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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
Washington, DC

In the Matter of)	MM Docket No. 00-1617
)	
<i>Amendment of Section 73.202(b).</i>)	
<i>Table of Allotments,</i>)	RM-9929
<i>FM Broadcast Stations</i>)	
<i>(Fort Bridger, WY and Woodruff, UT)</i>)	

To: **Chief, Allocations Branch**

STATEMENT FOR THE RECORD

KGNT Inc., by its attorney, hereby submits a Statement for the Record with respect to the above-referenced proceeding.

Frandsen has argued that "since KNYN is not on the air, there is no actual loss of service to Fort Bridger." *Petition for Rule Making* at 2. See also, *Comments in Support of Proposed Rule Making* at 2. Frandsen has used that assertion in support of his request for the change of community of license of Station KNYN from the community of Fort Bridger (population: 200) to the smaller community of Woodruff, Utah (population: 194).

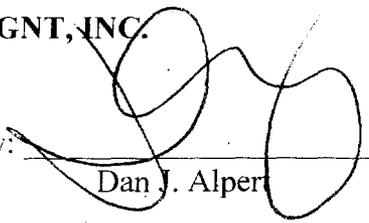
As seen in Attachment 1, Station KNYN no longer is a silent station. Effective on or about June 12, 2001, Station KNYN began operation under automatic program test authority. Therefore, his argument no longer is relevant, or accurate.

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List A B C D E

WHEREFORE, it is respectfully requested that this Statement for the Record be accepted, and that the proposal contained in the Petition for Rule Making filed by M. Kent Frandsen be denied, and that the information presented herein be fully considered by the Commission.

Respectfully submitted,

KGNT, INC.

By: 

Dan J. Alpert

Its Attorney

*The Law Office of Dan J. Alpert
2120 N. 21st Rd.
Arlington, VA 22201
(703) 243-8690*

June 18, 2001

ATTACHMENT 1

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0506	FOR FCC USE ONLY
FCC 302-FM		
APPLICATION FOR FM BROADCAST STATION LICENSE		FOR COMMISSION USE ONLY FILE NO. BLH - 20010612ADR
Read INSTRUCTIONS Before Filling Out Form		

Section I - General Information

1.	Legal Name of the Applicant M. KENT FRANDBSEN		
	Mailing Address P.O. BOX 570		
	City LOGAN	State or Country (if foreign address) UT	ZIP Code 84323 -
	Telephone Number (include area code) 4357521390	E-Mail Address (if available) KENT@CVRADIO.COM	
		Call Sign KNYN	Facility Identifier 87470
2.	Contact Representative (if other than licensee/permittee) DAVID D. OXENFORD, ESQ.		Firm or Company Name SHAW PITTMAN
	Telephone Number (include area code) 2026638000		E-Mail Address (if available) DAVID.OXENFORD@SHAWPITTMAN.COM
3.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial Educational Licensee/Permittee <input type="radio"/> Other		
4.	Facility Information: a. <input checked="" type="radio"/> Commercial <input type="radio"/> Noncommercial b. <input type="radio"/> Directional <input checked="" type="radio"/> Nondirectional c. Community of License: City: FORT BRIDGER State: WY		
5.	Program Test Authority: <input type="radio"/> Requesting program test authority. <input checked="" type="radio"/> Station operating pursuant to automatic program test authority (47 C.F.R. Section 73.1620(a)(1)).		
6.	Purpose of Application. <input checked="" type="radio"/> Cover construction permit (list most recent construction permit file number -- starts with the prefix BPH, BMPH, BPED, or BMPED): BPH-19970703MN <input type="radio"/> Modify an authorized license (list license file number -- starts with the prefix BLH, BMLH, BLED, or BMLED): <input type="radio"/> Amend a pending application If an amendment, submit as an Exhibit a listing by Section and Question Number the portions of the pending application that are being revised.		
			[Exhibit 1]

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section II - Legal and Financial

1. Certification. Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	<input checked="" type="radio"/> Yes <input type="radio"/> No
2. Licensee/Permittee certifies that all terms, conditions, and obligations set forth in the underlying construction permit have been fully met.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 2]
3. Licensee/Permittee certifies that, apart from changes already reported, no cause or circumstance has arisen since the grant of the underlying construction permit which would result in any statement or representation contained in the construction permit application to be now incorrect.	<input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 3]
4. Character Issues. Applicant certifies that neither licensee/permittee nor any party to the application has or has had any interest in, or connection with: a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or b. any pending broadcast application in which character issues have been raised.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 4]
5. Adverse Findings. Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 5]
6. Anti-Drug Abuse Act Certification. Applicant certifies that neither licensee/permittee nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive 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 request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing M. KENT FRANSEN	Typed or Printed Title of Person Signing OWNER
Signature	Date 06/12/2001

SECTION III - PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name L. DANIEL BAKER	Relationship to Applicant (e.g., Consulting Engineer) CHIEF ENGINEER
Signature	Date 06/12/2001
Mailing Address P.O. BOX 3369	

City LOGAN	State or Country (if foreign address) UT	Zip Code 84323 - 3369
Telephone Number (include area code) 4357521390	E-Mail Address (if available) DAN@CVRADIO.COM	

WILLFUL FALSE STATEMENTS 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).<

SECTION III ENGINEERING

TECHNICAL SPECIFICATIONS

Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1.	Channel: 256		
2.	a. Effective Radiated Power:	27.5 kW(H) 27.5 kW(V)	
	b. Maximum Effective Radiated Power: (Beam-Tilt Antenna ONLY)	kW(H) kW(V)	
3.	Transmitter Power Output: 5.27 kW		
4.	Antenna Data		
	Manufacturer	Model	Number of Sections
	JAM	JHPC-10	10
			Spacing Between Sections (wavelength)
			1

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

CERTIFICATION

All applicants must complete this section.

5.	Main Studio Location. The main studio location complies with 47 C.F.R. Section 73.1125.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 6]
6.	Transmitter Power Output. The operating transmitter power output produces the authorized effective radiated power.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 7]

APPLICATIONS FILED TO COVER A CONSTRUCTION PERMIT.

Only applicants filing this application to cover a construction permit must complete the following section.

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

7.	Constructed Facility. The facility was constructed as authorized in the underlying construction permit or complies with 47 C.F.R. Section 73.1690.	<input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 8]
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<p>8. Special Operating Conditions. The facility was constructed in compliance with all special operating conditions, terms, and obligations described in the construction permit.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 9]</p>
<p>An exhibit may be required. Review the underlying construction permit. [Exhibit 10]</p>	
<p>APPLICATIONS FILED PURSUANT TO 47 C.F.R. SECTIONS 73.1675(c) or 73.1690(c) Only applicants filing this application pursuant to 47 C.F.R. Sections 73.1675(c) must complete the following section.</p>	
<p>9. Changing transmitter power output. Is this application being filed to authorize a change in transmitter power output caused by the replacement of omnidirectional antenna with another omnidirectional antenna or an alteration of the transmission line system? See 47 C.F.R. Sections 73.1690(c)(1) and (c)(10).</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>10. Increasing effective radiated power. Is this application being filed to authorize an increase in ERP for a station operating in the nonreserved band (Channels 221-300)? See 47 C.F.R. Sections 73.1690(c)(4), (c)(5) and (c)(7). If "Yes" to the above, the applicant certifies the following:</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>a. Spacing Requirements. The increase in ERP was authorized pursuant to MM Docket 88-375 (Class A stations) OR the facility complies with the spacing requirements of 47 C.F.R. Section 73.207.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 11]</p>
<p>b. International Coordination. The transmitter site is greater than 320 km from the Canadian or Mexican borders OR coordination for the station's international class is complete.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 12]</p>
<p>c. Interference. The requirements of 47 C.F.R. Section 73.1030 regarding notification to radio astronomy installations, radio receiving installations and FCC monitoring stations have either been satisfied OR are not applicable.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 13]</p>
<p>Exhibit required. If the proposed facility must be notified to the entities set forth in 47 C.F.R. Section 73.1030, the applicant must provide a copy of the written approval for the ERP increase from the affected entity. [Exhibit 14]</p>	
<p>d. Multiple Ownership Showing. The increase in ERP will not require the consideration of a multiple ownership showing pursuant to 47 C.F.R. Section 73.3555.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 15]</p>
<p>e. Environmental Protection Act. The proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1306 (i.e., the facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Appendix A, an exhibit is required.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 16] [Exhibit 17]</p>
<p>f. Radiofrequency Electromagnetic Exposure. The applicant, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 18]</p>
<p>11. Increasing vertically polarized effective radiated power. Is this application being filed pursuant to 47 C.F.R. Section 73.1690(c)(4) to authorize an increase in the vertically polarized ERP for a station operating in the reserved band (Channels 200-220)? If "Yes" to the above, the applicant certifies the following:</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>a. TV Channel 6 Protection Requirements. The facility complies with the spacing requirements of 47 C.F.R. Section 73.525(a)(1).</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 19]</p>

<p>b. Environmental Protection Act. The proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1306 (i.e., the facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Appendix A, an exhibit is required.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 20] [Exhibit 21]</p>
<p>c. Radiofrequency Electromagnetic Exposure. The applicant, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 22]</p>
<p>12. Decreasing effective radiated power (commercial channel). Is this application being filed pursuant to 47 C.F.R. Section 73.1690(c)(8) to authorize a decrease in the ERP for a station operating in the nonreserved band (Channels 221-300)?</p> <p>If "Yes" to the above, the applicant certifies the following:</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>a. Community Coverage . The proposed facility complies with the community coverage requirements of 47 C.F.R. Section 73.315 where the distance to the 3.16 mV/m contour is predicted using the standard prediction method in 47 C.F.R. Section 73.313.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 23]</p>
<p>b. Auxiliary Facilities. The authorized or pending auxiliary facilities for this station comply with 47 C.F.R. Section 73.1675(a).</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 24]</p>
<p>c. Multiple Ownership Showing. The decrease in ERP is not requested or required to establish compliance with 47 C.F.R. Section 73.3555.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 25]</p>
<p>13. Decreasing effective radiated power (noncommercial channel). Is this application being filed pursuant to 47 C.F.R. Section 73.1690(c)(8) to authorize a decrease in the ERP for a station operating in the reserved band (Channels 200-220)?</p> <p>If "Yes" to the above, the applicant certifies the following:</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>a. Community Coverage . The proposed facility complies with the community coverage requirements of 47 C.F.R. Section 73.1690(c)(8)(i) where the distance to the 1 mV/m contour is predicted using the standard prediction method in 47 C.F.R. Section 73.313.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 26]</p>
<p>b. Auxiliary Facilities. The authorized or pending auxiliary facilities for this station comply with 47 C.F.R. Section 73.1675(a).</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 27]</p>
<p>14. Replacing a directional antenna. Is this application being filed pursuant to 47 C.F.R. Section 73.1690(c)(2) to replace a directional antenna with another directional antenna?</p> <p>If "Yes" to the above, the applicant certifies the following:</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>a. Measurement of Directional Antenna. The composite measured pattern and measurement procedures comply with 47 C.F.R. Section 73.1690(c)(2). Exhibit required.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 28] [Exhibit 29]</p>
<p>b. Installation of Directional Antenna. The installation of the directional antenna complies with 47 C.F.R. Section 73.1690(c)(2). exhibit is required.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in</p>

		[Exhibit 30] [Exhibit 31]
15.	Deleting contour protection status. Is this application being filed pursuant to 47 C.F.R. Section 73.1690(c)(6) to delete contour protection status (47 C.F.R. Section 73.215) for a station operating in the nonreserved band (Channels 221-300)?	<input type="radio"/> Yes <input checked="" type="radio"/> No
	If "Yes" to the above, the applicant certifies that the facility complies with the spacing requirements of 47 C.F.R. Section 73.207.	<input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 32]
16.	Use a formerly licensed main facility as an auxiliary facility. Is this application being filed pursuant to 47 C.F.R. Section 73.1675(c)(1) to request authorization to use a formerly licensed main facility as an auxiliary facility and/or change the ERP of the proposed auxiliary facility?	<input type="radio"/> Yes <input checked="" type="radio"/> No
	If "Yes" to the above, the applicant certifies the following:	
	a. Auxiliary antenna service area. The proposed auxiliary facility complies with 47 C.F.R. Section 73.1675(a).	<input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 33]
	b. Environmental Protection Act. The proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1 306 (i.e., the facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Appendix A, an exhibit is required.	<input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 34] [Exhibit 35]
	c. Radiofrequency Electromagnetic Exposure. The applicant, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.	<input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 36]
17.	Changing the license status. Is this application being filed pursuant to 47 C.F.R. Section 73.1690(c)(9) to change the license status from commercial to noncommercial educational or from noncommercial educational to commercial?	<input type="radio"/> Yes <input checked="" type="radio"/> No
	If "Yes" to above, submit an Exhibit as required below.	
	Commercial to Noncommercial Educational. For applications changing license status from Commercial to Noncommercial educational include Sections II and III-C of FCC Form 340.	[Exhibit 37]
PREPARERS CERIFICATION ON PAGE 3 MUST BE COMPLETED AND SIGNED.		

Exhibits

Exhibit 3

Description: RESPONSE TO SECTION II, QUESTION 3

THE FCC FORM 301 APPLICATION FOR CONSTRUCTION PERMIT DESCRIBED THE INTENDED USE OF A 6 BAY ANTENNA, MOUNTED ON A 46 METER GUYED TOWER. THE CENTER OF RADIATION WAS DESCRIBED AS 2662 METERS ABOVE MEAN SEA LEVEL, 38 METERS ABOVE GROUND.

THE ANTENNA, AS CONSTRUCTED, IS A 10 BAY JAMPRO (JHPC-10). IT IS MOUNTED ON A 54.86 METER GUYED TOWER. THE CENTER OF RADIATION IS INCREASED BY TWO METERS, TO 2664 METERS ABOVE MEAN SEA LEVEL, 40 METERS ABOVE GROUND.

THE TWO METER INCREASE IN THE HEIGHT OF THE CENTER OF RADIATION, AND THE CHANGE FROM A 6 BAY TO A 10 BAY ANTENNA IS ALLOWABLE UNDER SECTION 73.1690(C)(1) OF THE COMMISSION'S RULES. THE ERP REMAINS AT 27.5 KW AS AUTHORIZED IN THE ORIGINAL CONSTRUCTION PERMIT.

Exhibit 8

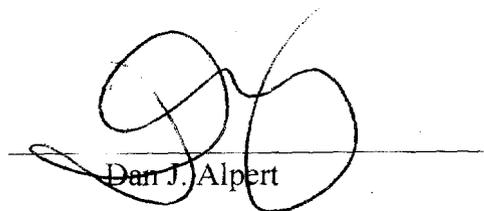
Description: RESPONSE TO SECTION III, QUESTION 7

SEE EXHIBIT 3

CERTIFICATE OF SERVICE

I, Dan J. Alpert, hereby certify that on June 18, 2001 the foregoing document is being served by First Class Mail, postage prepaid, to the following persons:

Ellen Masters, Esq.
Shaw Pittman
2300 N Street, N.W.
Washington, DC 20006


Dan J. Alpert