

**ORIGINAL**

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.202(b), )  
Table of Allotments )  
FM Broadcast Stations )  
Prineville, OR )

To: Chief, Allocations Branch

**FILED/ACCEPTED**  
**JAN 3 1 2007**  
Federal Communications Commission  
Office of the Secretary

**PETITION FOR RULE MAKING**

Terry A. Cowan ("Cowan"), by its undersigned counsel and pursuant to Section 1.401 of the Commission's Rules, hereby petitions the Commission to amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, to allot Channel 226C3 to Prineville, Oregon. Specifically, Cowan requests that the FM Table of Allotments be amended as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Prineville	236C1	236C1
	271C3	271C3
	267C1	267C1
	_____	226C3

Pursuant to Section 1.401(d), the instant petition is accompanied by an application for a construction permit at Prineville (FCC Form 301) and the requisite filing fees. In support of this petition, the following is shown.

**Technical Considerations**

1. As demonstrated by the Engineering Statement attached hereto as Exhibit E-1, the requested allotment of Channel 226C3 to Prineville will provide superior service to Prineville, free of shadowing within the City of Prineville, from a developed site. The proposed allotment

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site meets the minimum spacing requirements under Section 73.207 of the Commission's Rules to all known existing and proposed stations and the channel may be assigned to Prineville as its fourth FM broadcast channel.

### **Section 307(b) Considerations**

2. Under the recently released *Report and Order, Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, FCC 06-210, released November 29, 2006 (hereinafter "*Revision of Procedures*"), applicants seeking to amend the Table of Allotments must demonstrate that the proposed amendment constitutes a preferential arrangement of allotments under Section 307(b) of the Act, 47 USC Sec. 307(b). This showing must be based upon the following priorities and policies the Commission has used since 1982 citing *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982): (1) first full-time aural service; (2) second full-time aural service; (3) first local service; and (4) other public interest matters. The public interest will be served by granting the instant request.

3. The community of Prineville has the social, economic, and cultural characteristics of a community and warrants a fourth FM broadcast channel. As an initial matter, the Commission at paragraph 34 of its *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, (1982), stated that :

... Section 307(b) requires that we continue to require assignments to 'communities' as geographically identifiable population groupings. For this purpose it is sufficient that the community is incorporated or is listed in the census.<sup>1</sup>

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<sup>1</sup> See also, *Beacon Broadcasting and New South Broadcasting Corporation*, 2 FCC Rcd 7562 (1987), *aff'd sub nom New South Broadcasting Corporation, v. FCC*, 879 F.2d 867 (D.C. Cir. 1989).

Prineville clearly constitutes a community for purposes of the requested allocation. As shown below, it is a vibrant, growing community serving as the county seat of Crook County with its own government, industries, businesses, educational institutions and all of the other indicia of a community for 307(b) purposes.

4. History of Prineville. Barney Prine, who built a blacksmith shop and store/saloon on the banks of the Crooked River, founded Prineville in 1868. Prineville, Central Oregon's oldest city, is the Crook County seat. The county was named for General George Crook in recognition of his efforts in resolving the 1878 Bannock Indian conflict. Prineville is the gateway to the Ochoco National Forest and Crooked River National Grasslands. Ochoco Lake and Prineville Reservoir are open for fishing year-round. Prineville Reservoir State Park maintains a campground and swimming area. Recreation opportunities include backpacking, water sports, fishing, and hunting for elk, mule deer, and a variety of game birds.

5. Economic Development. A region dependent on wood products, agriculture and manufacturing, Crook County has steadily diversified its employment and economic base. Its well-established manufacturing heritage is alive and well. Tire manufacturing and distribution has been successful in the community for over fifty years. Prineville is proud to be the home and headquarters of Les Schwab, Oregon's third largest privately held company and third largest overall Central Oregon employer. Les Schwab employs nearly 1,000 people in Crook County and reached \$1 billion a year in company sales. Other large manufacturers have included American Pine Products and Pioneer Cut Stock. These relatively large firms are successful because of the community's long manufacturing heritage. Outside the manufacturing and distribution sectors, agriculture plays an important economic and cultural role for residents of the town and Crook

County. Annually the industry contributes more than \$40 million to the local economy in commodities sold. Economic Development for Central Oregon (EDCO) has been instrumental in promoting and facilitating the economic development in Crook County through recruiting and attracting new businesses, specifically primary job providers. EDCO is a private, non-profit organization that is funded by contributions from member businesses, cities, and counties. EDCO is not a department of local or state government, and does not receive any financial support from the State of Oregon.

6. Geography. Crook County covers 2,982 square miles and includes the exact geographic center of Oregon. In elevation, Prineville is 2,864 feet at the steps of the Crook County Courthouse. The city lies at 44 18 N latitude and 120 50' W longitude. Crook County is divided roughly into two types of geography. To the north are the Ochoco Mountains, covered with thick stands of Ponderosa Pines. The southern part of the county consists of arid, juniper-and-sagebrush-covered, high-desert plateau. Like all of Oregon east of the Cascades, Prineville and Crook County are characterized by bright sunshine, hot days and cool nights. There is approximately 11 inches of rainfall each year and 14 inches of snow. The average temperature can fluctuate in summer and winter rising or falling 40 to 50 degrees in a single day.

7. Population. Crook County has experienced population growth that has been more than twice the state average. The 2000 Census shows the population of Prineville at 8,205. It is expected that Prineville will grow to 35,000 persons within the next ten years.

8. Public Amenities. Prineville has made significant public investments such as an excellent 45,000 volume library, expansion of clinic and hospital facilities, the addition of public

meeting rooms, and a new high school. In-town amenities include a public swimming pool, an expansive public park system with bicycle and walking paths, four public ball fields, a public skate park and roller rink, two public amphitheaters, a performing arts auditorium, and a fairgrounds.

9. Education, Health and Housing. There is a strong public K-12 public school system and two private schools. Central Oregon Community College Prineville Center offers degree transfer and community enrichment programs. Medical facilities include a 28-bed, Trauma II level Hospital and hospice, air-life and ambulance service. Several facilities cater to the needs of seniors, including a senior center, several assisted living facilities, a nursing home and a free public transportation system for the elderly and disabled. Private residential and commercial construction activity is testimony to the influx of a growing population seeking small town charm and livability.

10. Growth Potential. Companies escaping skyrocketing costs, electricity shortages and tight labor markets have relocated or expanded in Prineville. Many of these firms are small, but innovative, and have developed niche markets in secondary wood products, manufacturing and distribution. Crook County is one of the fastest growing counties in Oregon and continues to welcome growth. In addition, growth is encouraged by a newly designated Enterprise Zone, well-respected regional workforce-training programs, and business finance programs that offer some of the best rates around. EDCO , as noted above, is a private, non-profit organization, and an Oregon leader in business development. Prineville and Crook County are designated as Enterprise Zones. This non-bureaucratic program is administered by the City and County and is designed to assist new manufacturing with expansion through 100% property tax exemptions on

qualified investment (new buildings, remodels, and equipment) during the first 3 to 5 years of that investment. After the exemption expires, the building and or equipment is picked up on the tax rolls at the depreciated rate.

11. Workforce Training. Workforce training is an increasingly important factor and incentive in today's tight labor market. Although the region offers a competitive advantage for finding skilled employees, there are several programs to make finding or training workers easier and less costly. Targeted training programs through Central Oregon Community College (COCC) develop programs tailored to the specific needs of business. In addition the Business Development Center at COCC offers confidential business counseling, business and marketing plan development. Other customized training programs, employee screening, testing, and interviewing and worker placement programs make finding and training workers easier and less costly.

12. Business Finance Programs Several special local, regional, state and federal loan funds exist to help new and existing Oregon businesses access resources. State finance mechanisms include development revenue bonds, development funds, capital access programs, and credit enhancement programs. Regional programs are intermediary re-lending programs, and revolving loan funds. The Small Business Administration has a variety of programs for emerging and existing businesses. USDA Rural Development offers a guarantee program for larger business projects in rural areas with populations under 50,000 residents. EDCO can assist businesses owners to the path of "least resistance" but which still have attractive (competitive) rates. The City of Prineville keeps a current list of properties available for commercial and industrial development within the city and within the Urban Growth Boundary. Crook County

owns a large amount of land on the outskirts of Prineville, including but not limited to the Prineville-Crook County airport. Some of this land is zoned for industrial purposes. There are parcels inside the urban growth boundary, and other county land is within the city limits of the City of Prineville. Location determines access to sewer, water, and power service.

13. Utilities. Due to the availability of a reliable, cost effective power infrastructure in Oregon, Crook County enjoys some of the lowest utility rates in the nation. Electricity, Gas, Water Electricity is an average rate of \$.045-\$.05 per kwh. Natural gas is widely available through out the region and is supplied by Cascade Natural Gas Corporation. The commercial rate after a basic charge of \$3.00 is .81773 cents/therm. The industrial rate after a basic charge of \$12.00 is \$.77969 /therm. Water and Sewer is provided by the City of Prineville with the monthly base rate the same for residential and commercial. The base rate for water is \$6.50 and the base rate for sewer is \$20.05. Telecommunications All central offices are digital electronic switches and the entire system will be a redundant, self-healing fiber optic network by summer 2002. Fiber optic transmission facilities link the communities of Central Oregon, making high-speed digital and voice communication applications possible. T1 lines further enhance Prineville's communication infrastructure. Unicom, Shared Communications and other CLECS and ISP's provide T1 Lines at 64k-1.54 mb. High speed cable modum connections are offered by Crestview Cable, in Prineville. Primetime, an ISP also located in Prineville, provides 56 k Internet access and microwave services. Qwest provides the telecom system backbone via fiber from Redmond. The capacity is OC48(=1,344 T-1 Lins) at a speed of 2.488 billion bits/second.

14. Transportation. Prineville and Crook County have well developed air, highway and

rail transportation. The development of Milikin Road will provide Central Oregon with another north-south route connecting Highway 20 with Highway 26. Prineville-Crook County's general aviation airport is located 3 miles southwest of Prineville and can be accessed off Highway 126. The airport elevation is 3,246 feet. There are two, asphalt runways. Runway 10/28 is 5,000 feet and 60 feet in width. Runway 15/33 is 4,000 feet and 40 feet in width. Aircraft fuel and maintenance are available. The Prineville airport is nine miles from Redmond Municipal Airport, which offers daily commercial flights to Portland International Airport (PDX), Seattle International Airport (SEA) and San Francisco International Airport (SFO). Highway 26 passes through Prineville, while nearby Highway 97 offers an easy, year round connection to interstate 84. Prineville is approximately 3 hours drive from Portland, Eugene and Salem. Daily bus service is available. Nearby highway 20 offers quick access to the southern part of the State. The only city-owned railroad in the nation, the City of Prineville Railway, operates the last-municipally owned freight railroad in the United States. The rail line stretches 17 miles between the town and the shared mainline of Union Pacific and Burlington Northern providing direct rail connections for shipping to any market in the United States, Canada and Mexico.

15. Community. The Crook County Chamber of Commerce and other community service groups such as Rotary and Kiwanis are active in Prineville. The City has a full complement of extra-curricular activities that are valued and supported by the community. Parent teacher organizations are active at each of the schools and provide excellent support for education and enrichment activities for the youth of the community.

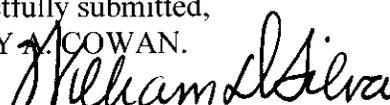
**Declaration of Intent**

16. As noted above, pursuant to Section 1.401(d), the instant petition is accompanied by an application for a construction permit for Channel 226C3 at Prineville, ( FCC Form 301) and the requisite filing fees. Upon grant of the instant FM channel allotment, petitioner intends to apply to participate in the auction of the channel allotment requested herein and specified in the attached and simultaneously filed application.

**Conclusion**

17. Grant of the instant proposal will result in a preferential arrangement of allotments as it will permit Prineville its fourth FM broadcast channel. Prineville is not part of or near an Urbanized area. Accordingly, no Tuck<sup>2</sup> analysis is required to show Prineville's independence from such an area. Consequently, Petitioner requests that the Commission grant the instant petition for rulemaking

Respectfully submitted,  
TERRY A. COWAN.

By:   
William D. Silva  
William D. Silva

His Attorney  
Law Offices of William D. Silva  
5335 Wisconsin Ave., N.W.  
Suite 400  
Washington, D.C. 20015-2003  
(202) 362-1711

January 29, 2007

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<sup>2</sup> *Faye and Richard Tuck*, 3 FCC Red 5374 (1988).

**SELLMEYER ENGINEERING**  
BROADCAST & COMMUNICATION CONSULTING ENGINEERS  
P. O. Box 356 McKinney, Texas 75070  
MEMBER AFCCE

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EXHIBIT E-1

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**ENGINEERING STATEMENT IN SUPPORT OF  
PETITION FOR RULEMAKING  
TERRY A. COWAN  
CHANNEL 226C3  
PRINEVILLE, OREGON  
JANUARY, 2007**

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**JANUARY, 2007**

**SELLMEYER ENGINEERING**  
 BROADCAST & COMMUNICATION CONSULTING ENGINEERS  
 P. O. Box 356 McKinney, Texas 75070  
 MEMBER AFCCE

**ENGINEERING STATEMENT IN SUPPORT OF  
 PETITION FOR RULEMAKING**

**TERRY A. COWAN  
 CHANNEL 226C3  
 PRINEVILLE, OREGON  
 JANUARY, 2007**

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This Firm has been retained by Terry A. Cowan ("Cowan") to prepare this Engineering Statement in support of his petition to amend the Table of FM Assignments to allot channel 226C3 to Prineville, Oregon as its fourth local FM channel. Prineville, a city in east central Oregon, presently has two other FM allotments, one class C1 and one class C3. An additional class C1 channel is assigned with a significant site restriction to the east of the city in an undeveloped rural area which has significant shadowing over the City of Prineville using maximum facilities. The instant proposal will provide superior service, free of shadowing within the City of Prineville, from a developed site at much lower cost.

ALLOCATION CONSIDERATIONS

The proposed allotment site meets the minimum spacings under Section 73.207 of the Rules to all known existing and proposed stations as shown in the FM spacing study of Exhibit E1-1.

The fully spaced allocation site, meeting all of the spacing requirements of Section 73.207 appears herein on the map of Exhibit E1-2.

PRESENT & PROPOSED ALLOTMENTS

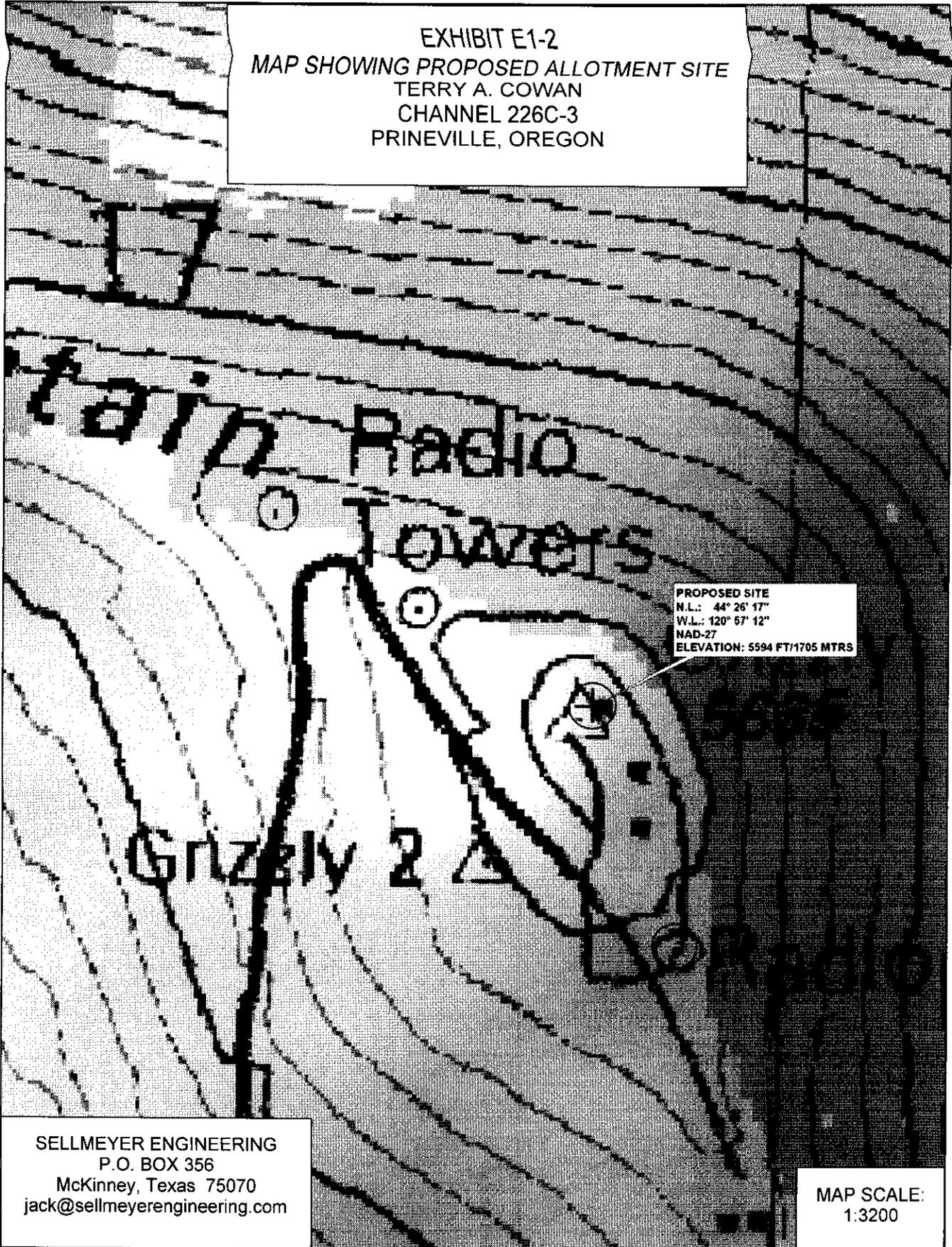
CITY	PRESENT CHAN & CLASS	PROPOSED CHAN & CLASS
Prineville, OR	236C1	236C1
Prineville, OR	271C3	271C3
Prineville, OR	267C1	267C1
Prineville, OR	-----	226C3

CONCLUSIONS

As demonstrated in Exhibit E1-1 channel 226C3 meets the requirements of section 73.207 of the Rules and may be assigned to Prineville as its fourth FM broadcast channel. The petitioner, Terry A. Cowan hereby requests amendment of Section 73.202 of the Rules to allot channel 226C3 to Prineville and has co-filed an application on FCC Form 301 seeking authorization to construct such a facility. Upon grant of a construction permit he will promptly construct the station.



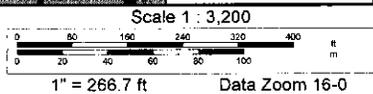
EXHIBIT E1-2  
 MAP SHOWING PROPOSED ALLOTMENT SITE  
 TERRY A. COWAN  
 CHANNEL 226C-3  
 PRINEVILLE, OREGON



PROPOSED SITE  
 N.L.: 44° 26' 17"  
 W.L.: 120° 57' 12"  
 NAD-27  
 ELEVATION: 5594 FT/1705 MTRS

SELLMEYER ENGINEERING  
 P.O. BOX 356  
 McKinney, Texas 75070  
 jack@sellmeyerengineering.com

MAP SCALE:  
 1:3200



**SELLMEYER ENGINEERING**  
BROADCAST & COMMUNICATION CONSULTING ENGINEERS  
P. O. Box 356 McKinney, Texas 75070  
MEMBER AFCCE

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CERTIFICATION OF ENGINEER

I hereby state that:

I am President of Sellmeyer Engineering

The Firm of Sellmeyer Engineering has been retained by Terry A. Cowan to prepare this Engineering Exhibit

I am a graduate of Arizona State University with the degree of Bachelor of Science in Engineering

I am a Registered Professional Engineer in the States of Ohio and Texas

My qualifications as an Engineer are a matter of record with the Federal Communications Commission

This Engineering Exhibit was prepared by me personally or under my direct supervision, and

All facts stated herein are true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
J. S. Sellmeyer, P. E.

January 26, 2007

P. O. Box 356  
McKinney, Texas 75070  
972-542-2056



Federal Communications Commission Washington, D.C. 20554  <p style="text-align: center;"><b>FCC 301</b></p>	Approved by OMB 3060-0027 (September 2005)  FOR FCC USE ONLY
<b>APPLICATION FOR CONSTRUCTION PERMIT FOR                  COMMERCIAL BROADCAST STATION</b>  Read INSTRUCTIONS Before Filling Out Form	FOR COMMISSION USE ONLY FILE NO. - 20070129AAI

**Section I - General Information**

<b>1.</b>	Legal Name of the Applicant TERRY A. COWAN		
	Mailing Address P.O. BOX 7408		
	City BEND	State or Country (if foreign address) OR	ZIP Code 97708 -
	Telephone Number (include area code) 5413898873	E-Mail Address (if available) KNLR@COINET.COM	
	FCC Registration Number: 0003800976	Call Sign	Facility ID Number 170126
<b>2.</b>	Contact Representative (if other than Applicant) WILLIAM D. SILVA		Firm or Company Name LAW OFFICES OF WILLIAM D. SILVA
	Telephone Number (include area code) 2023621711		E-Mail Address (if available) BILL@LUSELAW.COM
<b>3.</b>	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"/> Other <input checked="" type="radio"/> N/A (Fee Required)		
<b>4.</b>	<b>Application Purpose</b> <input type="radio"/> New station <input type="radio"/> Major Modification of construction permit <input type="radio"/> Minor Modification of construction permit <input type="radio"/> Major Amendment to pending application (a) File number of original construction permit:  (b) Service Type:  (c) Community of License: City: PRINEVILLE (d) Facility Type		
	<input checked="" type="radio"/> New Station with Petition for Rulemaking or Counterproposal to Amend FM Table of Allotments <input type="radio"/> Major Change in licensed facility <input type="radio"/> Minor Change in licensed facility <input type="radio"/> Minor Amendment to pending application <input type="checkbox"/> NA <input type="radio"/> AM <input checked="" type="radio"/> FM <input type="radio"/> TV <input type="radio"/> DTV  State: OR <input checked="" type="radio"/> Main <input type="radio"/> Auxiliary		
	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

1.	<p><b>Certification.</b> 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.</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No											
2.	<p><b>Parties to the Application.</b></p> <p>a. List the applicant, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. If a corporation or partnership holds an attributable interest in the applicant, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. Create a separate row for each individual or entity. Attach additional pages if necessary.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>(1) Name and address of the applicant and each party to the application holding an attributable interest (if other than individual also show name, address and citizenship of natural person authorized to vote the stock or holding the attributable interest). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and other entities with attributable interests, and partners.</p> </div> <div style="width: 45%;"> <p>(2) Citizenship.</p> <p>(3) Positional Interest: Officer, director, general partner, limited partner, LLC member, investor/creditor attributable under the Commission's <b>equity/debt plus</b> standard, etc.</p> <p>(4) Percentage of votes.</p> <p>(5) Percentage of total assets (equity plus debt).</p> </div> </div> <p>[Enter Parties/Owners Information]</p> <hr/> <p style="text-align: center;"><b>Parties to the Application</b></p> <p>List the applicant, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. If a corporation or partnership holds an attributable interest in the applicant, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. Create a separate row for each individual or entity. Attach additional pages if necessary.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>(1) Name and address of the applicant and each party to the application holding an attributable interest (if other than individual also show name, address and citizenship of natural person authorized to vote the stock or holding the attributable interest). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and other entities with attributable interests, and partners.</p> </div> <div style="width: 45%;"> <p>(2) Citizenship.</p> <p>(3) Positional Interest: Officer, director, general partner, limited partner, LLC member, investor/creditor attributable under the Commission's <b>equity/debt plus</b> standard, etc.</p> <p>(4) Percentage of votes.</p> <p>(5) Percentage of total assets (equity plus debt).</p> </div> </div> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 45%;">(1) Name and Address</th> <th style="width: 10%;">(2) Citizenship</th> <th style="width: 15%;">(3) Positional Interest</th> <th style="width: 10%;">(4) Percentage of Votes</th> <th style="width: 10%;">(5) Percentage of Assets</th> </tr> </thead> <tbody> <tr> <td>TERRY A. COWAN, P.O. BOX 7408, BEND, OR 97708</td> <td>US</td> <td>INDIVIDUAL APPLICANT</td> <td>100</td> <td>100</td> </tr> </tbody> </table>		(1) Name and Address	(2) Citizenship	(3) Positional Interest	(4) Percentage of Votes	(5) Percentage of Assets	TERRY A. COWAN, P.O. BOX 7408, BEND, OR 97708	US	INDIVIDUAL APPLICANT	100	100	<div style="text-align: right; margin-top: 10px;"> <input checked="" type="radio"/> Yes <input type="radio"/> No  <input checked="" type="radio"/> N/A                      See Explanation in                      [Exhibit 2]                 </div>
(1) Name and Address	(2) Citizenship	(3) Positional Interest	(4) Percentage of Votes	(5) Percentage of Assets									
TERRY A. COWAN, P.O. BOX 7408, BEND, OR 97708	US	INDIVIDUAL APPLICANT	100	100									
3.	<p><b>Other Authorizations.</b> List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest.</p>	<input type="checkbox"/> N/A  [Exhibit 3]											
4.	<p><b>Multiple Ownership.</b></p>												

	<p>a. Is the applicant or any party to the application the holder of an attributable radio joint sales agreement or an attributable radio or television time brokerage agreement in the same market as the station subject to this application?</p> <p>If "YES," radio applicants must submit as an Exhibit a copy of each such agreement for radio stations.</p> <p>b. Applicant certifies that the proposed facility complies with the Commission's multiple ownership rules and cross-ownership rules.</p> <p>Radio applicants only: If "Yes," submit an Exhibit providing information regarding the market, broadcast station(s), and other information necessary to demonstrate compliance with 47 C.F.R. § 73.3555(a).</p> <p>All Applicants: If "No," submit as an Exhibit a detailed explanation in support of an exemption from, or waiver of, 47 C.F.R. § 73.3555.</p> <p>c. Applicant certifies that the proposed facility:</p> <ol style="list-style-type: none"> <li>1. does not present an issue under the Commission's policies relating to media interests of immediate family members;</li> <li>2. complies with the Commission's policies relating to future ownership interests; and</li> <li>3. complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors.</li> </ol>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>[Exhibit 4]</p> <p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>[Exhibit 5]</p> <p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 6]</p>
5.	<p><b>Character Issues.</b> Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with:</p> <ol style="list-style-type: none"> <li>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</li> <li>b. any pending broadcast application in which character issues have been raised.</li> </ol>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 7]</p>
6.	<p><b>Adverse Findings.</b> 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 by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another government unit; or discrimination.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 8]</p>
7.	<p><b>Alien Ownership and Control.</b> Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 9]</p>
8.	<p><b>Program Service Certification.</b> Applicant certifies that it is cognizant of and will comply with its obligations as a commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
9.	<p><b>Local Public Notice.</b> Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
10.	<p><b>Auction Authorization.</b> If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable.</p> <p><b>An exhibit is required unless</b> this question is inapplicable.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p><input checked="" type="radio"/> N/A</p> <p>[Exhibit 10]</p>
11.	<p><b>Anti-Drug Abuse Act Certification.</b> Applicant certifies that neither applicant 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.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
12.	<p><b>Equal Employment Opportunity (EEO).</b> If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p><input type="radio"/> N/A</p>
	<p><b>Petition for Rulemaking/Counterproposal to Add New FM Channel to FM Table of</b></p>	

13. <b>Allotments.</b> If the application is being submitted concurrently with a Petition for Rulemaking or Counterproposal to Amend the FM Table of Allotments (47 C.F.R. section 73.202) to add a new FM channel allotment, petitioner/counter-proponent certifies that, if the FM channel allotment requested is allotted, petitioner/counter-proponent will apply to participate in the auction of the channel allotment requested and specified in this application.	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------

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 TERRY A. COWAN	Typed or Printed Title of Person Signing INDIVIDUAL APPLICANT
Signature	Date 1/26/2007

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).

<b>Section III-B - FM Engineering</b>		
<b>TECHNICAL SPECIFICATIONS</b>		
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.		
<b>TECH BOX</b>		
1.	Channel Number: 226	
2.	Class (select one): <input type="radio"/> A <input type="radio"/> B1 <input type="radio"/> B <input checked="" type="radio"/> C3 <input type="radio"/> C2 <input type="radio"/> C1 <input type="radio"/> C0 <input type="radio"/> C <input type="radio"/> D	
3.	Antenna Location Coordinates: (NAD 27)  Latitude: Degrees 44 Minutes 26 Seconds 17 <input checked="" type="radio"/> North <input type="radio"/> South  Longitude: Degrees 120 Minutes 57 Seconds 12 <input checked="" type="radio"/> West <input type="radio"/> East	
4.	Proposed Allotment or Assignment Coordinates: (NAD 27) <input type="checkbox"/> Not Applicable  Latitude: Degrees 44 Minutes 26 Seconds 17 <input checked="" type="radio"/> North <input type="radio"/> South  Longitude: Degrees 120 Minutes 57 Seconds 12 <input checked="" type="radio"/> West <input type="radio"/> East	
5.	Antenna Structure Registration Number: <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Notification filed with FAA	
6.	Overall Tower Height Above Ground Level:	18.3meters
7.	Height of Radiation Center Above Mean Sea Level:	1728 meters(H) 1728 meters(V)
8.	Height of Radiation Center Above Ground Level:	16.8meters(H) 16.8meters(V)
9.	Height of Radiation Center Above Average Terrain:	668meters(H) 668meters(V)
10.	Effective Radiated Power:	0.43 kW(H) 0.43 kW(V)

11. Maximum Effective Radiated Power: <input checked="" type="checkbox"/> Not Applicable (Beam-Tilt Antenna ONLY)	kW(H)	kW(V)									
12. Directional Antenna Relative Field Values: <input checked="" type="checkbox"/> Not applicable (Nondirectional)											
Rotation (Degrees): <input type="checkbox"/> No Rotation											
Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
0		10		20		30		40		50	
60		70		80		90		100		110	
120		130		140		150		160		170	
180		190		200		210		220		230	
240		250		260		270		280		290	
300		310		320		330		340		350	
Additional Azimuths											

Relative Field Polar Plot

**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**

**AUXILIARY ANTENNA APPLICANTS ARE NOT REQUIRED TO RESPOND TO ITEMS 13-16. PROCEED TO ITEM 17.**

13.	<b>Allotment.</b> The proposed facility complies with the allotment requirements of 47 C.F.R. Section 73.203.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 23]
14.	<b>Community Coverage.</b> The proposed facility complies with 47 C.F.R. Section 73.315.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 24]
15.	<b>Main Studio Location.</b> The proposed 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 25]
16.	<b>Interference.</b> The proposed facility complies with all of the following applicable rule sections: Check all those that apply:  <b>Separation Requirements.</b> <input checked="" type="checkbox"/> a) 47 C.F.R. Section 73.207  <b>Grandfathered Short-Spaced.</b>  <input type="checkbox"/> b) 47 C.F.R. Section 73.213(a) with respect to station(s): [Exhibit 27] <b>Exhibit required</b> <input type="checkbox"/> c) 47 C.F.R. Section 73.213(b) with respect to station(s): [Exhibit 28] <b>Exhibit required</b>  [Exhibit 29]	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 26]

d) 47 C.F.R. Section 73.213(c) with respect to station(s):  
**Exhibit required.**

**Contour Protection**

e) 47 C.F.R. Section 73.215 with respect to station(s): [Exhibit 30]  
**Exhibit required.**

17.	<p><b>Environmental Protection Act.</b> 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 <b>Exhibit is required.</b></p> <p>By checking "Yes" above, the applicant also certifies that it, 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 checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 31]</p>
18.	<p><b>Community of License Change - Section 307(b).</b> If the application is being submitted to change the facility's community of license, then the applicant certifies that it has attached an exhibit containing information demonstrating that the proposed community of license change constitutes a preferential arrangement of station assignments under Section 307(b) of the Communications Act of 1934, as amended (47 U.S.C. Section 307(b)).</p> <p><b>An exhibit is required</b> unless this question is not applicable.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p><input checked="" type="radio"/> N/A</p> <p>[Exhibit 32]</p>

**PREPARERS CERTIFICATION ON PAGE 3 MUST BE COMPLETED AND SIGNED.**

### 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 J. S. SELLMAYER, P.E.		Relationship to Applicant (e.g., Consulting Engineer) CONSULTING ENGINEER	
Signature		Date 1/26/2007	
Mailing Address SELLMEYER ENGINEERING P.O. BOX 356			
City MCKINNEY		State or Country (if foreign address) TX	Zip Code 75070 -
Telephone Number (include area code) 9725422056		E-Mail Address (if available) JACK@SELLMEYERENGINEERING.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).

**Exhibits**

**Exhibit 3**

**Description:** OWNERSHIP STATEMENT

THE APPLICANT IS ALSO LICENSEE OF STATION KNLR, 248C1, BEND, OR (FACILITY ID. NO. 65261) AND K240CG, CHANNEL 240D, PRINEVILLE, OR. (FACILITY ID. NO. 65260).

**Attachment 3**

**Exhibit 5**

**Description:** DUOPOLY

THE APPLICANT HAS ONLY ONE FM STATION AND WOULD BE IN FULL COMPLIANCE WITH SECTION 73.3555 OF THE COMMISSION'S RULES IN THE EVENT THE INSTANT APPLICATION IS GRANTED.

**Attachment 5**

**Exhibit 23**

**Description:** ALLOTMENT

SEE ATTACHED ENGINEERING STATEMENT E-1

**Attachment 23**

Description
Engineering Exhibit E-1

**Exhibit 24**

**Description:** COMMUNITY COVERAGE

SEE ENGINEERING EXHIBIT E-1 IN ATTACHMENT #23

**Attachment 24**

**Exhibit 25**

**Description:** MAIN STUDIO LOCATION

SEE ENGINEERING EXHIBIT E-1 IN ATTACHMENT #23

**Attachment 25**

**Exhibit 26**

**Description:** INTERFERENCE

SEE ENGINEERING STATEMENT IN ATTACHMENT #23

**Attachment 26**

**Exhibit 31**

**Description:** ENVIRONMENTAL

SEE ENGINEERING EXHIBIT E-1 IN ATTACHMENT #23

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**Attachment 31**

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**SELLMEYER ENGINEERING**  
**BROADCAST & COMMUNICATION CONSULTING ENGINEERS**  
*P. O. Box 356 McKinney, Texas 75070*  
**MEMBER AFCCE**

---

**EXHIBIT E-1**

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**ENGINEERING STATEMENT IN SUPPORT OF  
APPLICATION FOR CONSTRUCTION PERMIT  
AND PETITION FOR RULEMAKING  
TERRY A. COWAN  
CHANNEL 226C3, 0.43 KW-ERP, 668 MTRS AAT  
PRINEVILLE, OREGON  
JANUARY, 2007**

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**JANUARY, 2007**

**SELLMEYER ENGINEERING**  
**BROADCAST & COMMUNICATION CONSULTING ENGINEERS**  
*P. O. Box 356 McKinney, Texas 75070*  
**MEMBER AFCCE**

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**TABLE OF CONTENTS**  
**ENGINEERING STATEMENT IN SUPPORT OF**  
**APPLICATION FOR CONSTRUCTION PERMIT**  
**AND PETITION FOR RULEMAKING**  
**TERRY A. COWAN**  
**CHANNEL 226C3, 0.43 KW-ERP, 668 MTRS AAT**  
**PRINEVILLE, OREGON**  
**JANUARY, 2007**

-----

FCC Form 301

Engineering Statement

Certification of Engineer

- Exhibit E1-1      Map Showing Proposed Site
- Exhibit E1-2      FM Spacing Study
- Exhibit E1-3      Map Showing Proposed Service Contours
- Exhibit E1-4      Tabulation of Distances to Contours
- Exhibit E1-5      Vertical Sketch of Proposed Antenna System
- Exhibit E1-6      FCC FM Model Results
- Exhibit E1-7      FCC TOWAIR Results

**SECTION III-B FM 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: 226
2. Class:  A  B1  B  C3  C2  C1  C  D
3. Antenna Location Coordinates: (NAD 27)  
44 ° 26 ' 17 "  N  S Latitude  
120 ° 57 ' 12 "  E  W Longitude
4. One-Step Proposal Allotment Coordinates: (NAD 27)  Not applicable  
 \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ "  N  S Latitude  
 \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ "  E  W Longitude
5. Antenna Structure Registration Number: N/A  
 Not applicable  FAA Notification Filed with FAA
6. Overall Tower Height Above Ground Level: 18.3 meters
7. Height of Radiation Center Above Mean Sea Level: 1,728 meters (H) 1,728 meters (V)
8. Height of Radiation Center Above Ground Level: 16.8 meters (H) 16.8 meters (V)
9. Height of Radiation Center Above Average Terrain: 668 meters (H) 668 meters (V)
10. Effective Radiated Power: 0.43 kW (H) 0.43 kW (V)
11. Maximum Effective Radiated Power:  Not applicable \_\_\_\_\_ kW (H) \_\_\_\_\_ kW (V)  
 (Beam-Tilt Antenna ONLY)
12. Directional Antenna Relative Field Values:  Not applicable (Nondirectional)  
 Rotation: \_\_\_\_\_ °  No rotation

Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value
0		60		120		180		240		300	
10		70		130		190		250		310	
20		80		140		200		260		320	
30		90		150		210		270		330	
40		100		160		220		280		340	
50		110		170		230		290		350	
Additional Azimuths											

**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**

**AUXILIARY ANTENNA APPLICANTS ARE NOT REQUIRED TO RESPOND TO ITEMS 13-16.  
PROCEED TO ITEM 17.**

13. **Allotment.** The proposed facility complies with the allotment requirements of 47 C.F.R. Section 73.203.  Yes  No 

See Explanation in Exhibit No. E-1
------------------------------------------
14. **Community Coverage.** The proposed facility complies with 47 C.F.R. Section 73.315.  Yes  No 

See Explanation in Exhibit No. E-1
------------------------------------------
15. **Main Studio Location.** The proposed main studio location complies with 47 C.F.R. Section 73.1125.  Yes  No 

See Explanation in Exhibit No. E-1
------------------------------------------
16. **Interference.** The proposed facility complies with all of the following applicable rule sections. Check all those that apply.  Yes  No 

See Explanation in Exhibit No. E-1
------------------------------------------

**Separation Requirements.**

- a.  47 C.F.R. Section 73.207.

**Grandfathered Short-Spaced.**

- b.  47 C.F.R. Section 73.213(a) with respect to station(s): \_\_\_\_\_  
**Exhibit Required.**

Exhibit No.
-------------
- c.  47 C.F.R. Section 73.213(b) with respect to station(s): \_\_\_\_\_  
**Exhibit Required.**

Exhibit No.
-------------
- d.  47 C.F.R. Section 73.213(c) with respect to station(s): \_\_\_\_\_  
**Exhibit Required.**

Exhibit No.
-------------

**Contour Protection.**

- e.  47 C.F.R. Section 73.215 with respect to station(s): \_\_\_\_\_  
**Exhibit Required.**

Exhibit No.
-------------

17. **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.**  Yes  No 

See Explanation in Exhibit No. E-1
------------------------------------------

By checking "Yes" above, the applicant also certifies that it, 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.

**PREPARER'S CERTIFICATION ON PAGE 3 MUST BE COMPLETED AND SIGNED.**

**SELLMEYER ENGINEERING**  
BROADCAST & COMMUNICATION CONSULTING ENGINEERS  
P. O. Box 356 McKinney, Texas 75070  
MEMBER AFCCE

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**ENGINEERING STATEMENT IN SUPPORT OF  
APPLICATION FOR CONSTRUCTION PERMIT  
AND PETITION FOR RULEMAKING  
TERRY A. COWAN  
CHANNEL 226C3, 0.43 KW-ERP, 668 MTRS AAT  
PRINEVILLE, OREGON  
JANUARY, 2007**

-----

This Firm has been retained by Terry A. Cowan ("Cowan") to prepare this Engineering Statement in support of his application for construction permit. The instant application proposes to construct a new Class C3 FM Broadcast Station at Prineville, Oregon. The instant application is being filed in support of a Petition for Rulemaking which seeks to add channel 226C3 as Prineville's fourth FM Broadcast Service.

ALLOCATION CONSIDERATIONS

The proposed transmitter site meets the minimum spacings under Section 73.207 of the Rules to all known existing and proposed stations as shown in the FM spacing study of Exhibit E1-2.

The fully spaced allocation site, meeting all of the spacing requirements of Section 73.207 appears herein on the map of Exhibit E1-1.

PROPOSED TRANSMITTER SITE & ANTENNA SYSTEM

The proposed site is located atop Grizzly Mountain 18 kilometers northwest of Prineville. The tower, an existing tower, is not required to be registered according to Exhibit E1-7, from the FCC "TOWAIR" program.

The antenna system will employ a two element side mounted antenna employing one half wavelength spacing. A vertical sketch of the proposed tower and antenna system is attached hereto as Exhibit E1-4.

PREDICTED SERVICE CONTOURS

The distances to contours were calculated by a computer program maintained by this Firm which accurately emulates the F(50,50) and F(50,10) curves contained in Section 73.333 of the Rules. The height above average terrain for the eight standard radials was calculated from a program which uses linear interpolation of the NGDC thirty second terrain database. All service contours were calculated using a forty five degree interval using average elevations derived from the same database

The center of radiation of the antenna was calculated from the tower height and antenna data determined from the elevation data listed on Exhibit E1-5, the vertical sketch of the proposed antenna system. The ground level and overall height above ground were taken from the map of Exhibit E1-1.

A tabulation of the distances to the proposed service contours appears herein as Exhibit E1-4.

The proposed facility will satisfy all allocation requirements of Section 73.315 of the rules. It will illuminate the entire city limits of Prineville, Oregon with a signal strength in excess of 3.16 mV/m (70 dBu) as demonstrated by the map of Exhibit E1-3.

#### SERVICE & INTERFERING CONTOURS

The 60 dBu service contour was determined in accordance with the Rules using the F(50,50) contours assuming operation with 0.43 kilowatts ERP utilizing the antenna specified herein at 669 meters above average terrain.

#### OTHER NEARBY BROADCAST FACILITIES

There are two construction permits for FM broadcast stations, one licensed FM broadcast station, two licensed FM translator stations, two applications and one construction permit for FM translators and twenty one applications, construction permits and licenses for television translator stations within 10 kilometers of the proposed site. There are no AM broadcast stations within 3 kilometers of the proposed site. It is the judgment of the undersigned that the distances and frequencies involved make it unlikely that any receiver induced interference of significance will occur.

Should any such problems be reported, Cowan will undertake the necessary remedies in accordance with the Rules of the Commission.

#### ANSI RADIATION COMPLIANCE

The proposed facility will operate with 0.43 kilowatts effective radiated power in each plane, using a two element, one half wavelength spaced antenna, from a height above ground level of 16.8 meters. The power density at two meters above ground level is calculated to be 0.012 uW/cm<sup>2</sup>, 0.12 percent of the allowable maximum for controlled exposure. This is less than one percent of the 200 uW/cm<sup>2</sup> limit for uncontrolled areas.

The power density was calculated using the FCC "FM Model" program for the proposed antenna. A copy of the results appears herein as Exhibit E1-7. It is evident that the proposed facility will be in compliance with Commission Guidelines. During maintenance periods when it is necessary for work to be performed within hazardous areas, the station will reduce power to the extent required or cease operation for the period necessary. Sufficient warning signs will be posted in the area to warn casual visitors to the site of the potential for radiofrequency radiation exposure.

#### MAIN STUDIO LOCATION

The main studio will be located in compliance with section 73.1125 of the Rules.

#### ENVIRONMENTAL MATTERS

The facility will be located on an existing tower. Thus the facility is exempt from environmental processing under Section 1.1307 of the Rules.

Upon grant of this application, the applicant is prepared to promptly construct the facilities and place the station in operation.

**SELLMEYER ENGINEERING**  
**BROADCAST & COMMUNICATION CONSULTING ENGINEERS**  
P. O. Box 356 McKinney, Texas 75070  
MEMBER AFCCE

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**CERTIFICATION OF ENGINEER**

I hereby state that:

I am President of Sellmeyer Engineering

The Firm of Sellmeyer Engineering has been retained by Terry A. Cowan to prepare this Engineering Exhibit

I am a graduate of Arizona State University with the degree of Bachelor of Science in Engineering

I am a Registered Professional Engineer in the States of Ohio and Texas

My qualifications as an Engineer are a matter of record with the Federal Communications Commission

This Engineering Exhibit was prepared by me personally or under my direct supervision, and

All facts stated herein are true and correct to the best of my knowledge and belief.

*J. S. Sellmeyer*

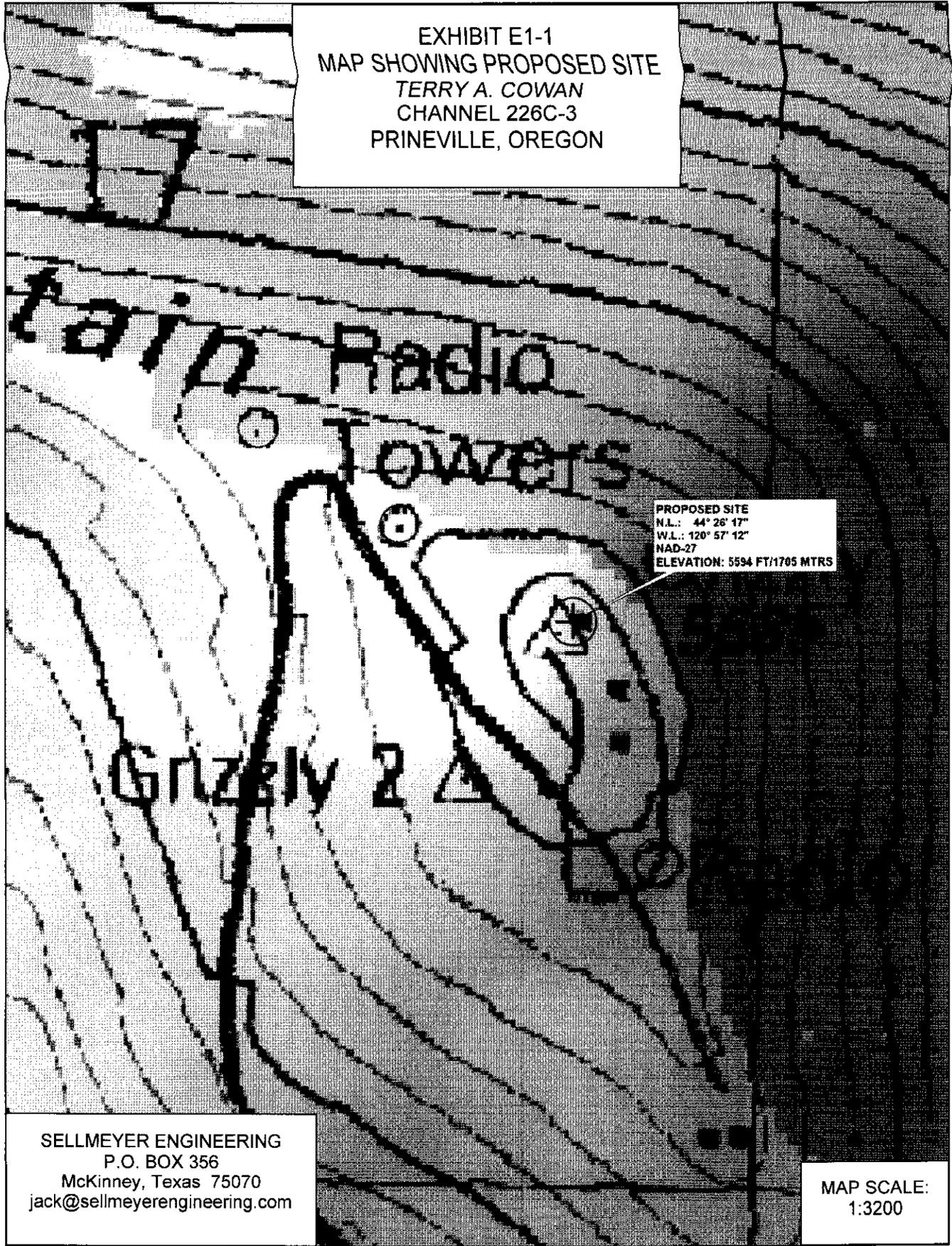
J. S. Sellmeyer, P. E.

January 26, 2007

P. O. Box 356  
McKinney, Texas 75070  
972-542-2056



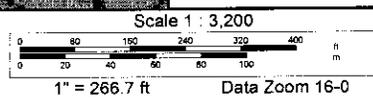
EXHIBIT E1-1  
 MAP SHOWING PROPOSED SITE  
 TERRY A. COWAN  
 CHANNEL 226C-3  
 PRINEVILLE, OREGON



PROPOSED SITE  
 N.L.: 44° 26' 17"  
 W.L.: 120° 57' 12"  
 NAD-27  
 ELEVATION: 5594 FT/1705 MTRS

SELLMEYER ENGINEERING  
 P.O. BOX 356  
 McKinney, Texas 75070  
 jack@sellmeyerengineering.com

MAP SCALE:  
 1:3200







**SELLMEYER ENGINEERING**  
BROADCAST & COMMUNICATION CONSULTING ENGINEERS  
P. O. Box 356 McKinney, Texas 75070  
MEMBER AFCCE

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**EXHIBIT E1-4**  
**CALCULATED DISTANCES TO SERVICE CONTOURS**  
**TERRY A. COWAN**  
**CHANNEL 226C-3, 93.1 MHZ, 0.43 KW-ERP, 668 MTRS AAT**  
**PRINEVILLE, OREGON**

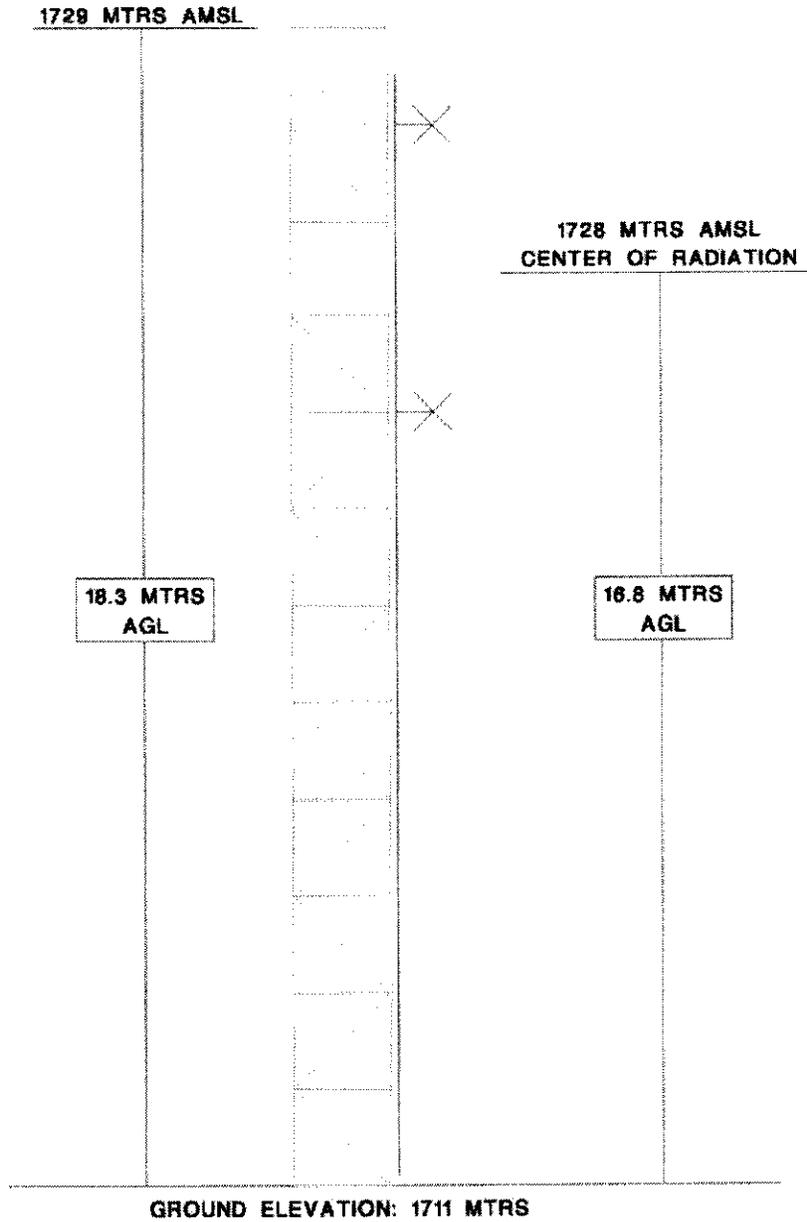
AZIMUTH (DEGREES)	ERP (KILOWATTS)	HAAT (METERS)	70 dBu (KILOMETERS)	60 dBu (KILOMETERS)
0	0.430	623	21.3	37.5
45	0.430	417	17.0	30.0
90	0.430	599	20.9	36.7
135	0.430	757	23.4	41.7
148*	0.430	786	23.7	42.2
180	0.430	769	23.6	42.1
225	0.430	747	23.2	41.4
270	0.430	677	22.2	39.3
315	0.430	754	23.3	41.6

\* Radial through Prineville, Oregon; not included in HAAT calculation.

**SELLMEYER ENGINEERING**  
BROADCAST & COMMUNICATION CONSULTING ENGINEERS  
P. O. Box 356 McKinney, Texas 75070  
MEMBER AFCCE

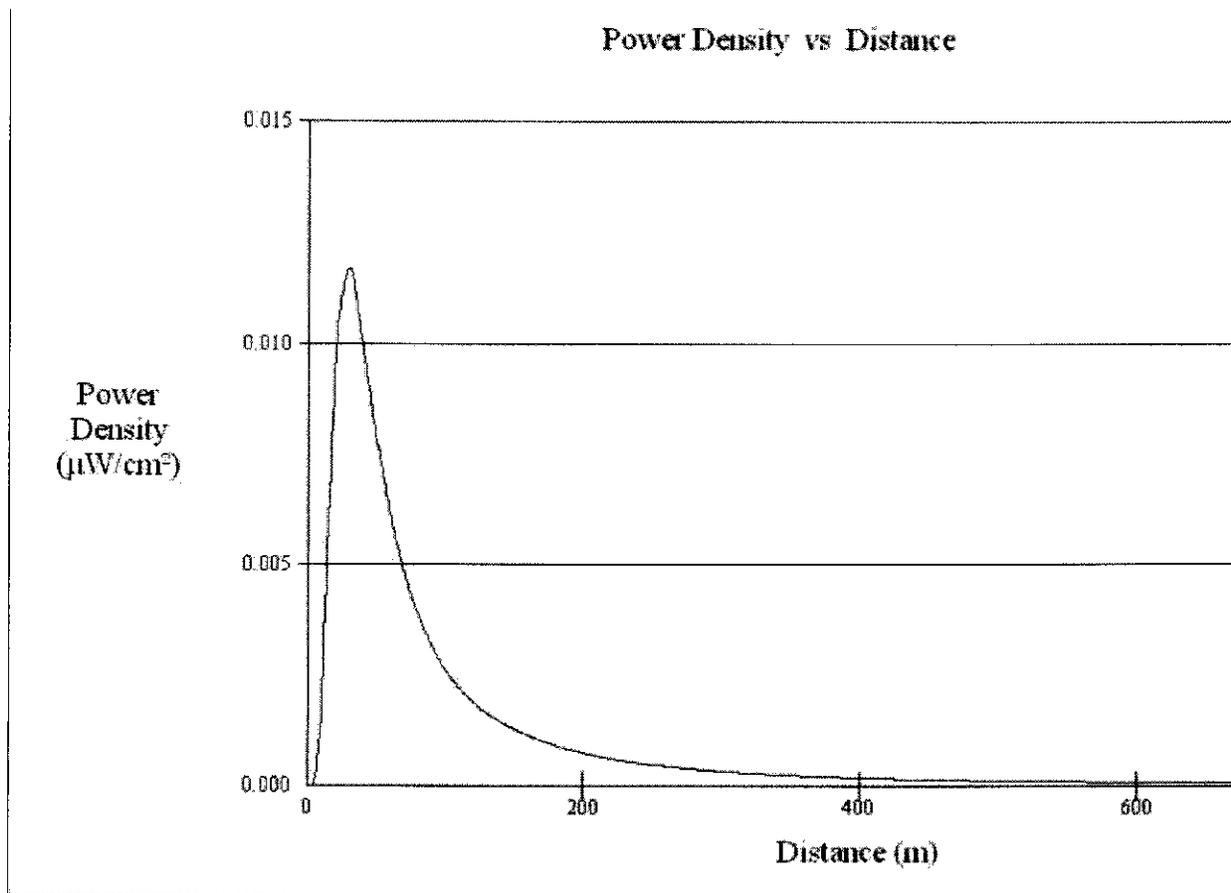
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**EXHIBIT E1-5**  
**VERTICAL SKETCH OF PROPOSED ANTENNA SYSTEM**  
**TERRY A. COWAN**  
**CHANNEL 226C-3**  
**PRINEVILLE, OREGON**



**SELLMEYER ENGINEERING**  
 BROADCAST & COMMUNICATION CONSULTING ENGINEERS  
 P. O. Box 356 McKinney, Texas 75070  
 MEMBER AFCEE

**EXHIBIT E1-6**  
**FCC FM MODEL RESULTS**  
**FOR ERI 2 ELEMENT, 0.5 WAVELENGTH SPACED ANTENNA**  
**TERRY A. COWAN**  
**CHANNEL 226C-3**  
**PRINEVILLE, OREGON**



Office of Engineering and Technology

Distance (m):	750	Antenna Type:	ERI or JAMPRO JSP Rototiller (ERI) 1/2
Horizontal ERP (W):	43	Number of Elements:	2
Vertical ERP (W):	43	Element Spacing:	3
Antenna Height (m):	15.0		

The above plot represents a two element Electronics Research, Incorporated "Rototiller" FM antenna having an element spacing of one half wavelength. The maximum power density at two meters above ground level is 0.012 uW/cm<sup>2</sup> occurring 30 meters from the base of the tower. This is substantially less than 1 uW/cm<sup>2</sup>. The installation is therefore categorically exempt from further study.

**SELLMEYER ENGINEERING**  
BROADCAST & COMMUNICATION CONSULTING ENGINEERS  
P. O. Box 356 McKinney, Texas 75070  
MEMBER AFCCE

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EXHIBIT E1-7  
FCC TOWAIR RESULTS  
PROPOSED SITE  
TERRY A. COWAN  
CHANNEL 226C-3  
PRINEVILLE, OREGON

**TOWAIR Determination Results**

**\*\*\* NOTICE \*\*\***

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

**DETERMINATION Results**

**Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.**

**Your Specifications**

**NAD83 Coordinates**

Latitude	44-26-16.4 north
Longitude	120-57-16.1 west

**Measurements (Meters)**

Overall Structure Height (AGL)	18.3
Support Structure Height (AGL)	18.3
Site Elevation (AMSL)	1711

**Structure Type**

TOWER - Free standing or Guyed Structure used for Communications Purposes

**Tower Construction Notification**

Notify Tribes and Historic Preservation Officers of your plans to build a tower.  
Note: Notification does NOT replace Section 106 Consultation.