

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

In re Application of)	MM Docket 94-88
)	
COMMUNITY EDUCATIONAL ASSOCIATION)	File No. BPED-930316MF
Holly Hill, Florida)	
)	
For a Construction Permit for a)	
New Noncommercial Educational FM)	
Station on Channel 212A)	

RECEIVED

JAN 18 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

To: Honorable Joseph Chachkin
Administrative Law Judge

PETITION TO REOPEN THE RECORD AND FOR LEAVE TO AMEND

Community Educational Association ("CEA") by its counsel and pursuant to § 73.3522(b) of the Commission's Rules, offers a post-designation amendment to its application reporting its receipt of an Acknowledgement of Notice of Proposed Construction or Alteration (the "FAA Notice") with respect to its proposed site. The FAA Notice provides CEA with a determination of no hazard to air navigation for its tower provided the tower does not exceed a height of 114 feet AGL. Based upon the FAA Notice, CEA commissioned a new engineering study at the reduced height. Cea offers the study and the FAA Notice as an amendment to the technical portion of its application. Since the record in this proceeding was closed by the Presiding Judge on December 15, 1994 (TR 75), CEA respectfully requests that the record be opened for the limited purpose of accepting the proffered amendment to CEA's application.

I. Background

1. CEA amended its application to specify a new site on

No. of Copies rec'd 46
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August 30, 1994 to resolve the mutual exclusivity between its application and the application of Cornerstone Community Radio ("CCR"). See Hearing Designation Order, DA 94-789, released August 2, 1994, (the "HDO"). In addition to the standard non-commercial educational comparative issues, an air hazard issue was specified against CEA in the HDO. Id. The Presiding Judge accepted the amendment and granted the CCR application, leaving CEA as the sole applicant in this docketed proceeding. See Memorandum Opinion and Order, FCC 94M-521, released September 13, 1994.

2. Upon submission of that amendment, CEA filed an FAA Form 7460-1 with the Federal Aviation Administration ("FAA") so that a study of whether the proposed site would be a hazard to air navigation could be undertaken. Following preliminary analysis, the FAA determined that without further study, the site would be presumed to be a hazard to air navigation. CEA reported this result to the Commission by way of an amendment to its application filed on October 27, 1994.

3. In accordance with FAA procedures, CEA authorized the FAA to commence a further study to determine the maximum height allowable for a determination of no hazard at CEA's proposed site. CEA amended its application on November 17, 1994, to report that the FAA had commenced its further study and that comments from interested parties would be due no later than November 30, 1994.

4. At the December 17, 1994 hearing session before the Presiding Judge, CEA's counsel reported that the FAA had not reached a conclusion concerning CEA's proposal. (TR 20). The

Presiding Judge decided to close the record following the hearing session and suggested that CEA file a motion to reopen the record upon receipt of a final FAA determination concerning CEA's proposed site. The FAA Notice was issued on January 12, 1995. A copy of the FAA Notice and CEA's engineering study is attached hereto. ¹

II. The Record Should Be Reopened And
CEA's Proffered Amendment Should Be Received

5. The facts of this case support the reopening of the record to receive CEA's proffered amendment. It is well established that

A petition to reopen the record must be supported by newly-discovered evidence; that the facts relied on must show that petitioner could not with due diligence, have known or discovered such facts at the time of the hearing; and that the new evidence would, if true, affect the decision.

Shirley Marchant, 66 RR2d 1537 (Rev. Bd. 1989), quoting, The News-Sun Broadcasting Co., 27 FCC 2d 61, 62, 20 RR2d 1084 (1971). CEA has acted diligently in procuring a determination of no hazard from the FAA. Initial notification concerning CEA's proposed site was filed with the FAA immediately after the amendment was filed with the FCC. As soon as the FAA determined that further study was necessary, CEA authorized such further study. Amendments were filed with the Commission to keep it informed of the FAA's progress. Though comments were due from the public no later than November 30, 1994, it took some time for the FAA to analyze the comments, and CEA's engineering counsel discussed the situation

¹ CEA is contemporaneously filing the original and two copies of the proposed amendment under separate cover with the FCC today.

with CEA and the FAA before the determination of no hazard could issue. The FAA's processes, despite CEA's diligence, were not completed prior to the closing of the record in this proceeding.

6. The determination of no hazard will certainly affect the ultimate outcome of this proceeding. The air hazard issue specified against CEA can be resolved in CEA's favor in the event the FAA Notice and engineering study are accepted into evidence as an amendment to CEA's application.

III. Good Cause Exists to Accept the Amendment

7. As this amendment is being offered more than 30 days after issuance of the HDO, § 73.3522(b) of the Commission's Rules requires a showing of "good cause" before it can be accepted. See 47 C.F.R. § 73.3522(b). To satisfy the good cause inquiry, an applicant must demonstrate that it has acted with due diligence, that the amendment was not required by its voluntary act, that no additional issues or parties would be required, that the hearing process will not be disrupted, that there will be no prejudice to competing applicants and that the applicant will not gain a comparative advantage. See California Broadcasting Corp., 90 FCC 2d 800, 808 (1982), citing, Erwin O'Connor, 22 FCC 2d 143, 143 (Rev. Bd. 1970). CEA submits sufficient good cause exists to accept the amendment.

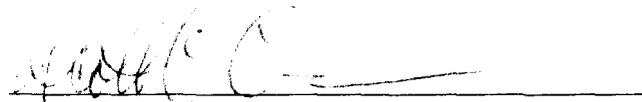
8. CEA offers the FAA Notice of determination of no hazard in an effort to resolve the special air hazard issue designated against it, and submits that the amendment is not the result of its voluntary act, but is based on the FAA's examination of CEA's

proposed site and analysis of comments filed by interested parties during the comment period.

9. CEA's application is the sole remaining applicant in this docket, and as a result, acceptance of the amendment cannot prejudice competing applicants, will not result in any additional parties or issues, and will not disrupt the hearing process. In fact, assuming supportive comments from the Hearing Branch, acceptance of the amendment may help to resolve one of the issues, avoiding the need for further litigation on the air hazard issue.

WHEREFORE, it is respectfully requested that the Presiding Judge reopen the record, grant CEA's Petition for Leave to Amend and accept its proffered amendment.

Respectfully submitted,
COMMUNITY EDUCATIONAL ASSOCIATION



Scott C. Cinnamon
Its Counsel

BROWN NIETERT & KAUFMAN
1920 N Street, N.W.
Suite 660
Washington, D.C. 20036

(202) 887-0600

January 18, 1995



COMMUNITY EDUCATIONAL ASSOCIATION
P.O. BOX 847
MAYAGUEZ, P.R. 00681-0847

January 18, 1995

Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 200554

Re: Application of Community Educational
Association for New Non-Commercial Educational
FM Station at Holly Hill, FL
BPED-930316MF
Amendment

Dear Sir/Madam:

I, Jose Mercado, President of applicant Community Educational Association, wish to amend our pending application for a new non-commercial educational FM station to serve Holly Hill, Florida, by reporting receipt of the attached Acknowledgement of Proposed Construction or Alteration and determination of no hazard. We are also filing an engineering amendment to our application to correspond with the tower height the FAA has approved.

The determination was issued following the FAA's further study of our proposal and reports that our proposed tower will not be a hazard to air navigation if constructed at 114 feet. In light of the FAA's determination, we commissioned an engineering amendment changing reducing our proposed height to 114 feet, and are filing both the determination and the amendment with the FCC.

Sincerely Yours,

Jose Mercado, President
Community Educational Association



U.S. Department of Transportation
Federal Aviation Administration

OPTIONAL FORM NO. 10 (7-90)

FAX TRANSMITTAL

of pages 1

To: Jeff Brock
Dept/Agency

From: Armando Castro
Phone: 404 305-5588

P.O. Box 20826
Atlanta, Georgia 30320

NSN 7540-01-217-7500 5010-101 GENERAL SERVICES ADMINISTRATION

ACKNOWLEDGEMENT OF NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

CITY	STATE	LATITUDE/LONGITUDE	MSL	AGL	AMSL
ORMOND BEACH	FL	29-16-44.92 081-11-24.21	25	114	139

COMMUNITY EDUCATIONAL ASSOC
GRAHAM BROCK, INC
P. O. BOX 24466
ST SIMONS ISLAND, GA 31522

AERONAUTICAL STUDY
No: 94-ASO-2177-OE

Type Structure: ANTENNA TOWER 88.1 MHZ/2 KW

The Federal Aviation Administration hereby acknowledges receipt of notice dated 08/24/94 concerning the proposed construction or alteration contained herein.

A study has been conducted under the provisions of Part 77 of the Federal Aviation Regulations to determine whether the proposed construction would be an obstruction to air navigation, whether it should be marked and lighted to enhance safety in air navigation, and whether supplemental notice of start and completion of construction is required to permit timely charting and notification to airmen. The findings of that study are as follows:

The proposed construction would not exceed FAA obstruction standards and would not be a hazard to air navigation.

Obstruction marking and lighting are not necessary.

This determination expires on 07/14/95 unless application is made, (if subject to the licensing authority of the Federal Communications Commission), to the FCC before that date, or it is otherwise extended, revised or terminated.

If the structure is subject to the licensing authority of the FCC, a copy of this acknowledgement will be sent to that Agency.

NOTICE IS REQUIRED ANYTIME THE PROJECT IS ABANDONED OR THE PROPOSAL IS MODIFIED

SIGNED Armando Castro Specialist, Systems Management Branch
Armando Castro (404) 305-5588

ISSUED IN: College Park, Georgia ON 01/12/95

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

Name of Applicant: Community Educational Association

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

Purpose of Application: *(check appropriate box(es))* Amend BPED-930316MF

<input 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 checked="" type="checkbox"/> Antenna supporting-structure height	<input checked="" type="checkbox"/> Effective radiated power
<input checked="" 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) Amend BPED-930316MF

1. Allocation:

Channel No.	Principal community to be served:			Class (check only one box below)						
	City	County	State	<input checked="" type="checkbox"/> A	<input type="checkbox"/> B1	<input type="checkbox"/> B	<input type="checkbox"/> C1	<input type="checkbox"/> C2	<input type="checkbox"/> C	<input type="checkbox"/> D
201	Holly Hill	Volusia	FL							

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.
7.6 kilometers west-northwest of intersection of Interstate 95 and State Route 40 on north side of Route 40, rural Flagler County, Florida
 (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 29 16 44	Longitude 81 11 25
----------------------------------	-----------------------------------

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. N/A

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. N/A

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 horizontally and vertically polarized radiated components in terms of relative field.

Exhibit No.
On file
No change

11. Will the main studio be located within the 70 dBu or 3.16 mV/m contour?

Yes No

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

Exhibit No.
N/A

12. 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

See Exh. #6A
for updated
blanketing
statement

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(d) and 73.318.)

Exhibit No.
N/A

13. 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 D for Section V. Further, the map must 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.
On file
No change

14. 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.
3

- (a) the proposed transmitter location, and the radials along with profile graphs have been prepared;
- (b) the 1 mV/m predicted contour and, for noncommercial educational applicants applying on a commercial channel, the 3.16 mV/m contour; and
- (c) the legal boundaries of the principal community to be served

15. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 571.5* sq. km. Population 75,029 1990 Census.
*Land area only (PL 94-171 files)

16. Attach as an Exhibit a map (Sectional Aeronautical charts where obtainable) showing the present and proposed 1 mV/m (60 dbu) contours.

Exhibit No.
N/A

Enter the following from Exhibit above: Gain Area N/A sq. mi.
Loss Area N/A sq. mi.

Percent change (gain area plus loss area as percentage of present area) N/A %.
If 50% or more this constitutes a major change. Indicate in question 2(c), Section I, accordingly.

Exhibit No.
N/A

17. 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.

(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. See 47 C.F.R. Section 73.1675. (File No.: _____)

18. 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 _____)

Other (briefly summarize):

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances to the 1 mV/m contour (kilometers)
0	35.0	16.3
45	37.5	16.9
90	39.3	17.3
135	35.0	12.8
180	31.5	9.2
225	31.5	9.0
270	35.0	13.1
315	36.2	16.4

Allocation Studies

(See Subpart E of 47 C.F.R. Part 73)

19. Is the proposed antenna location within 320 kilometers (199 miles) of the common border between the United States and Mexico?

Yes No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Agreement between the United States of America and the United Mexican States concerning Frequency Modulation Broadcasting in the 88 to 108 MHz band.

Exhibit No.
N/A

20. Is the proposed antenna location within 320 kilometers of the common border between the United States and Canada?

Yes No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Working Agreement for Allocation of FM Broadcasting Stations on Channels 201-300 under The Canada-United States FM Agreement of 1947.

Exhibit No.
N/A

21. If the proposed operation is for a channel in the range from channel 201 through 220 (88.1 through 91.9 MHz), or if this proposed operation is for a class D station in the range from Channel 221 through 300 (92.1 through 107.9 MHz), attach as an Exhibit a complete allocation study to establish the lack of prohibited overlap of contours with other U.S. stations. The allocation study should include the following:

Exhibit No.
4

- (a) The normally protected interference-free and the interfering contours for the proposed operation along all azimuths.
- (b) Complete normally protected interference-free contours of all other proposals and existing stations to which objectionable interference would be caused.
- (c) Interfering contours over pertinent arcs of all other proposals and existing stations from which objectionable interference would be received.
- (d) Normally protected and interfering contours over pertinent arcs, of all other proposals and existing stations, which require study to show the absence of objectionable interference.
- (e) Plot of the transmitter location of each station or proposal requiring investigation, with identifying call letters, file numbers and operating or proposed facilities.
- (f) When necessary to show more detail, an additional allocation study will be attached utilizing a map with a larger scale to clearly show interference or absence thereof.
- (g) 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.
- (h) The name of the map(s) used in the Exhibit(s).

22. With regard to any stations separated by 53 or 54 channels (10.6 or 10.8 MHz) attach as an Exhibit information required in 1/ *(separation requirements involving intermediate frequency (i.f.) interference).*

Exhibit No.
On file

23.(a) Is the proposed operation on Channel 218, 219, or 220?

No change

Yes No

(b) If the answer to (a) is yes, does the proposed operation satisfy the requirements of 47 C.F.R. Section 73.207?

Yes No

(c) If the answer to (b) is yes, attach as an Exhibit information required in 1/ regarding separation requirements with respect to stations on Channels 221, 222 and 223.

Exhibit No.
N/A

(d) If 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.
N/A

1/ A showing that the proposed operation meets the minimum distance separation requirements. Include existing stations, proposed stations, and cities which appear in the Table of Allotments; the location and geographic coordinates of each antenna, proposed antenna or reference point, as appropriate; and distance to each from proposed antenna location.

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 6)

(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.
N/A

- (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 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).

24. Is the proposed station for a channel in the range from Channel 201 to 220 (88.1 through 91.9 MHz) and the proposed antenna location within the distance to an affected TV Channel 6 station(s) as defined in 47 C.F.R. Section 73.525?

Yes No

If Yes, attach as an Exhibit either a TV Channel 6 agreement letter dated and signed by both parties or a map and an engineering statement with calculations demonstrating compliance with 47 C.F.R. Section 73.525 for each affected TV Channel 6 station.

Exhibit No.
5

25. Is the proposed station for a channel in the range from Channel 221 to 300 (92.1-107.9 MHz)?

Yes No

If Yes, attach as an Exhibit information required in 1/ (Except for Class B (secondary) proposals.)

Exhibit No.
N/A

26. Environmental Statement (See 47 C.F.R. Section 1.1307 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

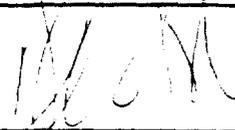
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.
N/A

If No, explain briefly why not. This application is categorically excluded from environmental processing under the provisions of Section 1.1306 of the Commission's rules. See Exhibit #6 for Radiofrequency Radiation Compliance.

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) Jefferson G. Brock Graham Brock, Inc.	Relationship to Applicant (e.g., Consulting Engineer) Technical Consultant
Signature 	Address (Include ZIP Code) 10 Sylvan Drive, #26 P.O. Box 24466 St. Simons Island, GA 31522
Date January 16, 1995	Telephone No. (Include Area Code) (912) 638-8028

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

AMEND BPED-930316MF
COMMUNITY EDUCATIONAL ASSOCIATION
NEW NONCOMMERCIAL STATION
CH 201A - 88.1 MHZ - 5.1 KW
HOLLY HILL, FLORIDA
January 1995

TECHNICAL EXHIBIT

Copyright 1995

AMEND BPED-930316MF
COMMUNITY EDUCATIONAL ASSOCIATION
NEW NONCOMMERCIAL STATION
CH 201A - 88.1 MHZ - 5.1 KW
HOLLY HILL, FLORIDA
January 1995

TECHNICAL STATEMENT

This Technical Statement and attached exhibits were prepared on behalf of Community Educational Association ("CEA"), an applicant seeking authority to build a new noncommercial station on Channel 201A at Holly Hill, Florida. CEA amends its pending application to reduce the overall height of the antenna supporting structure in order to bring the proposal into accordance with the Federal Aviation Administration's Determination of No Hazard (a reduction in proposed height from 195 feet above ground to 114 feet above ground). As a result the height above average terrain is also being lowered to reflect the lower tower structure.

CEA in order to maintain its proposed coverage herein increases the effective radiated power from 2.0 kilowatts to 5.1 kilowatts. In so doing, the coverage area over Holly Hill is maintained (see Exhibit #3) and there is no impact to any other noncommercial facilities (see Exhibit #4). All exhibits called for on FCC Form 301, Section V-B, which are affected by the change in antenna supporting structure height or the increase in effective radiated power are attached hereto. All other exhibits remain unchanged and are noted on FCC Form 340 as being on file, no change proposed.



U.S. Department
of Transportation

Federal Aviation
Administration

Southern Region

P.O. Box 20636
Atlanta, Georgia 30320

ACKNOWLEDGEMENT OF NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

CITY	STATE	LATITUDE/LONGITUDE		MSL	AGL	AMSL
ORMOND BEACH	FL	29-16-44.92	081-11-24.21	25	114	139

COMMUNITY EDUCATIONAL ASSOC
GRAHAM BROCK, INC
P. O. BOX 24466
ST SIMONS ISLAND, GA 31522

AERONAUTICAL STUDY
No: 94-ASO-2177-OE

Type Structure: ANTENNA TOWER 88.1 MHZ/2 KW

The Federal Aviation Administration hereby acknowledges receipt of notice dated 08/24/94 concerning the proposed construction or alteration contained herein.

A study has been conducted under the provisions of Part 77 of the Federal Aviation Regulations to determine whether the proposed construction would be an obstruction to air navigation, whether it should be marked and lighted to enhance safety in air navigation, and whether supplemental notice of start and completion of construction is required to permit timely charting and notification to airmen. The findings of that study are as follows:

The proposed construction would not exceed FAA obstruction standards and would not be a hazard to air navigation.

Obstruction marking and lighting are not necessary.

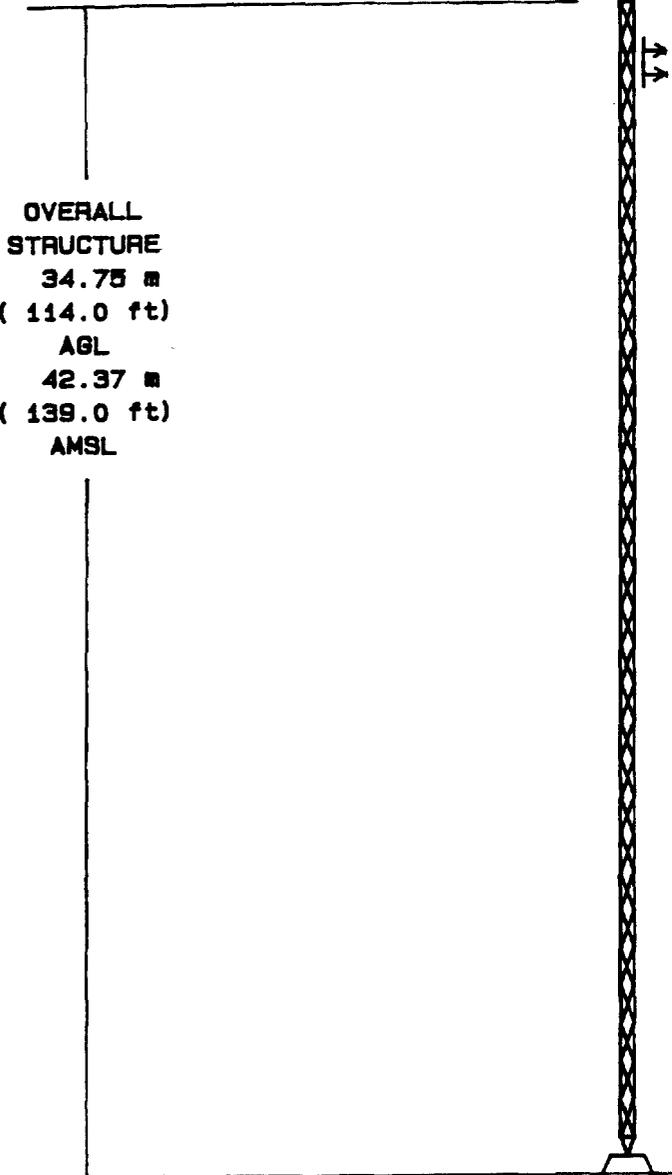
This determination expires on 07/14/95 unless application is made, (if subject to the licensing authority of the Federal Communications Commission), to the FCC before that date, or it is otherwise extended, revised or terminated.

If the structure is subject to the licensing authority of the FCC, a copy of this acknowledgement will be sent to that Agency.

NOTICE IS REQUIRED ANYTIME THE PROJECT IS ABANDONED OR THE PROPOSAL IS MODIFIED

SIGNED Armando Castro Specialist, Systems Management Branch
Armando Castro (404) 305-5588.
ISSUED IN: College Park, Georgia ON 01/12/95

EXHIBIT #1
AMEND BPED-930316MF
COMM. EDUCATIONAL ASSOC.
NONCOMMERCIAL FM STATION
CH 201A - 5.1 KW (V)
HOLLY HILL, FLORIDA
January 1995



←←← NEW FM FM Antenna
 Center of Radiation
 33.58 m (110.2 ft) AGL
 41.20 m (135.2 ft) AMSL
 35.20 m (115.5 ft) HAAT

OVERALL
 STRUCTURE
 34.75 m
 (114.0 ft)
 AGL
 42.37 m
 (139.0 ft)
 AMSL

North Latitude 29-16-44 Site Elev 7.62 m (25.0 ft) AMSL
 West Longitude 81-11-25 Terrain Avg 8.00 m (19.7 ft) AMSL
 (Sketch not drawn to scale)

VERTICAL PLAN SKETCH

SITE ELEVATION	-	8 m (25 ft) AMSL
TOP OF STRUCTURE	-	35 m (114 ft) AGL 42 m (139 ft) AMSL
FM Antenna COR	-	34 m (110 ft) AGL 41 m (135 ft) AMSL 35 m (115 ft) HAAT

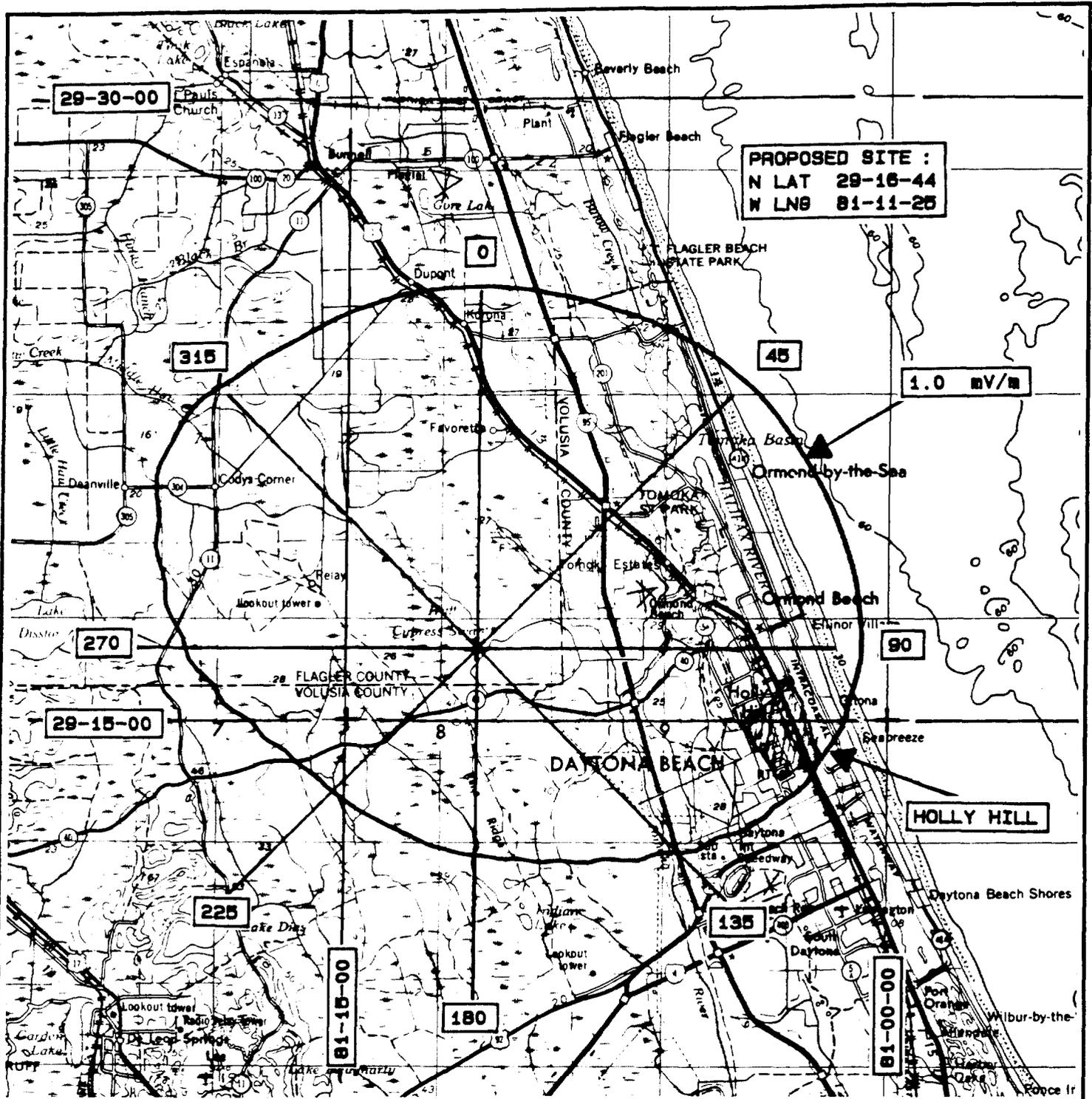
FIGURES ROUNDED TO NEAREST METER (FOOT) .

EXHIBIT #2

AMEND BPED-930316MF
 COMM. EDUCATIONAL ASSOC.
 NONCOMMERCIAL FM STATION
 CH 201A - 5.1 KW (V)
 HOLLY HILL, FLORIDA
 January 1995

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS



PREDICTED SERVICE CONTOUR

MAP IS A PORTION OF THE 1:250,000 SCALE U.S.G.S. DAYTONA BEACH - EASTERN UNITED STATES MAP.

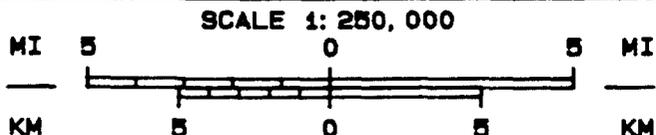


EXHIBIT #3

AMEND BPED-930316MF
 COMM. EDUCATIONAL ASSOC.
 NONCOMMERCIAL FM STATION
 CH 201A - 5.1 KW (V)
 HOLLY HILL, FLORIDA
 January 1995

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

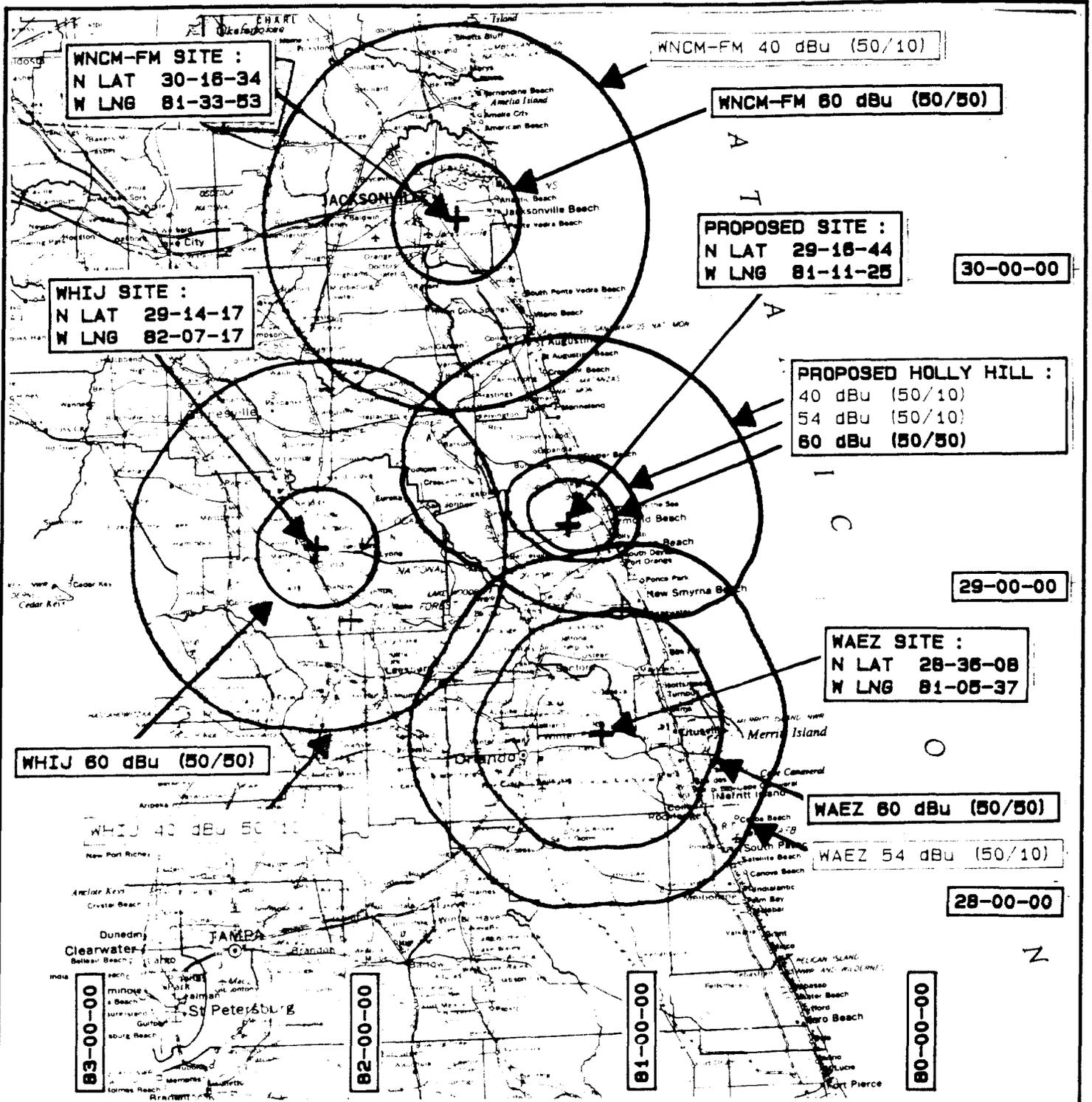
AMEND BPED-930316MF
COMMUNITY EDUCATIONAL ASSOCIATION
NEW NONCOMMERCIAL STATION
CH 201A - 88.1 MHZ - 5.1 KW
HOLLY HILL, FLORIDA
January 1994

EXHIBIT #4

§73.509 Compliance

The proposed new noncommercial station at Holly Hill, Florida, as indicated in the previously filed application, has the potential to effect WAEZ, Channel 202C2, Union Park, Florida; WHIJ, Channel 201A, Ocala, Florida; WKTO, Channel 204A, Edgewater, Florida; and WNCM-FM, Channel 201A, Jacksonville, Florida. As indicated on Exhibits #4A and #4B, the proposed Holly Hill facility operating with 5.1 kilowatts will not cause any prohibitive overlap of contours to any other noncommercial facilities listed above. Exhibits #4C through #4J are the updated tabulated protected and interfering contours of the proposed Holly Hill facility and the other subject stations.¹ Exhibit #7 is a tabulation of the proposed Holly Hill protected and interfering contours in 10 degree increments.

- 1) It should be noted that both WAEZ and WKTO have underlying construction permits and applications for modifications of those permits on file. Since the modification applications are for facilities in excess of the authorized facilities, this Exhibit indicates the proposed WAEZ and WKTO facilities since this is considered to be a worse case scenario.



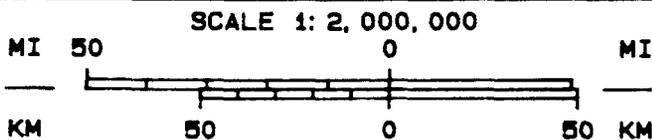
CHANNEL 201 ALLOCATION STUDY

MAP IS A PORTION OF THE 1: 2, 000, 000 SCALE U.S.G.S. FLORIDA (NATIONAL ATLAS) SHEET 12-13 MAP.

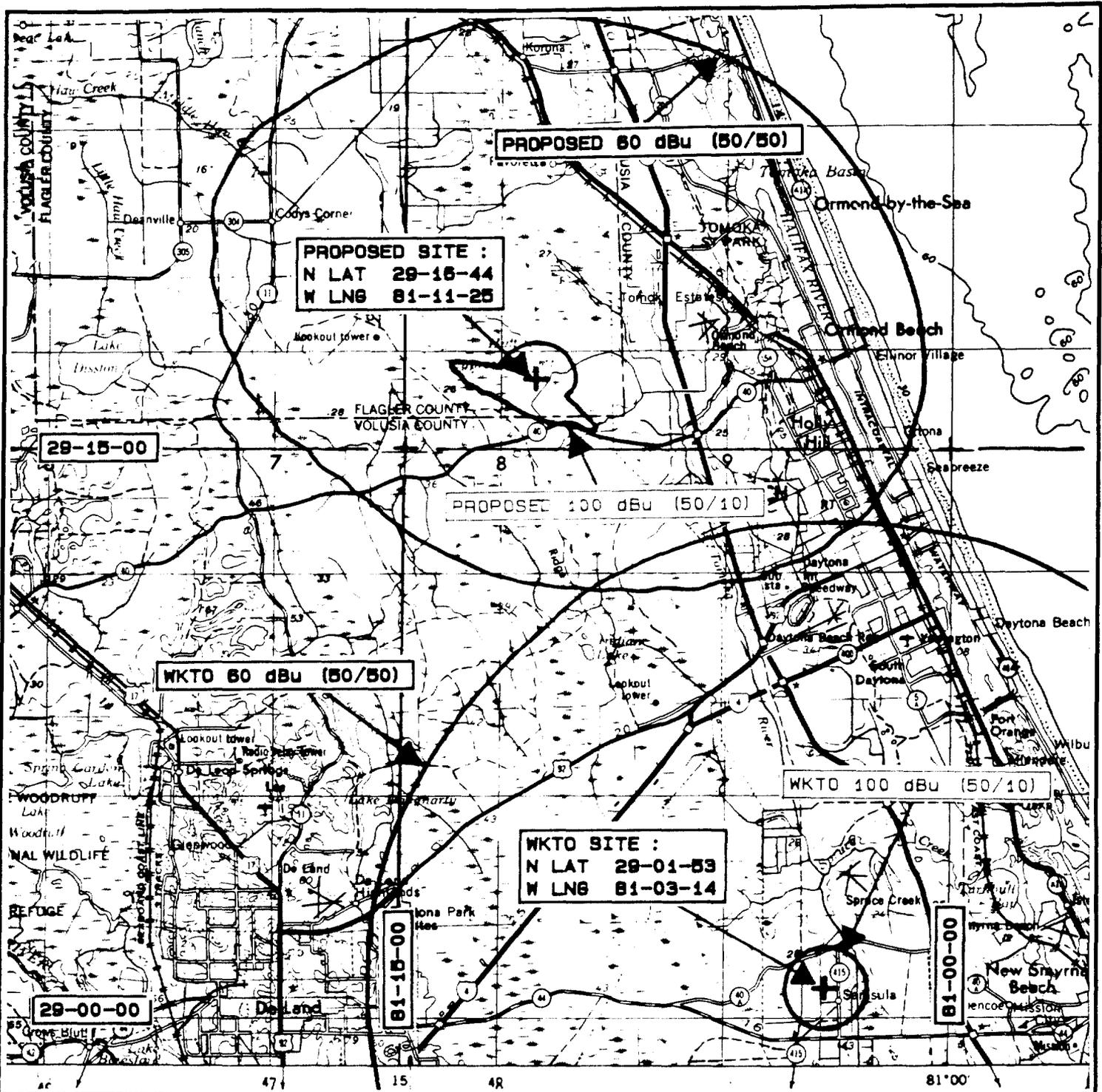
SEE EXHIBIT #4B FOR DEPICTION OF THE PROPOSED HOLLY HILL AND WKTO CONTOURS.

EXHIBIT #4A

AMEND BPED-930316MF
 COMM. EDUCATIONAL ASSOC.
 NONCOMMERCIAL FM STATION
 CH 201A - 5.1 KW (V)
 HOLLY HILL, FLORIDA
 January 1995



GRAHAM BROCK, INC.
 BROADCAST TECHNICAL CONSULTANTS

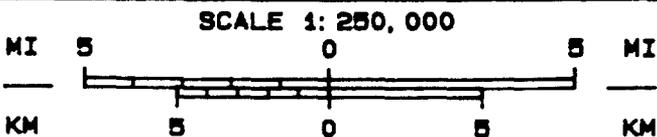


ALLOCATION STUDY (CONT.)

MAP IS A PORTION OF THE 1: 250, 000 SCALE U.S.G.S. DAYTONA BEACH - EASTERN UNITED STATES MAP.

EXHIBIT #4B

AMEND BPED-930316MF
 COMM. EDUCATIONAL ASSOC.
 NONCOMMERCIAL FM STATION
 CH 201A - 5.1 KW (V)
 HOLLY HILL, FLORIDA
 January 1995



GRAHAM BROCK, INC.
 BROADCAST TECHNICAL CONSULTANTS

NEW FM - AMENDMENT TO BPED-930316MF
 Channel = 201
 Max ERP = 5.1 kW
 RCAMSL = 41.148 M
 N. Lat = 291644
 W. Lng = 811125

WHIJ - BLED-900411KA
 Channel = 201
 Max ERP = 1.25 kW
 RCAMSL = 142 M
 N. Lat = 291417
 W. Lng = 820717

Protected
 60 dBu

Interfering
 40 dBu

Azimuth (degrees)	ERP (kW)	HAAT (m)	Dist (km)	Azimuth (degrees)	ERP (kW)	HAAT (m)	Dist (km)	Actual (dBu)
244.0	0.776	32.5	9.9	89.9	1.250	126.1	81.6	35.8
245.0	0.796	32.6	10.0	89.8	1.250	126.1	81.5	35.9
246.0	0.816	32.7	10.0	89.7	1.250	126.1	81.3	35.9
247.0	0.837	33.0	10.1	89.6	1.250	126.1	81.2	36.0
248.0	0.857	33.4	10.3	89.5	1.250	126.1	81.0	36.0
249.0	0.878	33.7	10.4	89.4	1.250	126.1	80.8	36.1
250.0	0.900	34.0	10.5	89.3	1.250	126.0	80.7	36.1
251.0	0.945	34.2	10.6	89.2	1.250	126.0	80.5	36.2
252.0	0.992	34.3	10.8	89.1	1.250	126.0	80.3	36.2
253.0	1.040	34.4	10.9	89.0	1.250	126.0	80.1	36.3
254.0	1.089	34.4	11.0	88.9	1.250	126.0	79.9	36.3
255.0	1.139	34.5	11.2	88.8	1.250	126.0	79.8	36.4
256.0	1.190	34.6	11.3	88.7	1.250	125.9	79.6	36.4
257.0	1.242	34.7	11.4	88.6	1.250	125.9	79.4	36.5
258.0	1.295	34.7	11.5	88.5	1.250	125.9	79.3	36.5
259.0	1.350	34.8	11.7	88.3	1.250	125.9	79.1	36.6
260.0	1.406	34.8	11.8	88.2	1.250	125.9	78.9	36.6
261.0	1.476	34.9	11.9	88.1	1.250	125.9	78.8	36.7
262.0	1.548	34.9	12.1	87.9	1.250	125.8	78.6	36.7
263.0	1.622	34.9	12.2	87.8	1.250	125.8	78.5	36.7
264.0	1.698	35.0	12.3	87.6	1.250	125.8	78.3	36.8
265.0	1.775	35.0	12.5	87.5	1.250	125.7	78.2	36.8
266.0	1.854	35.0	12.6	87.3	1.250	125.7	78.0	36.9
267.0	1.935	35.0	12.7	87.2	1.250	125.7	77.9	36.9
268.0	2.018	35.0	12.9	87.0	1.250	125.7	77.8	36.9
269.0	2.102	35.0	13.0	86.8	1.250	125.6	77.6	37.0
270.0	2.188	35.0	13.1	86.7	1.250	125.6	77.5	37.0
271.0	2.272	35.0	13.2	86.5	1.250	125.6	77.4	37.0
272.0	2.358	35.0	13.4	86.3	1.250	125.6	77.3	37.1
273.0	2.446	35.0	13.5	86.1	1.250	125.5	77.2	37.1
274.0	2.535	35.0	13.6	85.9	1.250	125.5	77.1	37.1
275.0	2.626	35.0	13.7	85.7	1.250	125.5	77.1	37.1
276.0	2.718	35.0	13.8	85.6	1.250	125.5	77.0	37.2
277.0	2.812	35.0	13.9	85.4	1.250	125.4	76.9	37.2
278.0	2.907	35.0	14.0	85.2	1.250	125.4	76.9	37.2
279.0	3.004	35.0	14.2	85.0	1.250	125.4	76.8	37.2
280.0	3.103	35.0	14.3	84.8	1.250	125.3	76.8	37.2
281.0	3.175	35.0	14.4	84.6	1.250	125.3	76.7	37.2
282.0	3.248	35.0	14.4	84.4	1.250	125.2	76.7	37.2
283.0	3.321	35.0	14.5	84.2	1.250	125.2	76.7	37.2
284.0	3.396	35.0	14.6	84.0	1.250	125.1	76.7	37.2

HOLLY HILL PROT./WHIJ INTER.

EXHIBIT #4C
 AMEND BPED-930316MF
 COMM. EDUCATIONAL ASSOC.
 NONCOMMERCIAL FM STATION
 CH 201A - 5.1 KW (V)
 HOLLY HILL, FLORIDA
 January 1995

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

WHIJ - BLED-900411KA
 Channel = 201
 Max ERP = 1.25 kW
 RCAMSL = 142 M
 N. Lat = 291417
 W. Lng = 820717

NEW FM - AMEND BPED-930316M
 Channel = 201
 Max ERP = 5.1 kW
 RCAMSL = 41.148 M
 N. Lat = 291644
 W. Lng = 811125

Protected
 60 dBu

Interfering
 40 dBu

Azimuth (degrees)	ERP (kW)	HAAT (m)	Dist (km)	Azimuth (degrees)	ERP (kW)	HAAT (m)	Dist (km)	Actual (dBu)
64.0	1.250	123.5	21.8	274.1	4.131	35.0	71.1	38.4
65.0	1.250	123.5	21.8	273.8	4.131	35.0	70.9	38.4
66.0	1.250	123.5	21.8	273.5	4.131	35.0	70.7	38.4
67.0	1.250	123.5	21.8	273.2	4.131	35.0	70.5	38.5
68.0	1.250	123.6	21.8	273.0	4.131	35.0	70.3	38.5
69.0	1.250	123.7	21.8	272.7	4.131	35.0	70.2	38.5
70.0	1.250	123.7	21.8	272.4	4.131	35.0	70.0	38.6
71.0	1.250	123.6	21.8	272.1	4.131	35.0	69.9	38.6
72.0	1.250	123.6	21.8	271.8	4.131	35.0	69.8	38.6
73.0	1.250	123.6	21.8	271.5	4.131	35.0	69.7	38.6
74.0	1.250	123.7	21.8	271.2	4.131	35.0	69.5	38.7
75.0	1.250	123.8	21.8	270.9	4.131	35.0	69.4	38.7
76.0	1.250	124.0	21.8	270.6	4.131	35.0	69.3	38.7
77.0	1.250	124.1	21.8	270.3	4.131	35.0	69.2	38.7
78.0	1.250	124.2	21.9	270.0	4.131	35.0	69.1	38.7
79.0	1.250	124.4	21.9	269.7	4.131	35.0	69.0	38.8
80.0	1.250	124.5	21.9	269.4	4.131	35.0	68.9	38.8
81.0	1.250	124.7	21.9	269.1	4.131	35.0	68.9	38.8
82.0	1.250	124.8	21.9	268.8	4.131	35.0	68.8	38.8
83.0	1.250	124.9	21.9	268.5	4.131	35.0	68.8	38.8
84.0	1.250	125.1	21.9	268.1	4.131	35.0	68.7	38.8
85.0	1.250	125.4	21.9	267.8	4.131	35.0	68.7	38.8
86.0	1.250	125.5	22.0	267.5	4.131	35.0	68.7	38.8
87.0	1.250	125.7	22.0	267.2	4.131	35.0	68.6	38.8
88.0	1.250	125.8	22.0	266.9	4.131	35.0	68.6	38.8
89.0	1.250	126.0	22.0	266.5	4.131	35.0	68.6	38.8
90.0	1.250	126.2	22.0	266.2	4.131	35.0	68.7	38.8
91.0	1.250	126.3	22.0	265.9	4.131	35.0	68.7	38.8
92.0	1.250	126.5	22.0	265.6	4.131	35.0	68.7	38.8
93.0	1.250	126.6	22.0	265.3	4.131	35.0	68.7	38.8
94.0	1.250	126.7	22.0	264.9	4.131	35.0	68.8	38.8
95.0	1.250	126.7	22.0	264.6	4.131	35.0	68.8	38.8
96.0	1.250	126.6	22.0	264.3	4.131	35.0	68.9	38.8
97.0	1.250	126.5	22.0	264.0	4.131	35.0	69.0	38.8
98.0	1.250	126.5	22.0	263.7	4.131	35.0	69.1	38.7
99.0	1.250	126.5	22.0	263.4	4.131	34.9	69.2	38.7
100.0	1.250	126.7	22.0	263.1	4.131	34.9	69.3	38.7
101.0	1.250	126.8	22.1	262.8	4.131	34.9	69.4	38.7
102.0	1.250	126.8	22.1	262.5	4.131	34.9	69.6	38.6
103.0	1.250	126.9	22.1	262.2	4.131	34.9	69.7	38.6
104.0	1.250	127.1	22.1	261.9	4.131	34.9	69.8	38.6

HOLLY HILL INTER./WHIJ PROT.

EXHIBIT #4D
 AMEND BPED-930316MF
 COMM. EDUCATIONAL ASSOC.
 NONCOMMERCIAL FM STATION
 CH 201A - 5.1 KW (V)
 HOLLY HILL, FLORIDA
 January 1995

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

NEW FM - AMENDMENT TO BPED-930316MF
 Channel= 201
 Max ERP = 5.1 kW
 RCAMSL = 41.148 M
 N. Lat = 291644
 W. Lng = 811125

WAEZ.A - BMPED-930511IE
 Channel = 202
 Max ERP = 2.5 kW
 RCAMSL = 458 M
 N. Lat = 283608
 W. Lng = 810537

Protected
 60 dBu

Interfering
 54 dBu

Azimuth (degrees)	ERP (kW)	HAAT (m)	Dist (km)	Azimuth (degrees)	ERP (kW)	HAAT (m)	Dist (km)	Actual (dBu)
125.0	2.946	36.1	14.3	2.0	1.832	451.6	66.8	53.7
126.0	2.853	36.0	14.2	1.8	1.825	451.5	66.7	53.7
127.0	2.763	35.9	14.0	1.5	1.815	451.3	66.6	53.7
128.0	2.673	35.7	13.9	1.3	1.808	451.2	66.5	53.7
129.0	2.585	35.6	13.8	1.1	1.801	451.1	66.3	53.7
130.0	2.499	35.5	13.6	0.9	1.794	451.1	66.2	53.8
131.0	2.400	35.3	13.5	0.6	1.784	451.0	66.2	53.7
132.0	2.303	35.2	13.3	0.4	1.777	450.9	66.1	53.8
133.0	2.208	35.1	13.2	0.2	1.771	450.8	66.0	53.8
134.0	2.115	35.1	13.0	359.9	1.763	450.7	65.9	53.8
135.0	2.024	35.0	12.9	359.7	1.761	450.7	65.9	53.8
136.0	1.935	35.0	12.7	359.5	1.760	450.6	65.8	53.8
137.0	1.848	35.0	12.6	359.3	1.758	450.5	65.8	53.8
138.0	1.763	35.0	12.5	359.0	1.756	450.4	65.8	53.8
139.0	1.680	35.0	12.3	358.8	1.754	450.4	65.7	53.8
140.0	1.599	35.0	12.2	358.6	1.752	450.3	65.7	53.8
141.0	1.548	35.0	12.1	358.4	1.751	450.2	65.6	53.8
142.0	1.498	35.0	12.0	358.2	1.749	450.2	65.6	53.8
143.0	1.449	35.0	11.9	358.0	1.747	450.1	65.5	53.8
144.0	1.400	34.9	11.8	357.8	1.746	450.0	65.5	53.8
145.0	1.353	34.7	11.7	357.6	1.744	450.0	65.5	53.8
146.0	1.306	34.4	11.5	357.4	1.742	449.9	65.5	53.8
147.0	1.260	34.1	11.4	357.2	1.741	449.8	65.5	53.8
148.0	1.215	33.8	11.2	357.0	1.739	449.7	65.6	53.8
149.0	1.170	33.5	11.1	356.7	1.736	449.5	65.6	53.8
150.0	1.127	33.3	10.9	356.5	1.735	449.4	65.6	53.8
151.0	1.098	33.1	10.9	356.4	1.734	449.3	65.6	53.8
152.0	1.070	32.9	10.8	356.2	1.732	449.2	65.6	53.8
153.0	1.042	32.7	10.7	356.0	1.731	449.1	65.7	53.7
154.0	1.014	32.4	10.5	355.8	1.729	449.0	65.7	53.7
155.0	0.987	32.3	10.5	355.6	1.727	448.8	65.7	53.7
156.0	0.961	32.2	10.4	355.5	1.726	448.8	65.7	53.7
157.0	0.934	32.2	10.3	355.3	1.725	448.7	65.7	53.7
158.0	0.908	32.3	10.3	355.1	1.723	448.6	65.7	53.7
159.0	0.883	32.4	10.2	355.0	1.722	448.5	65.7	53.7
160.0	0.857	32.4	10.1	354.8	1.721	448.4	65.8	53.7
161.0	0.845	32.4	10.1	354.6	1.719	448.2	65.8	53.7
162.0	0.832	32.3	10.0	354.5	1.718	448.2	65.8	53.6
163.0	0.820	32.2	10.0	354.3	1.716	448.1	65.8	53.6
164.0	0.808	31.9	9.9	354.2	1.716	448.0	65.8	53.6
165.0	0.796	31.7	9.8	354.0	1.714	447.9	65.8	53.6

HOLLY HILL PROT./WAEZ INTER.

EXHIBIT #4E
 AMEND BPED-930316MF
 COMM. EDUCATIONAL ASSOC.
 NONCOMMERCIAL FM STATION
 CH 201A - 5.1 KW (V)
 HOLLY HILL, FLORIDA
 January 1995

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

WAEZ.A - BNPED-930511IE
 Channel= 202
 Max ERP = 2.5 kW
 RCAMSL = 458 M
 N. Lat = 283608
 W. Lng = 810537

NEW FM - AMEND BNPED-930316M
 Channel = 201
 Max ERP = 5.1 kW
 RCAMSL = 41.148 M
 N. Lat = 291644
 W. Lng = 811125

Protected
 60 dBu

Interfering
 54 dBu

Azimuth (degrees)	ERP (kW)	HAAT (m)	Dist (km)	Azimuth (degrees)	ERP (kW)	HAAT (m)	Dist (km)	Actual (dBu)
324.0	2.016	449.7	44.0	202.6	0.522	31.8	42.7	35.3
325.0	2.025	449.5	44.0	202.2	0.522	31.8	42.0	35.5
326.0	2.034	449.4	44.1	201.6	0.522	31.8	41.4	35.7
327.0	2.043	449.5	44.1	201.0	0.522	31.7	40.7	35.8
328.0	2.052	449.8	44.2	200.4	0.522	31.7	40.1	36.1
329.0	2.061	450.2	44.2	199.8	0.523	31.6	39.4	36.2
330.0	2.070	450.6	44.3	199.2	0.525	31.6	38.8	36.5
331.0	2.052	451.0	44.2	198.3	0.528	31.5	38.3	36.6
332.0	2.034	451.3	44.2	197.5	0.530	31.5	37.7	36.8
333.0	2.016	451.4	44.1	196.5	0.534	31.5	37.3	37.0
334.0	1.998	451.2	44.0	195.6	0.537	31.7	36.8	37.3
335.0	1.980	450.8	43.9	194.6	0.540	31.9	36.4	37.5
336.0	1.962	450.3	43.8	193.5	0.544	32.1	36.0	37.7
337.0	1.945	449.7	43.7	192.4	0.547	32.1	35.6	37.9
338.0	1.927	449.0	43.6	191.3	0.551	32.2	35.3	38.0
339.0	1.910	448.4	43.5	190.2	0.555	32.1	35.0	38.2
340.0	1.892	447.9	43.4	189.0	0.562	32.2	34.7	38.3
341.0	1.871	447.5	43.3	187.8	0.570	32.1	34.4	38.5
342.0	1.849	447.3	43.1	186.6	0.579	32.0	34.2	38.6
343.0	1.828	447.2	43.0	185.4	0.587	31.8	34.0	38.7
344.0	1.806	447.2	42.9	184.1	0.596	31.7	33.8	38.8
345.0	1.785	447.2	42.8	182.9	0.604	31.5	33.7	38.9
346.0	1.764	447.2	42.7	181.6	0.613	31.5	33.5	39.0
347.0	1.743	447.0	42.6	180.3	0.623	31.5	33.5	39.1
348.0	1.722	446.8	42.5	179.0	0.636	31.5	33.4	39.2
349.0	1.702	446.6	42.4	177.7	0.650	31.4	33.4	39.3
350.0	1.681	446.5	42.3	176.5	0.663	31.4	33.4	39.4
351.0	1.689	446.5	42.3	175.2	0.677	31.1	33.3	39.4
352.0	1.697	446.8	42.4	173.9	0.692	30.9	33.2	39.5
353.0	1.706	447.3	42.4	172.7	0.705	30.8	33.1	39.6
354.0	1.714	447.9	42.5	171.4	0.720	30.9	33.1	39.7
355.0	1.722	448.5	42.6	170.1	0.735	31.0	33.1	39.9
356.0	1.731	449.1	42.7	168.8	0.750	31.1	33.1	40.0
357.0	1.739	449.7	42.7	167.5	0.766	31.2	33.1	40.1
358.0	1.747	450.1	42.8	166.2	0.781	31.4	33.2	40.2
359.0	1.756	450.4	42.8	164.9	0.797	31.7	33.3	40.3

HOLLY HILL INTER./WAEZ PROT.

EXHIBIT #4F
 AMEND BNPED-930316MF
 COMM. EDUCATIONAL ASSOC.
 NONCOMMERCIAL FM STATION
 CH 201A - 5.1 KW (V)
 HOLLY HILL, FLORIDA
 January 1995

GRAHAM BROCK, INC.
 BROADCAST TECHNICAL CONSULTANTS