are interested in learning about operating a business. As a member and president of Junior Achievement, Mr. DuRoss made, sold and marketed trunk lid elastic tiedowns for transporting Christmas trees.

1966-1967

Catholic Youth Organization
Member
Blessed Sacrament Church
1601 St. Agnes Avenue
Utica, NY 13501

As a member of the CYO, Mr. DuRoss participated in charitable activities such as visiting local nursing homes.

1972-1974

Big Brothers/Big Sisters Organization
Member
Utica, New York

As a big brother, Mr. DuRoss was a companion to a child from a broken home. He participated in weekly activities with his little brother.

1976-1978

Knights of Columbus
Utica, New York
Member

East Utica Optimist Club
Utica, New York
Member

1981-1983

National Association Asbestos Abatement
Contractors
Charter Member

1983-1989

National Asbestos Council
Member

1987-1989

Utica College, Representative Sherwood
Boehlert Scholarship Fund
Member
Fundraising Committee Member

Responsible for soliciting
funds for scholarship endowment.

1989-Present

St. Elizabeth's Hospital
Utica, New York
Development Council
Member

Responsible for fundraising, presenting
recommendations regarding
Hospital operations.
Steering Committee Member - Lou Holtz
Dinner Fundraiser
Member of various Hospital donation
societies

1988-Present

United Cerebral Palsy Association
Utica, New York Branch
Member

1991-Present

United Cerebral Palsy Association
Utica, New York Branch
Member Board of Directors

Consultant to executive director
regarding budgeting and capital
improvements, fundraiser, and general
business advisor.

1992

United Cerebral Palsy Association
Utica, New York Branch
Elected First Vice President

1988-1991

Utica Devils Advisory Board
Chairman

Implemented community projects on
behalf of Utica Devils Hockey Team;
coordinated player visits to
hospitals, food drives, Toys for Tots.

1989
Utica Rescue Mission
Donor and Volunteer

Assisted homeless;
Served meals to homeless

1982-Present
Greater Utica Chamber of Commerce
Member

1989-Present
Utica College
Co-founder of the DuRoss Family
Scholarship Fund

1991
American Hockey League
Member
Expansion and Long Range Planning
Committee

1950-Present
Blessed Sacrament
Catholic Church
1601 St. Agnes Avenue
Utica, New York 13501
Member

Auxiliary Power

The applicant also claims credit for the installation of auxiliary power generators at both the studio and transmitter.

JOHN J. MULLANEY
JOHN H. MULLANEY, P.E.

MULLANEY ENGINEERING, INC.

9049 SHADY GROVE COURT
GAITHERSBURG, MD 20877

301 921-0115

ENGINEERING EXHIBIT EE:

**FRANK B. DuROSS
WHITESBORO, NEW YORK
Ch. 250A 2.5 KW 157.2 M HAAT
(516 FEET)**

MAY 7, 1992

**ENGINEERING STATEMENT IN SUPPORT OF
AN APPLICATION FOR A
NEW FM STATION**

**ORIGINAL
SIGNATURE**

MULLANEY ENGINEERING, INC.

ENGINEERING EXHIBIT EE:

**FRANK B. DUROSS
WHITESBORO, NEW YORK
Ch. 250A 2.5 KW 157.2 M HAAT
(516 FEET)**

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6. Figure 2, Map Showing Proposed Contours.
7. Figure 2-A, Tabulation of Proposed Contours. (Metric Units)
8. Figure 3, Vertical Tower Sketch.
9. Figure 4, Channel Allocation.
10. Figure 5, Antenna Vertical Radiation Pattern.

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

Name of Applicant
FRANK B. DuROSS

Call letters (if issued) ---	Is this application being filed in response to a window? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, specify closing date: <u>5/14/92</u>
---------------------------------	--

Purpose of Application: (check appropriate box(es))

<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) _____

1. Allocation:

Channel No.	Principal community to be served:			Class (check only one box below)
250 97.9	City WHITESBORO	County ONEIDA	State NY	<input checked="" type="checkbox"/> A <input type="checkbox"/> B1 <input type="checkbox"/> B <input type="checkbox"/> C3 <input type="checkbox"/> C2 <input type="checkbox"/> C1 <input type="checkbox"/> C

2 Exact location of antenna. 6 kW

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark. **ATOP SMITH HILL AT 257 GRACE ROAD, UTICA, NY (Oneida County)**

(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° 08' 37"	Longitude 75° 10' 31"
----------------------	-----------------------

8. 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. _____

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. _____

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 73.816, including plot(s) and tabulations of the relative field.

Exhibit No.

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.815(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 8.16 mV/m service.

Exhibit No.

12. Will the main studio be within the protected 8.16 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.

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?

DNA Yes No

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

Exhibit No.

(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.

Exhibit No.

(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.

- (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.
EE

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.
EE

FIGURE 1

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.
EE

FIGURE 2&2A

- (a) the proposed transmitter location, and the radials along which profile graphs have been prepared;
- (b) the 615 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 2,541 sq. km. Population 262,412 (1990)

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.

DNA

- (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 60-second database
- 7.5 minute topographic map

(Source: NDGC)

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 316 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
255 *	248.9	20.6	35.4
0	136.2	15.0	26.6
45	107.8	13.4	24.1
90	55.8	9.8	17.4
135	217.6	19.3	33.2
180	118.7	14.0	25.1
225	217.5	19.3	33.2
270	243.6	20.4	35.1
315	160.5	16.6	28.6

*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

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

Would a Commission grant of this application come within Section 1.1307 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 1.1311.

Exhibit No. _____

If No, explain briefly why not.

SEE EXHIBIT EE

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) JOHN J. MULLANEY	Relationship to Applicant (e.g., Consulting Engineer) CONSULTING ENGINEER
Signature 	Address (Include ZIP Code) MULLANEY ENGINEERING, INC. 9049 SHADY GROVE COURT GAITHERSBURG, MD 20877
Date 5/7/92	Telephone No. (Include Area Code) (301) 921-0115