

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

In the Matter of)
)
Amendment of Section 73.202(b)) MB Docket No. 12-51
Table of Allotments) RM-11647
New FM Broadcast Station)
(Westfield, New York))

FILED/ACCEPTED
APR 23 2012
Federal Communications Commission
Office of the Secretary

To: Office of the Secretary, Federal Communications Commission
Attn: Chief, Audio Division, Media Bureau

COMMENTS IN SUPPORT OF RULE MAKING

By its attorneys, Connoisseur Media of Erie, LLC (“Connoisseur”) hereby submits its comments in support of the proposal set forth in the Commission’s recent Notice of Proposed Rule Making (“NPRM”). By its NPRM released March 2, 2012,¹ the Commission requested comment on the proposed allocation of Channel 265A at Westfield, New York as its first local transmission service. Connoisseur proposed this new channel allocation and continues to support the proposed allotment, which would further the Commission’s allotment priorities and serve the public interest by introducing the first local transmission service to the community of Westfield, New York, and a new reception service to over 41,000 people, including over 11,000 underserved listeners.

Accordingly, Connoisseur urges the Commission to adopt this rule making.²

¹ *In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Westfield, New York)*, Notice of Proposed Rule Making, MB Docket No. 12-51, RM-11647, DA 12-325, rel. March 2, 2012.

² By a separately filed application, Connoisseur sought to change the operating channel of its co-owned station WRKT(FM), North East, Pennsylvania, from Channel 265 to Channel 285 in order to permit the allocation of Channel 265 at Westfield, New York, as proposed in the NPRM. *See* FCC File No. BPH-20110509AAL. As that channel change is the basis for the new allocation proposed in this rule making, Connoisseur had requested that the WRKT(FM) minor modification application and this rule making proposal be considered together as a single, related hybrid proceeding.

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DISCUSSION

The proposed amendment of the FM Table of Allotments would further the Commission's allotment priorities and result in a preferential arrangement of allotments under Section 307(b) of the Communications Act of 1934, as amended,³ by bringing a first local service to the community of Westfield, New York, thus advancing Priority 3 of the Commission's allotment priorities.⁴ The proposal would introduce a first local transmission service to Westfield, New York, without creating any white or gray area, and without depriving any community of local service. In addition, the proposed station would provide new service to over 41,000 persons, including 11,000 underserved listeners, thereby furthering Priority 4. Connoisseur continues to support the proposed allotment and will apply for the channel if it is allotted, and, if authorized, will build the station. Connoisseur incorporates by reference its earlier Petition for Rule Making, and also provides the following information in further support of the proposal.

I. The Proposed Allotment Will Bring a First Local Service to Westfield, New York in Furtherance of Priority 3.

The proposed allotment will bring a first local service to Westfield, New York in furtherance of Priority 3 of the Commission's allotment priorities. While the NPRM suggests that the proposed allotment could be modified, through a minor modification, to cover at least fifty percent of the Erie, Pennsylvania Urbanized Area while continuing to serve Westfield, New York with a city-grade contour,⁵ the presumption that the proposed allotment to Westfield, New York should be treated as an

³ 47 U.S.C. § 307(b).

⁴ See *Revision of FM Assignment Policies and Procedures*, Second Report and Order, 90 FCC 2d 88 (1982). The four priorities are: (i) first full-time aural reception service to a community; (ii) a second full-time aural reception service to a community; (iii) first local transmission service to a community; and (iv) other public interest factors. The second and third criteria have equal priority. *Id.* at 91. See also *Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, 21 FCC Rcd 14212 at ¶ 10 (2006) (Section 307(b) priorities and policies used by Commission since 1982 continue to apply under new application procedures).

⁵ NPRM at footnote 5.

allocation to Erie, Pennsylvania is only relevant if a comparison of the proposed allotment to another mutually exclusive proposal is necessary.⁶ At present, the 307(b) balancing required is simply whether the allocation of a new station to the deserving, and presently unserved, community of Westfield would serve the public interest and outweigh making no allocation at all. Moreover, it does not appear that the proposed facility could, in fact, be modified to serve 50% or more of the Erie Urbanized Area and also properly serve Westfield, New York, as the NPRM suggests. In connection with this rule making, Connoisseur retained consulting broadcast engineers Graham Brock, Inc., who explored the possibility of moving the proposed facility closer to the Erie, Pennsylvania, Urbanized Area. The engineers determined that there is no existing tower site to which the facility could move pursuant to a minor modification that would allow the proposed station to cover 50% or more of the Urbanized Area and still serve Westfield with a principal community contour. See Technical Exhibit attached hereto at Attachment 1. Despite that fact, and out of an abundance of caution, Connoisseur nonetheless provides information below demonstrating that Westfield, New York, is wholly independent from Erie, Pennsylvania.

Pursuant to the Commission's decision in *Faye and Richard Tuck, Inc.*, the FCC applies a three-prong test to determine if a proposed community is independent of the central city in the Urbanized Area, in this case Erie, Pennsylvania.⁷ The three factors considered under a *Tuck* showing are: (1) the degree to which the proposed station will provide coverage to the urbanized area; (2) the size and proximity of the proposed community of license relative to the central city of the urbanized area; and (3) the interdependence of the proposed community of license and the urbanized area.⁸ Although it does not appear that the proposed station could be modified to serve

⁶ See *Policies to Promote Rural Radio Service and to Streamline Allotment an Assignment Procedures*, Second Report and Order, First Order On Reconsideration, and Second Further Notice of Proposed Rule Making, 26 FCC Rcd 2556 (2011), petitions for recon. pending ("*Rural Radio*").

⁷ *Faye and Richard Tuck, Inc.*, Memorandum Opinion and Order, 3 FCC Rcd 5374, 5378 (1978) ("*Tuck*").

⁸ The eight factors for determining independence of a community from the urbanized area are: (1) the extent to which the community residents work in the larger metropolitan area, rather than the specified

50% or more of the Erie Urbanized Area, as demonstrated below, Westfield, New York, is nonetheless clearly independent from Erie, Pennsylvania, and the proposal cannot be considered to be an additional service to the community of Erie, Pennsylvania.

First, as demonstrated in the Technical Exhibit prepared by consulting engineers Graham Brock, Inc., attached hereto at Attachment 1, the proposed station is not located in the Erie, Pennsylvania Urbanized Area, and will not cover any portion of the urbanized area with a 70 dBu contour.

Second, Westfield, New York is a well-established, independent community that meets the Commission's standards for allotment purposes. Westfield, New York is located in Chautauqua County, New York, and the community is not located within the boundaries of the Erie, Pennsylvania Urbanized Area. Similarly, the community is not located in the Erie, Pennsylvania Arbitron Radio Market.⁹ The community was established in 1823, and has a population of 4,896 persons as of the 2010 U.S. Census.¹⁰ Westfield, New York is located approximately 30 miles from Erie, Pennsylvania, which has a population of over 100,000 people.

Third, Westfield, New York is wholly independent from Erie, Pennsylvania. As demonstrated below, the community has all the indicia of an independent community.

community; (2) whether the smaller community has its own newspaper or other media that covers the community's needs and interests; (3) whether community leaders and residents perceive the specified community as being an integral part of or separate from, the larger metropolitan area; (4) whether the specified community has its own local government and elected officials; (5) whether the smaller community has its own local telephone book provided by the local telephone company or zip code; (6) whether the community has its own commercial establishments, health facilities, and transportation systems; (7) the extent to which the specified community and the central city are part of the same advertising market; and (8) the extent to which the specified community relies on the larger metropolitan area for various municipal services.

⁹ See Attachment 2 hereto, which provides a map of the Arbitron radio market obtained from Media Access Pro 4.2.

¹⁰ See <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>, last visited April 21, 2012.

1. According to the most recent U.S. Census data available, the vast majority of the residents of Westfield, New York work in Chautauqua County, New York.¹¹ Specifically, 92% of workers who reside in the community of Westfield also work in Chautauqua County, meaning that, at most, 8% of the workers residing in Westfield might work in Erie, Pennsylvania (assuming for the sake of argument that all workers who work outside of Chautauqua County work in Erie). See Attachment 3 hereto. Thus, as the workers in Westfield overwhelmingly work in New York, and specifically Chautauqua County, they are not commuting to, or reliant on, jobs in Erie, Pennsylvania.
2. Westfield, New York has its own newspaper, *The Westfield Republican*, which is published once a week. The paper also maintains a website that continually provides local news, weather, and information to the community.¹²
3. Westfield, New York was established nearly two hundred years ago and is not a modern suburb of Erie, Pennsylvania. The community has its own identity, tied to its small-town culture, local agriculture (particularly grapes), local arts, and recreation near Lake Erie. Westfield strives to convey this identity to visitors, businesses, and residents. The community has a business development corporation, numerous thriving businesses, and local civic organizations.¹³ Westfield also has a well-maintained website expressing the identity and culture of the community.¹⁴ While the materials on the website (and also the websites for the Town of Westfield and the Village of Westfield) often refer to Lake Erie, rarely, if ever, is reference made to the city of Erie, Pennsylvania. It is clear that Westfield is separate and apart from the adjacent city of Erie, and does not associate its identity with Erie, Pennsylvania.
4. The town of Westfield, which also includes the Village of Westfield, has its own local government, including a Town Supervisor and a Town Council, a Mayor and Board of Trustees for the Village of Westfield, a Zoning Board of Appeals, a Planning Board, a Department of Public Works Advisory Board, and legal counsel. In addition, the community has its own real estate assessor, tax collector, and Town Court, administered by two justices.¹⁵ The community also has its own legal code and zoning laws.

¹¹ As shown in the Technical Exhibit at Attachment 1, Chautauqua County is not part of the Erie, Pennsylvania Urbanized Area, nor is it part of the Erie, Pennsylvania Arbitron Radio Market, as shown in Attachment 2.

¹² See <http://westfieldrepublican.com>, last visited April 21, 2012.

¹³ See Attachment 4 hereto.

¹⁴ See <http://www.westfieldny.com/>, last visited April 21, 2012; *see also*, <http://www.villageofwestfield.org/> and <http://townofwestfield.org/>, last visited April 21, 2012.

¹⁵ See Attachment 5 hereto.

5. Westfield, New York has its own local telephone book provided by the local telephone company, Fairpoint Communications. The community also has its own postal zip code, 14787.
6. Westfield, New York has scores of commercial establishments, houses of worship, and professional services, as well as its own hospital, Westfield Memorial Hospital, and its own schools. See Attachment 6 and Attachment 7 hereto. Westfield also has a public library, and a museum/historical society.
7. As mentioned above, Westfield, New York is not part of the Erie, Pennsylvania Urbanized Area, nor is it part of the Erie, Pennsylvania Arbitron Radio Market.
8. Westfield, New York, has its own municipal services including police, fire department and emergency services, electric department, public works department, recreation department, and water and wastewater treatment plant. See Attachment 5 hereto.

It is clear that Westfield, New York is a separate, established, and independent community that has an identity of its own. It is not part of the Erie market, it does not rely on Erie for its municipal services or governance, and its residents do not rely on Erie for employment. Accordingly, consistent with the guidance provided by the *Tuck* case, Westfield is a separate, independent community deserving of a first local transmission service, which would further Priority 3 of the FCC's allotment priorities.

II. The Proposed Allotment Will Bring New Reception Service in Furtherance of Priority 4.

The addition of Channel 265A at Westfield, New York will also further Priority 4 of the Commission's allotment priorities by bringing a new reception service to over 41,000 people, including a large number of underserved listeners. As detailed in the Technical Exhibit prepared by Graham Brock, Inc. attached hereto at Attachment 1, the proposal would bring new service to 41,129 persons (based on 2010 Census data) in an area of 2,273.3 square kilometers. Further, the new service would constitute a third full-time service to 1,414 persons; a fourth full-time service to 2,530 persons; and a fifth full-time service to 7,157 persons. In all, the new station will provide

new service to over 11,000 persons that are currently underserved. Thus, even without regard to the first local transmission service that would be created by allotting this channel to Westfield, New York, the proposal is in the public interest as it will benefit tens of thousands of listeners, including 11,000 underserved listeners.

CONCLUSION

For the reasons stated above, Connoisseur continues to support the proposed rule making and the allocation of Channel 265A to Westfield, New York. Approval of this rulemaking will serve the public interest and further the Commission's established allotment priorities. If adopted, Connoisseur will apply for the channel, and, if authorized, construct the facility. Accordingly, Connoisseur respectfully requests that the Commission adopt the proposed new allocation to Channel 265A at Westfield, New York.

Respectfully submitted,

CONNOISSEUR MEDIA OF ERIE, LLC

By: 

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Brendan Holland
Its Attorneys

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(202) 973-4200

Dated: April 23, 2012

ATTACHMENT 1

TECHNICAL COMMENTS
MB DOCKET #12-51
CONNOISSEUR MEDIA OF ERIE, LLC
ALLOT CHANNEL 265A
WESTFIELD, NEW YORK
April 2012

1. These Technical Comments were prepared on behalf of Connoisseur Media of Erie, LLC ("CME"), petitioner in MB Docket #12-51 seeking the allotment of Channel 265A at Westfield, New York as that community's first licensed facility. These comments are being submitted in response and support of the proposed allotment.

COVERAGE OF PROPOSED ALLOTMENT TO URBANIZED AREA

2. The community of Westfield, New York is located approximately 46.0 kilometers northeast of the center of the Erie, Pennsylvania Urbanized Area, as defined by the Census Bureau.¹ Westfield, New York is not located in or near the Erie, Pennsylvania Urbanized Area. Further, as indicated on Exhibit #1, the proposed allocation site, and implementation site proposed in the submitted FCC Form 301 by CME, will not provide a 70 dBu contour, either non-terrain impacted or as a maximum Class A facility with terrain², to any of the boundary of the Erie, Pennsylvania Urbanized Area.

3. In the Notice, there was an indication that the proposed channel, through a minor modification, could be relocated farther southwest towards the Erie, Pennsylvania Urbanized

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- 1) The 2010 Census boundary for Urbanized Areas has not been released by the Census Bureau, while population data has been released. Therefore, the 2000 Urbanized Area boundary is used for this instant review.
 - 2) From the proposed site, Channel 265A is limited to 4.8 kilowatts at 100.0 meters, as the proposed is requested as a limited allotment for international consideration to Canada. For a worst case review, the projection of coverage was made at 6.0 kilowatts at 100.0 meters to show lack of coverage towards the Erie, Pennsylvania Urbanized Area, which could be achieved with a directional antenna to protect the Canadian allocations and facilities to the north, northeast and east.

Area to a location that would still provide a 70 dBu contour to the community of license of Westfield, New York, as well as providing city grade service to more than 50% of the boundary of the Urbanized Area.

4. A review was undertaken to determine the feasibility of a relocation. For the purposes of this review, an alternate allocation site was identified that meets the domestic allocation spacing requirements and the international spacing/interference issues to facilities located in Canada.³ From this alternate reference site, as indicated on Exhibit #2, the non-terrain impacted 70 dBu contour provides coverage to 100% of the community of license of Westfield, New York, in keeping with the FCC's allocation requirements. Further, a theoretical 70 dBu contour of a maximum Class A facility (considering terrain), while providing a small amount of coverage to the extreme eastern section of the Erie, Pennsylvania Urbanized Area, falls well short of the 50% threshold.

5. Additionally, from this alternate reference site, a search of existing towers, using the Commission's Antenna Structure Registration ("ASR") database within a radius of 15.0 kilometers, was made to identify towers at which the channel could be implemented in compliance with the rules to provide the required 70 dBu coverage to the community of license and coverage to greater than 50% of the Urbanized Area. This radius included towers to the east back into Westfield, New York as well as towers to the west towards Erie, Pennsylvania.

3) The currently proposed allotment is being sought as a specially negotiated shortspaced allotment limited to 4.8 kilowatts at 100.0 meters with respect to Canada to prevent interference in Canada to any allotments or facilities. As the allocation site is moved to the southwest, the limit is reduced, allowing a possible 6.0 kilowatt/100.0 meter facility.

Twenty-five ASR's were located. Of these, six have either been cancelled or terminated. These six were not considered further. The remaining nineteen were reviewed for compliance with the domestic spacing requirements, international treaty compliance, city grade coverage, and potential coverage to the Erie, Pennsylvania Urbanized Area.⁴ The list of ASR's used in the review is attached as Exhibit #3. Exhibit #4 is a tabulation of the results of the review of each tower. A review of these existing towers concludes that the proposed facility would not be able to simultaneously provide a 70 dBu (when considering terrain) contour over the community of license of Westfield, New York and at least 50% of the Erie, Pennsylvania Urbanized Area from any of the towers. Therefore, there are no existing towers that would allow for a rule compliant Class A facility on Channel 265A at Westfield, New York that would also provide greater than 50% coverage of the Urbanized Area pursuant to a minor modification.⁵

GAIN AREA/UNDER SERVED AREA REVIEW

6. Based on the proposed allocation site for Channel 265A at Westfield, New York, a 60 dBu contour from a non-terrain impacted facility will provide service to 41,129 persons (2010 Census) in 2,273.3 square kilometers. A review of the other existing and potential services (AM and FM) that provides a contour to all or part of the depicted 60 dBu contour of the Westfield,

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- 4) For the existing towers, the antenna was placed near the top of the tower (although no contact with tower companies was made to determine tower availability or space). The height above average terrain ("HAAT") was calculated to determine the effective radiated power and predict the 70 dBu contour. If the HAAT was less than 100.0 meters, the center of radiation was raised to bring the HAAT to 100.0 meters. No review of the ability to raise the tower for FAA purposes was made.
 - 5) While there may be towers beyond the 15.0 kilometer search radius, they would either be closer to the community of license and satisfy the community coverage requirements, but be farther from the Urbanized Area, or else be closer to the Urbanized Area, but farther from the community of license and unable to provide city grade coverage to Westfield, New York.

New York proposal was conducted.⁶ Based on the stations considered, there is a small area of 55.9 square kilometers that would receive a second full-time service; however, there is no population in this area. There is an area where third full-time service is provided to 1,414 persons (2010 Census) in 147.5 square kilometers; an area of fourth full-time service containing 2,530 persons (2010 Census) in 134.3 square kilometers; and an area containing 7,157 persons (2010 Census) in 364.8 square kilometers. A total under-served population of 11,101 persons (2010 Census) exists. A map showing the location of the under-served areas is attached as Exhibit #5. A tabulation of the stations providing service to the area is attached as Exhibit #6.

7. The foregoing was prepared on behalf of Connoisseur Media of Erie, LLC, by Graham Brock, Inc., its Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All data regarding AM and FM facilities was extracted from the FCC's CDBS database on the date of this review.⁷ We assume no liability for errors or omissions in that database which may adverse to these comments.

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- 6) To determine services, commercial and non-commercial FM stations in the area were reviewed. Full-time Class A stations were considered based on their 0.5 mV/m nighttime ground wave contours. For all other AM stations, the nighttime interference free contours were individually calculated and depicted. For FM commercial stations, maximum facilities were used for each Class, except Class A facilities. Some Class A stations were considered based on their licensed value if less than a 6.0 kilowatt/100.0 meter Class A station. Class C FM stations, where applicable, are considered, based on the reference contour determined by the station's licensed power and height, at either minimum Class C (83.5 kilometers) or as the licensed facility, if greater. All other commercial FM stations are based on maximum class 60 dBu contours (pursuant to Greenup, Kentucky and Athens, Ohio, MM Docket Number 86-29, Memorandum Opinion and Order, released February 26, 1991 and Notice of Proposed Rule Making, MM Docket Number 96-13, Georgetown, and Millsboro, Delaware, adopted January 31, 1991). All commercial FM contours assumed uniform terrain. Any non-commercial FM station's 60 dBu reference contour was determined from its licensed facility, based on the reference distance using only eight terrain radials in order to provide for a more uniform contour for service coverage.
- 7) All propagation studies were conducted using the Probe 3, Probe 4, and AMPro2 computer models from V-Soft Communications. FM contours, where applicable, used the 30 second terrain database.

Graham Brock, Inc. - Broadcast Technical Consultants

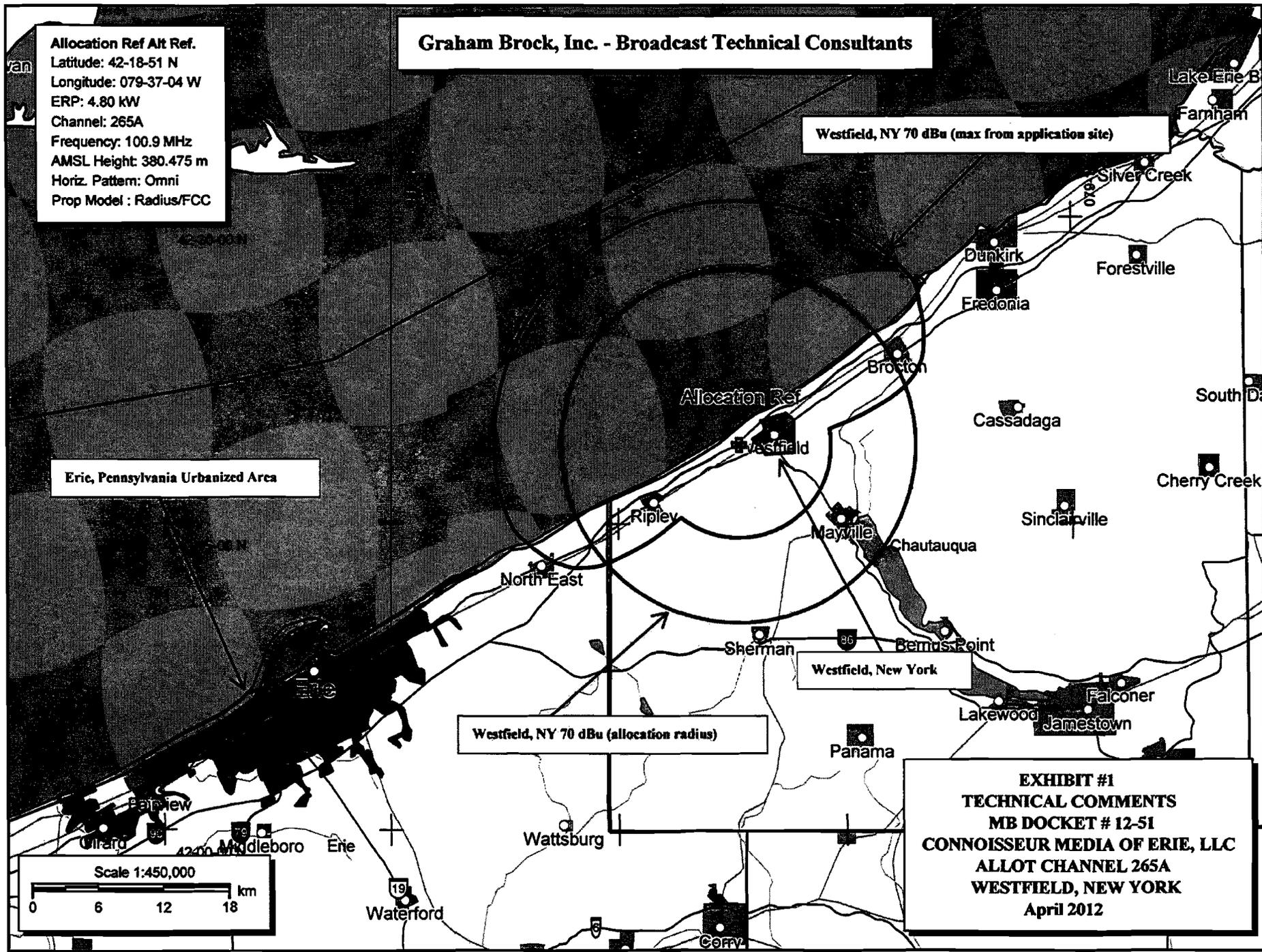
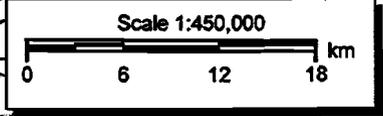
Allocation Ref Alt Ref.
Latitude: 42-18-51 N
Longitude: 079-37-04 W
ERP: 4.80 kW
Channel: 265A
Frequency: 100.9 MHz
AMSL Height: 380.475 m
Horiz. Pattern: Omni
Prop Model : Radius/FCC

Westfield, NY 70 dBu (max from application site)

Eric, Pennsylvania Urbanized Area

Westfield, NY 70 dBu (allocation radius)

**EXHIBIT #1
TECHNICAL COMMENTS
MB DOCKET # 12-51
CONNOISSEUR MEDIA OF ERIE, LLC
ALLOT CHANNEL 265A
WESTFIELD, NEW YORK
April 2012**



Graham Brock, Inc. - Broadcast Technical Consultants

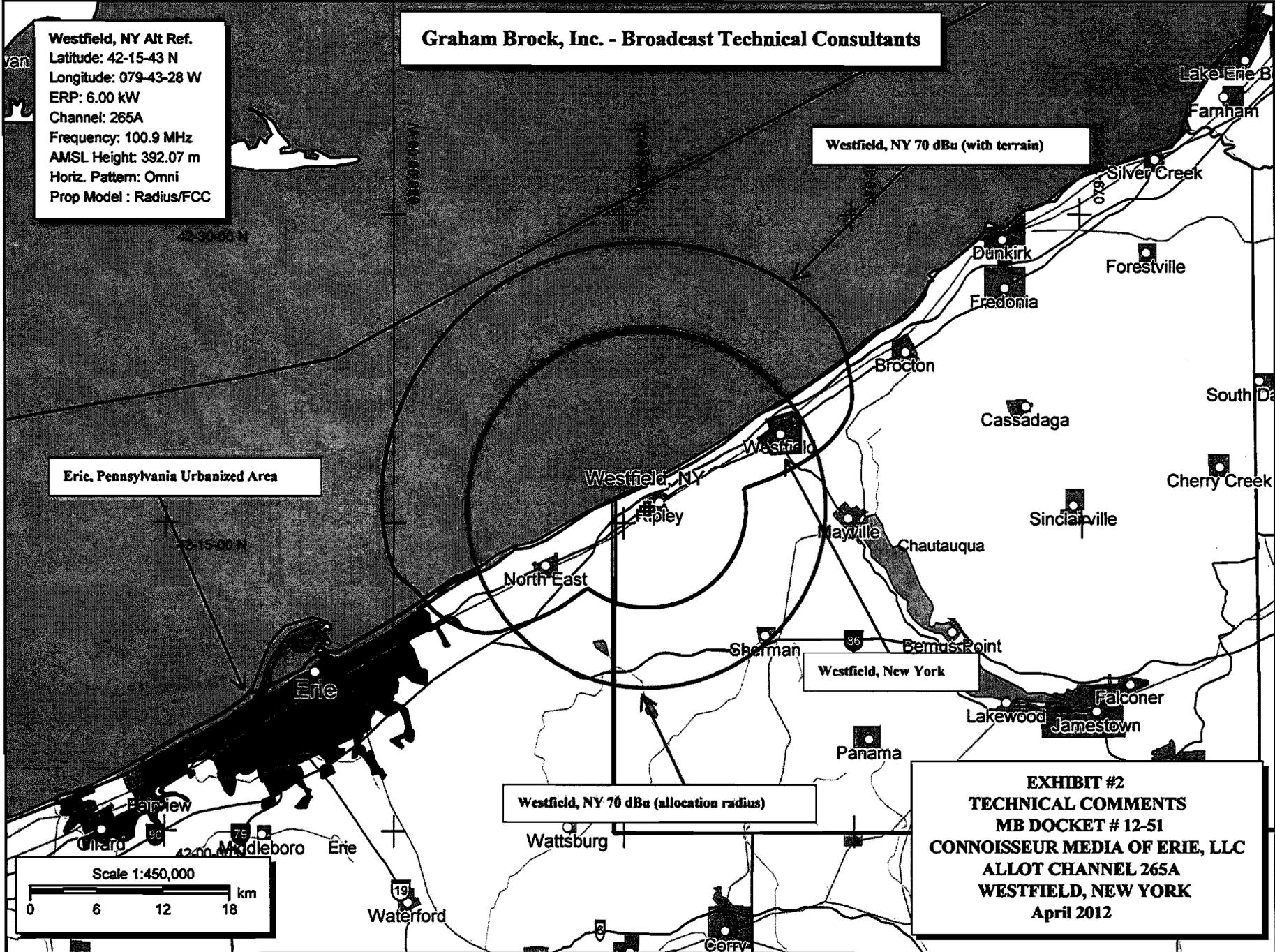
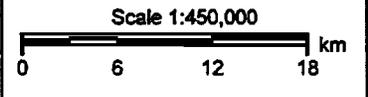
Westfield, NY Alt Ref.
Latitude: 42-15-43 N
Longitude: 079-43-28 W
ERP: 6.00 kW
Channel: 265A
Frequency: 100.9 MHz
AMSL Height: 392.07 m
Horiz. Pattern: Omni
Prop Model : Radius/FCC

Westfield, NY 70 dBu (with terrain)

Eric, Pennsylvania Urbanized Area

Westfield, NY 70 dBu (allocation radius)

EXHIBIT #2
TECHNICAL COMMENTS
MB DOCKET # 12-51
CONNOISSEUR MEDIA OF ERIE, LLC
ALLOT CHANNEL 265A
WESTFIELD, NEW YORK
April 2012





Antenna Structure Registration

FCC > WTB > ASR > Online Systems > ASR Search

[FCC Site Map](#)

ASR Registration Search

Registration Search Results

A ADVANCED SEARCH

? HELP

- [New Search](#)
- [Refine Search](#)
- [Printable Page](#)
- [Query Download](#)
- [Map Result\(s\)](#)

Displayed Results

Matches 1-10 (of 25)
1 2 3 [Next: 11-20>>]

PA = Pending Application(s)

Specified Search

Latitude='42-15-43 N', Longitude='79-43-28 W', Radius=15 Kilometers

Display: Expanded View

Registration	Owner and Contact	Structure Description
1 Registration: <u>1002800</u> File Number: A0639315 Status: Constructed FAA Study: 2006-AEA-4117-OE	Owner: SBA Steel LLC (561)995-7670 Contact: Roach, Edward G (561)995-7670	Structure Type: TOWER Elevation of Site (meters): 493.8 Overall Height Above Ground (AGL) (meters): 71.0 Overall Height Above Sea Level (meters): 564.8 Located in: RIPLEY, NY Lat/Long: 42-14-15.2N 079-39-26.2W FAA Chapters 4, 8, 12 Paint and Light in Accordance with FAA Circular Number <u>70/7460-1K</u>
2 Registration: <u>1003200</u> File Number: A0499520 Status: Constructed FAA Study: 92-AEA-1411-OE	Owner: Connoisseur Media of Erie, LLC (203)227-1978 Contact: Driscoll, Michael O (203)227-1978	Structure Type: TOWER Elevation of Site (meters): 464.8 Overall Height Above Ground (AGL) (meters): 137.2 Overall Height Above Sea Level (meters): 602.0 Located in: ROPLEY, NY Lat/Long: 42-11-51.0N 079-45-10.0W FAA Chapters 3, 4, 5, 13 Paint and Light in Accordance with FAA Circular Number <u>70/7460-1H</u> Structure Type: TOWER

EXHIBIT #3

- 3
 Registration: 1006158
 File Number: A0525664
 Status: Constructed
 FAA Study: 2000-AEA-1478-OE
- Owner:
 New York RSA No. 3
 Cellular Partnership
 (770)797-1070
- Contact:
 Janjua, Jerrl L
 (770)797-1070
- Elevation of Site (meters): 428.2
 Overall Height Above Ground (AGL) (meters): 91.1
 Overall Height Above Sea Level (meters): 519.3
- Located in: WESTFIELD, NY
 Lat/Long: 42-16-59.2N 079-35-40.3W
- FAA Chapters 3, 4, 5, 12
 Paint and Light in Accordance with FAA Circular Number 70/7460-1K
- 4
 Registration: 1010180
 File Number: A0744690
 Status: Constructed
 FAA Study: 2010-AEA-64-OE
- Owner:
 American Towers,
 LLC.
 (617)585-7614
- Contact:
 FAA/FCC Compliance
 (617)585-7614
- Structure Type: TOWER
- Elevation of Site (meters): 490.4
 Overall Height Above Ground (AGL) (meters): 75.3
 Overall Height Above Sea Level (meters): 565.7
- Located in: RIPLEY, NY
 Lat/Long: 42-14-11.9N 079-39-33.9W
- FAA Chapters 4, 6, 12
 Paint and Light in Accordance with FAA Circular Number 70/7460-1K
- 5
 Registration: 1012187
 File Number: A0315740
 Status: Constructed
 FAA Study: 2002-AEA-4294-OE
- Owner:
 CROWN CASTLE GT
 COMPANY LLC
 (724)416-2000
- Contact:
 Gambino, Monica G
 (724)416-2516
- Structure Type: TOWER
- Elevation of Site (meters): 398.9
 Overall Height Above Ground (AGL) (meters): 88.7
 Overall Height Above Sea Level (meters): 487.6
- Located in: ERIE, PA
 Lat/Long: 42-09-11.7N 079-53-04.8W
- FAA Chapters 4, 8, 12
 Paint and Light in Accordance with FAA Circular Number 70/7460-1K
- 6
 Registration: 1017293
 File Number: A0636820
 Status: Constructed
 FAA Study: 2007-AEA-1575-OE
- Owner:
 Global Tower, LLC
 (561)995-0320
- Contact:
- Structure Type: TOWER
- Elevation of Site (meters): 545.0
 Overall Height Above Ground (AGL) (meters): 97.8
 Overall Height Above Sea Level (meters): 642.8
- Located in: SHERMAN, NY
 Lat/Long: 42-08-32.4N 079-34-26.1W
- FAA Chapters 4, 8, 13
 Paint and Light in Accordance with FAA Circular Number 70/7460-1J
- Structure Type: TOWER

- 7
 Registration: 1022724
 File Number: A0744760
 Status: Constructed
 FAA Study: 2011-AEA-3541-OE
- Owner: American Towers, LLC.
 (617)585-7614
 Contact: FAA/FCC Compliance
 (617)585-7614
- Elevation of Site (meters): 384.0
 Overall Height Above Ground (AGL) (meters): 87.5
 Overall Height Above Sea Level (meters): 471.5
 Located in: NORTH EAST, PA
 Lat/Long: 42-09-20.2N 079-53-07.7W
- FAA Chapters 4, 8, 13
 Paint and Light in Accordance with FAA Circular Number 70/7460-1H
- 8
 Registration: 1026814
 File Number: A0287176
 Status: Dismantled
 FAA Study: 89-AEA-0098-OE
- Owner: RAMBALDE COMMUNICATIONS INC
 (814)725-4000
 Contact:
- Structure Type: TOWER
 Elevation of Site (meters): 240.8
 Overall Height Above Ground (AGL) (meters): 152.4
 Overall Height Above Sea Level (meters): 393.2
 Located In: NORTH EAST, PA
 Lat/Long: 42-12-07.0N 079-51-42.0W
- FAA Chapters 3, 4, 5, 9
 Paint and Light in Accordance with FAA Circular Number 70/7460-1G
- 9
 Registration: 1027144
 File Number: A0360486
 Status: Terminated
 FAA Study: 2003-AEA-3636-OE
- Owner: Parnassos, L.P., Debtor-in-Possession
 (303)268-6300
 Contact: Flessner, Stephen
- Structure Type: TOWER
 Elevation of Site (meters): 359.1
 Overall Height Above Ground (AGL) (meters): 57.9
 Overall Height Above Sea Level (meters): 417.0
 Located in: North East, PA
 Lat/Long: 42-10-50.2N 079-50-23.2W
- Painting and Lighting Specifications: None
- 10
 Registration: 1029350
 File Number: A0034806
 Status: Constructed
 FAA Study: 97-AEA-2257-OE
- Owner: NORFOLK SOUTHERN CORP.
 (404)529-1493
 Contact:
- Structure Type: TOWER
 Elevation of Site (meters): 431.3
 Overall Height Above Ground (AGL) (meters): 85.6
 Overall Height Above Sea Level (meters): 516.9
 Located in: WESTFIELD, NY
 Lat/Long: 42-16-25.0N 079-37-26.0W
- FAA Chapters 4, 6, 13
 Paint and Light in Accordance with FAA Circular Number 70/7460-1J



Antenna Structure Registration

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Matches 11-20 (of 25)

[<< Previous: 1-10] 1 2 3 [Next: 21-25>>]

= Pending Application(s)

Specified Search

Latitude='42-15-43 N', Longitude='79-43-28 W', Radius=15 Kilometers

Display: Expanded View

Registration	Owner and Contact	Structure Description
11 Registration: <u>1033422</u> File Number: A0039668 Status: Constructed FAA Study:	Owner: WESTERN NEW YORK PUBLIC BROADCASTING ASSOCIATION (716)845-7000 Contact:	Structure Type: TOWER Elevation of Site (meters): 502.9 Overall Height Above Ground (AGL) (meters): 61.9 Overall Height Above Sea Level (meters): 564.8 Located In: SHERMAN, NY Lat/Long: 42-10-15.0N 079-35-30.0W FCC Paragraphs 1, 3, 11, 21
12 Registration: <u>1051473</u> File Number: A0558205 Status: Cancelled FAA Study: 98-AEA-0014-OE	Owner: Nextel Communications of the Mid-Atlantic, Inc. (866)400-6040 Contact:	Structure Type: TOWER Elevation of Site (meters): 389.8 Overall Height Above Ground (AGL) (meters): 65.2 Overall Height Above Sea Level (meters): 455.0 Located In: NORTH EAST, PA Lat/Long: 42-10-28.0N 079-50-35.0W FAA Chapters 4, 8, 13 Paint and Light in Accordance with FAA Circular Number <u>70/7460-11</u>
13 Registration: <u>1065351</u> File Number: A0712915	Owner: CROWN COMMUNICATION LLC (336)643-2524	Structure Type: TOWER Elevation of Site (meters): 389.5 Overall Height Above Ground (AGL) (meters): 67.1 Overall Height Above Sea Level (meters): 456.6

<p>Status: Constructed</p> <p>FAA Study: 2008-AEA-3261-OE</p>	<p>Contact: VERRE, CHRISTINE A (336)643-2524</p>	<p>Located in: NORTH EAST, PA Lat/Long: 42-10-26.7N 079-50-38.5W</p> <p>FAA Chapters 4, 8, 12 Paint and Light in Accordance with FAA Circular Number <u>70/7460-1K</u></p>
<p>14</p> <p>Registration: <u>1210217</u></p> <p>File Number: A0758008</p> <p>Status: Constructed</p> <p>FAA Study: 2012-AEA-1074-OE</p>	<p>Owner: STC Two LLC (877)265-6872</p> <p>Contact: Verre, Christine A (724)416-2000</p>	<p>Structure Type: TOWER</p> <p>Elevation of Site (meters): 395.0 Overall Height Above Ground (AGL) (meters): 80.8 Overall Height Above Sea Level (meters): 475.8</p> <p>Located in: North East, PA Lat/Long: 42-09-12.0N 079-53-07.6W</p> <p>FAA Chapters 4, 8, 13 Paint and Light in Accordance with FAA Circular Number <u>70/7460-1J</u></p>
<p>15</p> <p>Registration: <u>1212175</u></p> <p>File Number: A0704384</p> <p>Status: Constructed</p> <p>FAA Study: 00-AEA-0797-OE</p>	<p>Owner: STC Two LLC (877)265-6872</p> <p>Contact: Verre, Christine A (724)416-2000</p>	<p>Structure Type: TOWER</p> <p>Elevation of Site (meters): 249.6 Overall Height Above Ground (AGL) (meters): 78.6 Overall Height Above Sea Level (meters): 328.2</p> <p>Located in: Northeast, PA Lat/Long: 42-13-07.3N 079-48-41.1W</p> <p>FAA Chapters 4, 8, 12 Paint and Light in Accordance with FAA Circular Number <u>70/7460-1K</u></p>
<p>16</p> <p>Registration: <u>1212983</u></p> <p>File Number: A0136589</p> <p>Status: Constructed</p> <p>FAA Study: 00-AEA-1477-OE</p>	<p>Owner: CSX Transportation Inc. (904)332-5963</p> <p>Contact: Miller, Tom C (904)332-5965</p>	<p>Structure Type: TOWER</p> <p>Elevation of Site (meters): 219.4 Overall Height Above Ground (AGL) (meters): 19.8 Overall Height Above Sea Level (meters): 239.2</p> <p>Located in: RIPLEY, NY Lat/Long: 42-16-10.2N 079-42-29.1W</p> <p>Painting and Lighting Specifications: None</p>
<p>17</p> <p>Registration: <u>1215875</u></p> <p>File Number: A0136587</p> <p>Status: Constructed</p>	<p>Owner: CSX Transportation Inc. (904)332-5963</p> <p>Contact: Miller, Tom C (904)332-5965</p>	<p>Structure Type: TOWER</p> <p>Elevation of Site (meters): 219.4 Overall Height Above Ground (AGL) (meters): 25.9 Overall Height Above Sea Level (meters): 245.3</p> <p>Located in: RIPLEY, NY Lat/Long: 42-16-10.0N 079-42-30.0W</p>

FAA Study:
00-AEA-2063-OE

Painting and Lighting Specifications: None

18

Registration:
1223467

File Number:
A0244554

Status:
Cancelled

FAA Study:
00-AEA-2884-OE

Owner:
Crown Communication
Inc.
(724)416-2000

Contact:
Gambino, Monica A
(724)416-2516

Structure Type: TOWER

Elevation of Site (meters): 210.0
Overall Height Above Ground (AGL) (meters): 99.0
Overall Height Above Sea Level (meters): 309.0

Located in: Erie, PA
Lat/Long: 42-15-15.4N 079-45-44.3W

FAA Chapters 4, 8, 12
Paint and Light in Accordance with FAA Circular Number
70/7460-1K

19

Registration:
1223596

File Number:
A0355584

Status:
Cancelled

FAA Study:
00-AEA-4400-OE

Owner:
Crown Communication
Inc.
(724)416-2000

Contact:
Gambino, Monica A
(724)416-2516

Structure Type: TOWER

Elevation of Site (meters): 294.1
Overall Height Above Ground (AGL) (meters): 76.2
Overall Height Above Sea Level (meters): 370.3

Located in: North East, PA
Lat/Long: 42-12-23.3N 079-48-23.0W

FAA Chapters 4, 8, 12
Paint and Light in Accordance with FAA Circular Number
70/7460-1K

20

Registration:
1229378

File Number:
A0745362

Status:
Constructed

FAA Study:
2009-AEA-2061-OE

Owner:
American Towers,
LLC.
(617)585-7614

Contact:
FAA/FCC Compliance
(617)585-7614

Structure Type: TOWER

Elevation of Site (meters): 210.9
Overall Height Above Ground (AGL) (meters): 71.0
Overall Height Above Sea Level (meters): 281.9

Located in: Ripley, NY
Lat/Long: 42-16-16.8N 079-42-36.4W

FAA Chapters 4, 8, 12
Paint and Light in Accordance with FAA Circular Number
70/7460-1K

Matches 11-20 (of 25)

[<< Previous: 1-10] 1 2 3 [Next: 21-25>>]

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Matches 21-25 (of 25)

[<< Previous: 11-20] 1 2 3

PA = Pending Application(s)

Specified Search

Latitude='42-15-43 N', Longitude='79-43-28 W', Radius=15 Kilometers

Display: Expanded View **GO**

Registration	Owner and Contact	Structure Description
21 Registration: <u>1232103</u> File Number: A0267190 Status: Constructed FAA Study: 01-AEA-3997-OE	Owner: SBA properties, Inc (561)995-7670 Contact:	Structure Type: TOWER Elevation of Site (meters): 484.3 Overall Height Above Ground (AGL) (meters): 79.2 Overall Height Above Sea Level (meters): 563.5 Located In: Mina, NY Lat/Long: 42-10-05.1N 079-45-22.3W FAA Chapters 4, 8, 12 Paint and Light in Accordance with FAA Circular Number <u>70/7460-1K</u>
22 Registration: <u>1233485</u> File Number: A0291689 Status: Constructed FAA Study: 01-AEA-3433-OE	Owner: CROWN ATLANTIC COMPANY, LLC (724)416-2000 Contact: Gambino, Monica (724)416-2516	Structure Type: TOWER Elevation of Site (meters): 204.2 Overall Height Above Ground (AGL) (meters): 68.5 Overall Height Above Sea Level (meters): 272.7 Located In: Westfield, NY Lat/Long: 42-18-51.2N 079-37-03.5W FAA Chapters 4, 8, 12 Paint and Light in Accordance with FAA Circular Number <u>70/7460-1K</u> Structure Type: TOWER

- | | | |
|--|--|---|
| <p>23</p> <p>Registration:
<u>1239390</u></p> <p>File Number:
A0368412</p> <p>Status:
Cancelled</p> <p>FAA Study:
2003-AEA-1601-OE</p> | <p>Owner:
AT&T Wireless PCS,
LLC
(202)223-9222</p> <p>Contact:
Jatlow, David C
(202)223-9222</p> | <p>Elevation of Site (meters): 209.7
Overall Height Above Ground (AGL) (meters): 79.2
Overall Height Above Sea Level (meters): 288.9</p> <p>Located In: Westfield, NY
Lat/Long: 42-20-43.3N 079-33-06.9W</p> <p>FAA Chapters 4, 8, 12
Paint and Light in Accordance with FAA Circular Number
<u>70/7460-1K</u></p> |
| <p>24</p> <p>Registration:
<u>1256616</u></p> <p>File Number:
A0588726</p> <p>Status:
Constructed</p> <p>FAA Study:
2006-AEA-5381-OE</p> | <p>Owner:
New York RSA No. 3
Cellular Partnership
(770)797-1070</p> <p>Contact:
Janjua, Jerri Lynn
(770)797-1070</p> | <p>Structure Type: TOWER</p> <p>Elevation of Site (meters): 483.7
Overall Height Above Ground (AGL) (meters): 60.7
Overall Height Above Sea Level (meters): 544.4</p> <p>Located in: Mina, NY
Lat/Long: 42-08-15.2N 079-43-22.7W</p> <p>Painting and Lighting Specifications: None</p> |
| <p>25</p> <p>Registration:
<u>1279914</u></p> <p>File Number:
A0739973</p> <p>Status:
Constructed</p> <p>FAA Study:
2011-AEA-2562-OE</p> | <p>Owner:
Global Tower, LLC
(561)995-0320</p> <p>Contact:</p> | <p>Structure Type: TOWER</p> <p>Elevation of Site (meters): 492.5
Overall Height Above Ground (AGL) (meters): 79.2
Overall Height Above Sea Level (meters): 571.7</p> <p>Located In: Sherman, NY
Lat/Long: 42-09-15.4N 079-38-24.7W</p> <p>FAA Chapters 4, 8, 12
Paint and Light in Accordance with FAA Circular Number
<u>70/7460-1K</u></p> |

Matches 21-25 (of 25)
[<< Previous: 11-20] 1 2 3

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TECHNICAL COMMENTS
MB DOCKET #12-51
CONNOISSEUR MEDIA OF ERIE, LLC
ALLOT CHANNEL 265A
WESTFIELD, NEW YORK
April 2012

EXHIBIT #4

Results of Tower Review

<u>ASRN</u>	<u>Results</u>
Alternative Reference Site	Less than 50% of urbanized area coverage
1002800	Less than 50% of urbanized area coverage
1003200	Less than 50% of urbanized area coverage / no city of license coverage
1006158	Less than 50% of urbanized area coverage
1010108	Less than 50% of urbanized area coverage
1012187	No city of license coverage
1017293	No city of license coverage / less than 50% of urbanized area coverage
1022724	No city of license coverage
1029350	Less than 50% of urbanized area coverage
1033422	Less than 50% of urbanized area coverage
1065351	No city of license coverage
1210217	No city of license coverage
1212175	No city of license coverage
1212983	Less than 50% of urbanized area coverage
1215875	Less than 50% of urbanized area coverage
1229378	Less than 50% of urbanized area coverage
1232103	Less than 50% of urbanized area coverage / no city of license coverage
1233485	Presently proposed allotment / implementation site
1256616	Less than 50% of urbanized area coverage / no city of license coverage
1279914	Less than 50% of urbanized area coverage / no city of license coverage

TECHNICAL COMMENTS
MB DOCKET #12-51
CONNOISSEUR MEDIA OF ERIE, LLC
ALLOT CHANNEL 265A
WESTFIELD, NEW YORK
April 2012

EXHIBIT #6

Stations Serving Proposed Westfield, New York 60 dBu

AM Stations

<u>Call Sign</u>	<u>Frequency</u>	<u>City, State</u>
WRJ	760 kHz	Detroit, Michigan
WDOE	1410 kHz	Dunkirk, New York
WRIE	1260 kHz	Erie, Pennsylvania

FM Stations

<u>Call Sign</u>	<u>Channel</u>	<u>City State</u>
WUBJ	201A	Jamestown, New York
WYRR	205A	Lakewood, New York
WCVF-FM	205A	Fredonia, New York
WNJA	209B	Jamestown, New York
WCOT	215B	Jamestown, New York
WWSE	227B	Jamestown, New York
WLKW-FM	237A	Celeron, New York
WBKX	243A	Fredonia, New York
WHUG	270A	Jamestown, New York
WKZA	295B1	Lakewood, New York
WMCE	203A	Erie, Pennsylvania
WERG	213A	Erie, Pennsylvania
WQLN-FM	217B	Erie, Pennsylvania
WRRN	222B	Warren, Pennsylvania
WTWF	230A	Fairview, Pennsylvania
WXBB	234A	Erie, Pennsylvania
WXTA	250B1	Edinboro, Pennsylvania
WXXC	260B	Erie, Pennsylvania
WRKT CP	285B1	North East, Pennsylvania
WQHZ	272A	Erie, Pennsylvania
WCGM	274A	Wattsburg, Pennsylvania
WQFX-FM	276A	Russell, Pennsylvania
WRTS	279B	Erie, Pennsylvania
WCTL	292A	Union City, Pennsylvania
Allotment	240A	Erie, Pennsylvania