

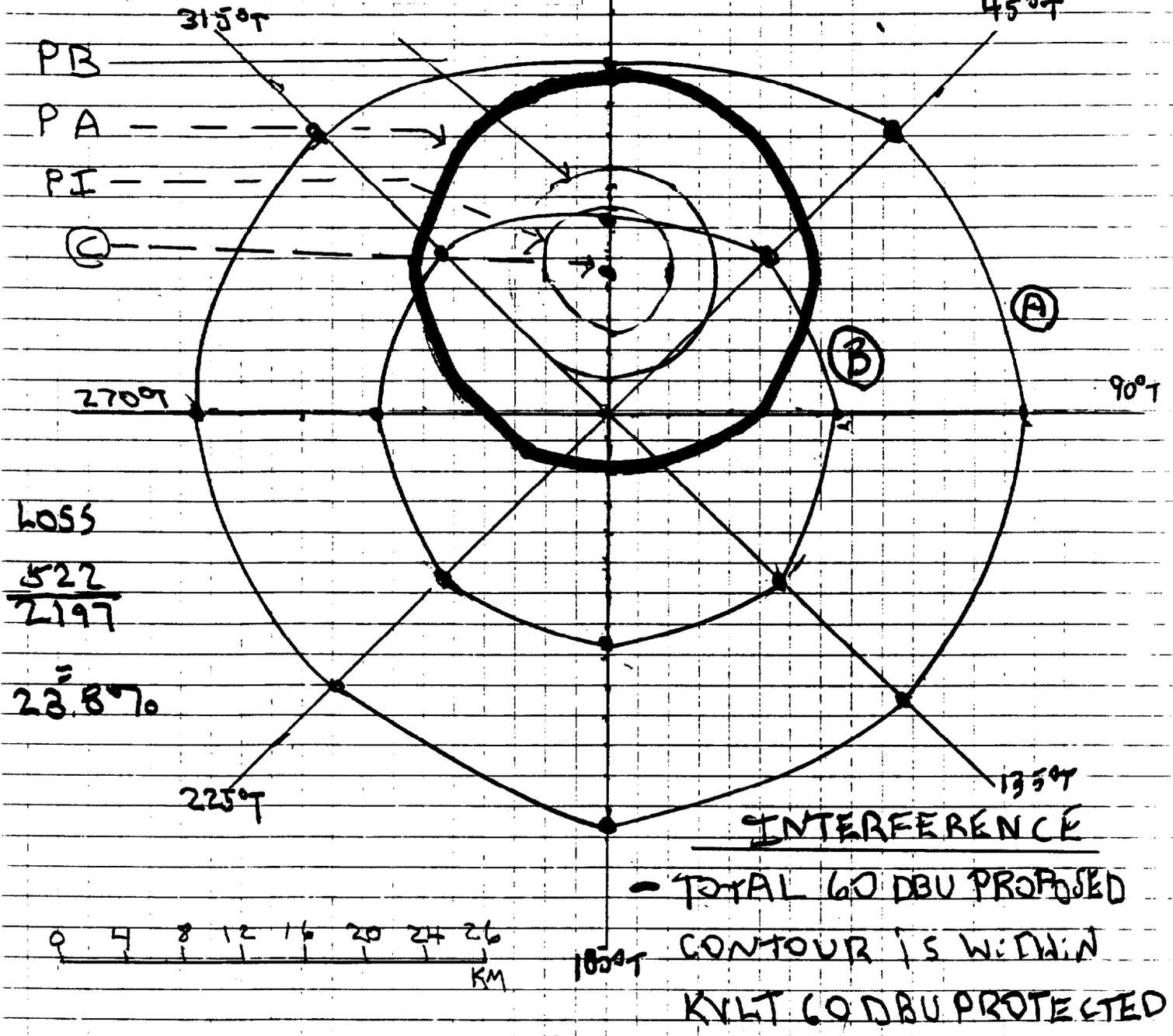
A - KVL T 60 DBU
 B - KVL T 70 DBU
 - 2 KM

EXHIBIT (13)

0° T KVL T VICTORI
 TEXAS

2197 KM² 1 MVM AREA

KVL T victim station interference from
 Norwest proposal at ± 400 khz.



LOSS
 522
 2197

23.8%

© SAM HOUSTON - LAURENT (NORWEST BANK)

± 400 KHZ

5.45 Mi 8.8 KM² T

LPFM 1 KW 52M

522 KM²
 1 MVM

PB = 70 DBU 7 KM

PA = 60 DBU 12.9 KM

PI = 80 DBU 3.8 KM

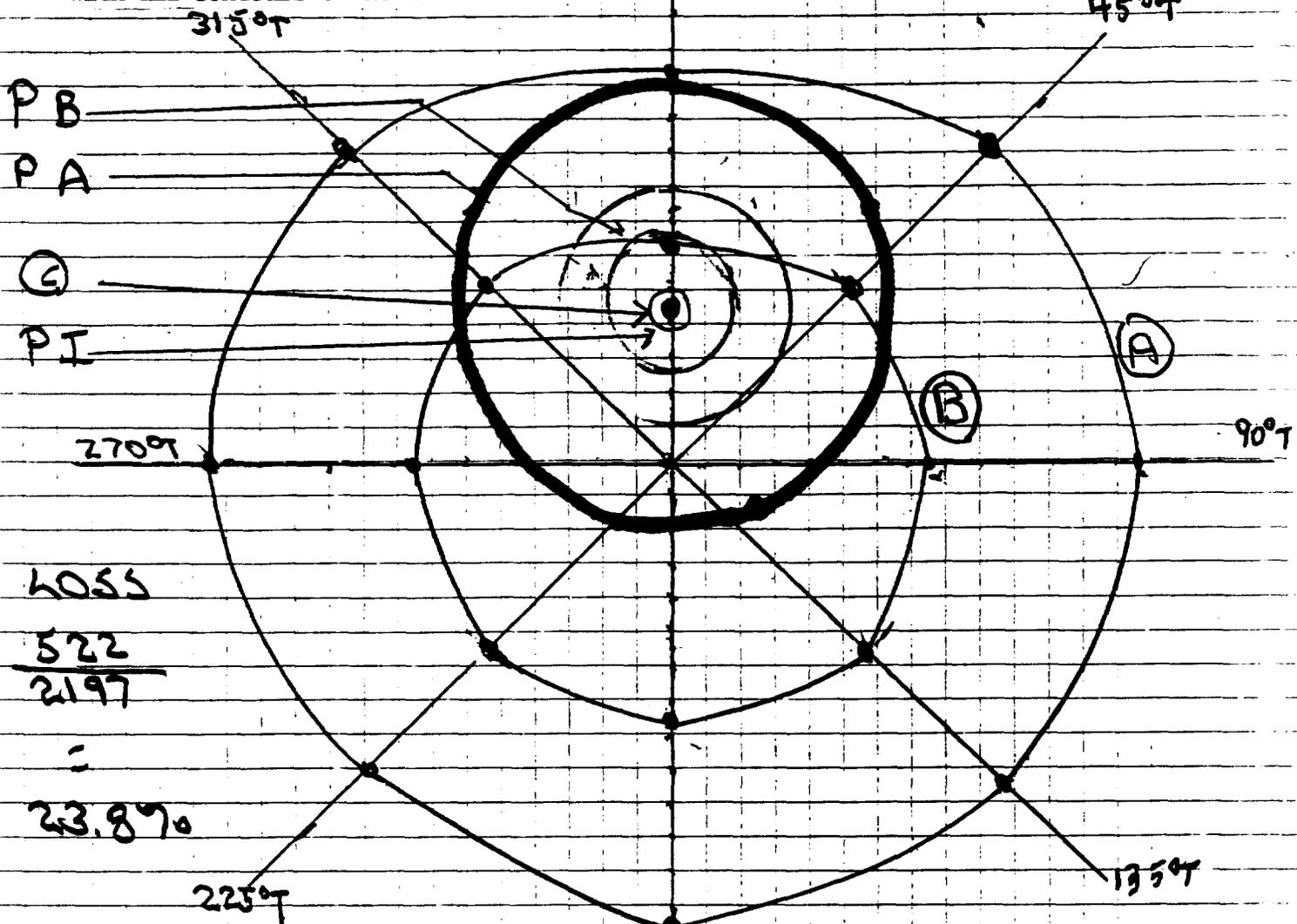
A - KVL T 60 DBU
 B - RVL T 70 DBU

EXHIBIT (14)

0° T KVL T VICTORIA
 TEXAS

2 KM
 KVL T victim station interference
 from Norwest proposal at ± 600 KHZ
 with all contours of Norwest shown.

2197 KM² 1MVM AREA



LOSS
 522

 2197
 =
 23.8%

INTERFERENCE
 TOTAL 60 DBU PROPOSED
 CONTOUR IS WITHIN
 KVL T 60 DBU PROTECTI

© SAM HOUSTON-LAURENT (NORWEST BANK)

± 600 KHZ

5.45 M: 8.8 KM²

PB = 70 DBU 7 KM

L P F M - 1.1 KW 52 M

PA = 60 DBU 12.9 KM

522 KM²

PI = 100 DBU 1.15 KM

1 MVM

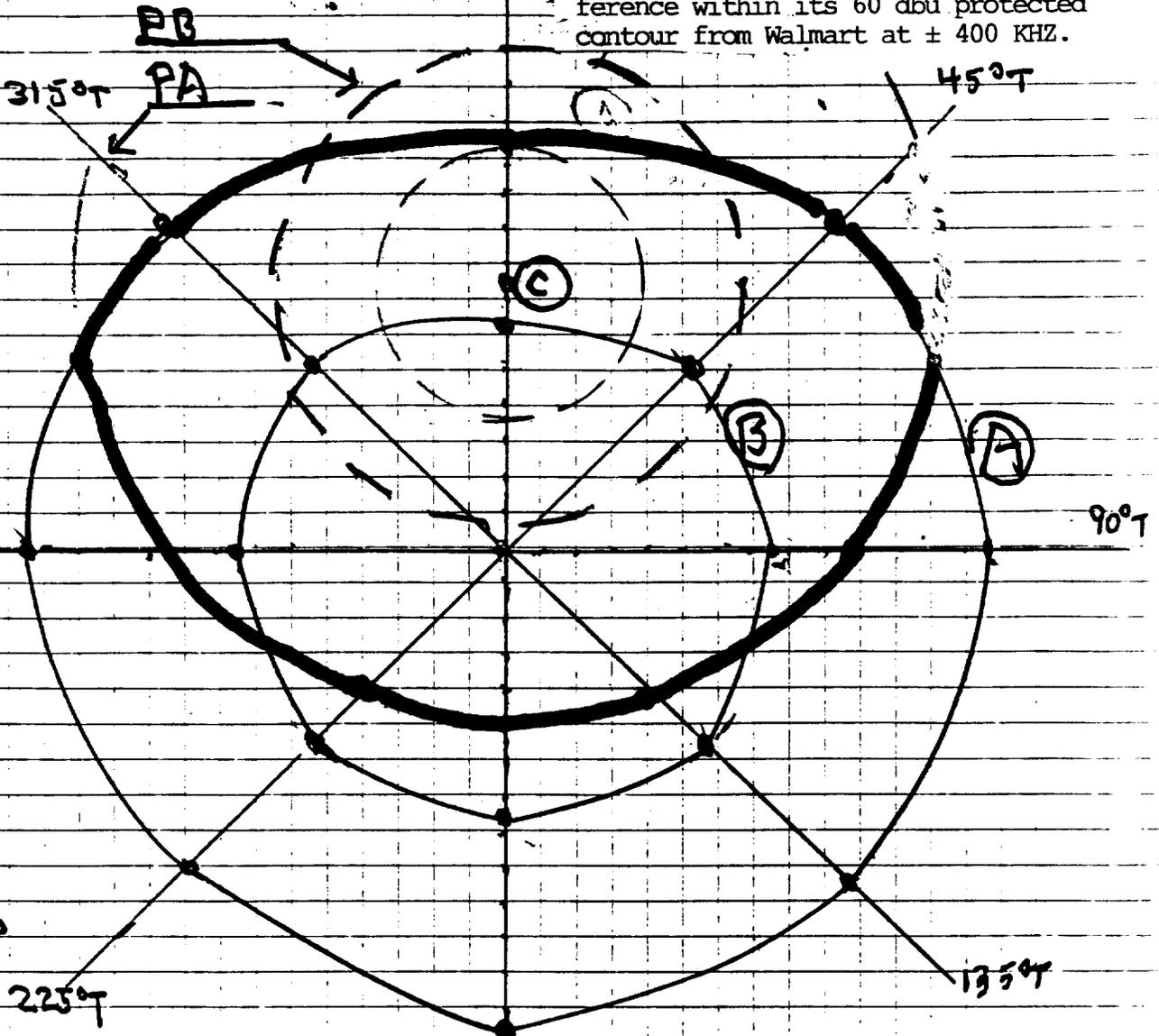
A - KVL T 60 DBU
 B - KVL T 70 DBU

0° T KVL T VICTORIA
 TEXAS

EXHIBIT (15)

KVL T victim station and areas of interference within its 60 dbu protected contour from Walmart at ± 400 KHZ.

2 KM



0 4 8 12 16 20 24 26
 KM

+ 400 KHZ FREQ.

180° T — AREA OF INTERFERENCE WITHIN KVL T 60 DBU CONTOUR

C - PROP SITE (WALMART)
 15.2 KM 0° T

PROPOSED CONTOURS
 PB = 70 DBU 13.6 KM

LPCM - 1 3KW 100M

PA = 60 DBU 24.3 KM

PI = 80 DBU 7.6 KM

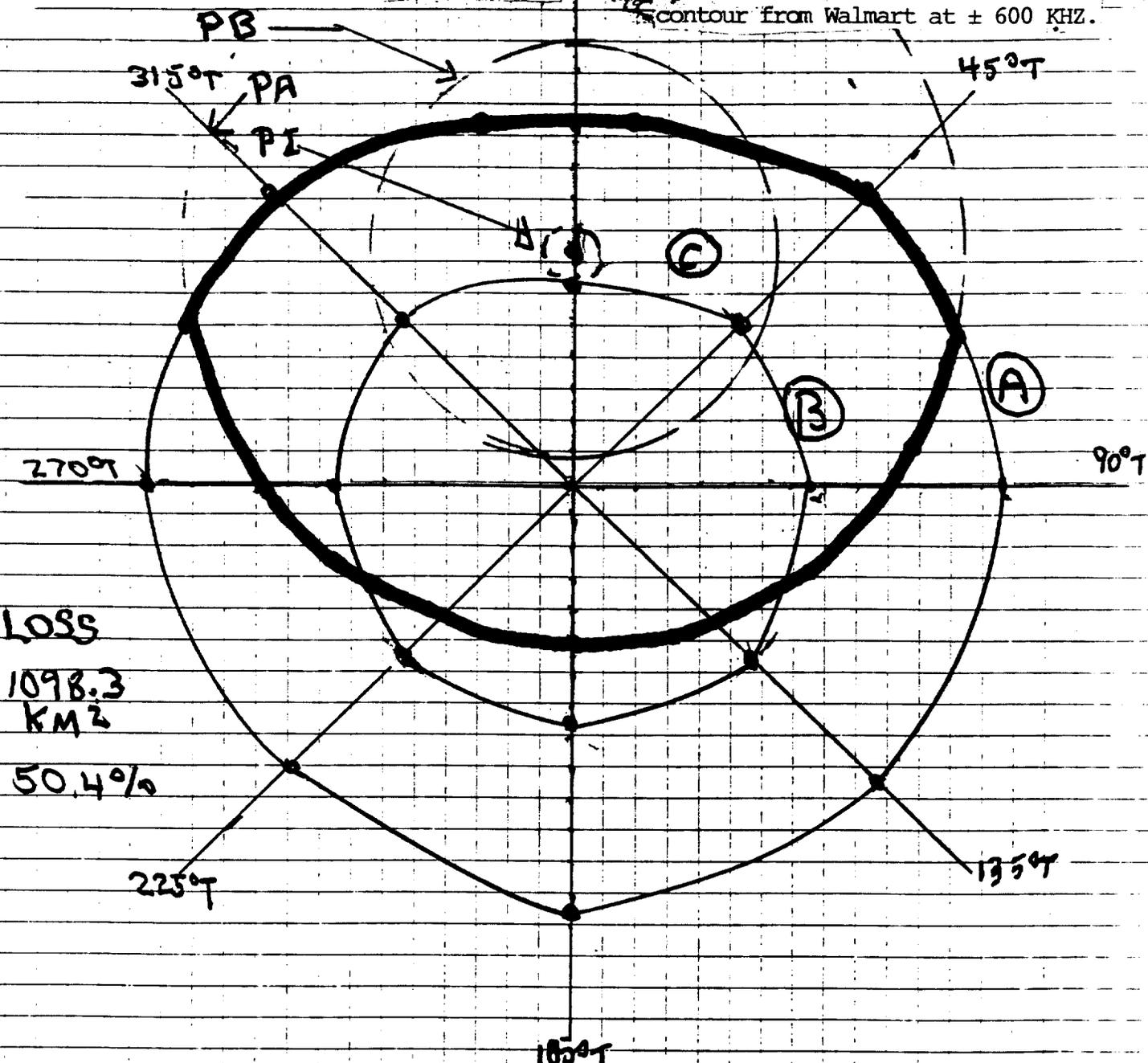
A - KVL T 60 DBU
 B - KVL T 70 DBU

0° T KVL T VICTORI
 TEXAS

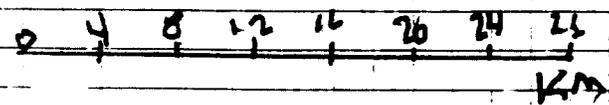
- 2 KM

EXHIBIT (16)

KVL T victim station and areas of interference within its 60 dbu contour from Walmart at ± 600 KHZ.



LOSS
 1098.3
 KM²
 50.4%



— AREA OF INTERFERENCE
 WITHIN 60 DBU
 KVL T PROTECTED.

+ 600 KHZ FREQ.

C - PROP SITE (WALMART)	PROPOSED CONTOURS
15.2 KM 0° T	PB = 70 DBU 13.6 KM
LPFM-1 3 KW 100M	PA = 60 DBU 24.3 KM
	PT = 100 DBU 2.2 KM

SUMMARY

OF

EXHIBITS ONE TO SIXTEEN

1. In exhibit one and subsequent exhibits, there is presented a graphic portraying the situation of the operation of several low power FM stations -- those with power less than 3,000 watts and 328 feet on second adjacent channels (± 400 kilohertz), or third adjacent channels (± 600 kilometers) from the local stations' carrier frequency. For many years the commission has precluded stations covering the same area from utilizing frequencies closer than the fourth adjacent channel. See ¶ 73 and 74 of the Commission's rules for specifics.

2. It is the premise of the proponent in RM-9242 that receivers are able to distinguish between second and third adjacent channels and the local desired station carrier frequency. No evidence has been offered to substantiate the often stated claim that is the reality. This premise assumed, proponent states that thousands of channels will open up in markets all over the country for low power stations that would operate with powers from 1 watt to 3000 watts from tower heights of 50 feet to 328 feet. Supposedly this operation configuration would bring in new ownership now barred from ownership by financial and other considerations. The areas of coverage range from one and a half miles to a maximum of fifteen miles.

3. In original petition there is mention made of coverage area for these proposed LPFM stations, but not a mention of required spacing -- even for co and second adjacent channels. Page four and five of this submission explore this question. This alone will delimit the number of LPFM stations -- assuming there is a big vacuum in stations' assignments. The local stations in this study, it will be shown, will be damaged as well as the new LPFM stations -- on channels closer than the fourth adjacent channel.

3. There is in §74.1205 taboos for co-channel, first, second, and third adjacent channels. This was added to the rules of the Commission in 1990. No docket for rulemaking has ever totally done away with the consideration of these allocation taboos. In a 1997 case, the second and third adjacent channels were recognized as relative to station up-grading of short-spaced FM stations. The commission did not eliminate them, but rather recognized that these had to be acknowledged as secondary in allocations for these stations only -- not the elimination of them. Proponent repeatedly states that the commission has eliminated these taboos -- to the exclusion of reality.

4. Commentator is the operator of an independently owned KTXN-FM in Victoria, Texas, which he feels will be severely affected by potential LPFM stations on adjacent channels plus and minus. The enclosed exhibits one to ten show potential configurations of existing station and new LPFM stations. It is pointed out all configurations can not be practically be included, but these are shown with the premise of being operated on either the plus or the minus side of KTXN and KVLJ. In reality, what can be the case on simultaneously both sides of the victim station -- both minus and plus. It is quite possible that the entire coverage area can be obliterated by LPFM stations operating on second / third adjacent channels. In short presentation, in order to attempt to predict typical situations, the taboos of §74.1205 are used. Where there is a signal into the area of the 60 dbu desired contour that is greater than allowed in this section, interference is present. These maps show various types of situations.

5. Each exhibit is analyzed separately and then conclusions are drawn. The commentator has previously asked for dismissal of RM-9242 or, in alternative, the denial for reason as contained therein. Interference will result to both the existing station as well as the proposed station. With the attendant interference, the coverage areas will be severely reduced and income of station now in existence will be reduced.

6. In exhibit one it is demonstrated that low power stations LPFM type can be located in the city limites of a city the size (61,000) and serve the requisite signal over the city limits. With no taboo on second and third channel adjacents the transmitters of the new LPFM stations can be located even next to the existing station transmitter with disastrous affects of interference within the city grade contour of the station (60 dbu). In this instance the limit to the station is almost that of 80 - 100 dbu that is the capture contour. Low power -- under 3000 watts -- does not mean no interference or minial interference. In exhibit two the 3,000 watt station causes a loss of 29 per cent of the coverage area of existing station 60 dbu contour.

7. In exhibit number three the two hypothetical LPFMs, while situated some 7.3 miles (11.7 kilometers) along a line of 35°true and 4.7 miles (7.6 kilometers) along a line of 65°true, there are spaces for some three or four more stations of like type when stations on the other side of the plus or minus of desired existing station are brought into the picture. In short it is quite possible to literally wipe out the signal of existing station in its own city of license.

8. Clearly a lower power LPFM station, such as found in the Norwest location with 1,000 watts and 150 feet (46M) will cause a lower percentage of loss of protected coverage area to existing station. The percentage of loss of area is thirteen point one (13.1%). With a still lower power LPFM station at this location with 100 watts and 100 feet (30 meters), the percentage loss is substantially reduced to five point three (5.3%). Still the area of loss will be noticed and can not be eliminated.

9. Considering the Walmart location at the very northern part of the city of Victoria, the loss is in an area of growth and newer homes and attendant younger demographics. In fact a good part of the northern area of the city will suffer a loss if a station is located at Walmart.

10. There is no location that a LPFM station operating on second or third adjacent channel can be located within the city without creating interference to the existing station. In fact the taboos of §74.1205 can not be satisfied without going to a location some miles outside the existing 60 dbu contour. Reading of the rules will show that a buffer zone outside the 60 dbu contour is required. The zone is created by the overlapping of a grade of signal less than 60 dbu which exists at a distance from the proposed 60 dbu contour. Depending upon whether the second or third adjacent channel is utilized. See the table at beginning of the engineering exhibits for specifics. The interference created by placement of LPFM stations in the existing station 60 dbu contour is to both existing and new station -- one to the other. No actual calculation was made for the interference to each other, but just interference of overlapped 60 dbu.

11. Low power (such as the kind of 100 watts variety) still causes interference as found on exhibit seven (7). The areas around the transmitter of the new station that are subject to interference for a 100 watt station are still noticeable. The 100 dbu contour -- used in third adjacent channel considerations extends .088 kilometers (.055 miles) or 290 feet -- actually the distance of one standard block size per Victoria city design. This is a radius of one block in all directions. The 80 dbu contour -- of concern in second adjacent channel considerations extends for 1.8 kilometers (1.1 miles). There is nowhere one can place even a LPFM transmitter of this power level within the city limits or even the 70 or 60 dbu contours without causing and receiving interference.

12. Exhibit (8) shows that even with a transmitter site some three miles (4.8 kilometers) from the city for KTXN, its 100 dbu contour extends 3.1 miles (5 kilometers) into some close-in western areas of the city limits, while the 80 dbu extends over all the city to a distance of 9.3 miles (15 kilometers), as the transmitter at Walmart is located in the city limits there is a substantial over-lap of the 80 dbu of Walmart and the 100 dbu of KTXN, and the 100 dbu of Walmart and the 80 dbu of KTXN. While this exists for KTXN, no location can be found that will not overlap and provide full city coverage from the low power station. In fact the other class C stations in the market are located some 7 miles from KTXN to the east. In reality a stronger signal is placed over the city by these stations and thus this same situation would exist for any low power station configuration with them as well.

13. In exhibit (9) the Norwest location is shown as the origin of

two concentric circles. The inner one at distance of .7 mi and 1.15 kilometers is that of the 100 dbu ,while the outer one at a distance of 2.4 miles (3.8 kiloemters) is that of the 80 dbu. There is an overlap of extreme variety -- the 80 dbu contours overlap along Main Street -- while both the proposed 100 and 80 dbu contours overlap the KTXN 70 dbu contour. This is with 1000 watts and 150 feet for Norwest. Again no practical site to place new low power station in city with second or third adjacent channel station in existence.

14. Exhibits eleven through sixteen are concerned with class A Fm station KVLTV with 6 kilowatts. In eleven it is shown that the city limits of Victoria are not served by KVLTV 70dbu--see area around Walmart. This is due to short spacing to Yoakum, Texas KYKM-FM -- a first adjacent channel. Thus the site of convenience at Walmart is outside KVLTV 70 dbu, but still inside its 60 dbu contour --thus interference is still caused both to the existing station and to the proposed station. In exhibit twelve it is shown that interference is caused to KVLTV from the proposal at Norwest and both stations will suffer interference. KVLTV will suffer a loss of 23.8 % of its 60 dbu protected contour area.

15. In sixteen, KVLTV will lose over 50.4% of its 60 dbu contour area as a result of a station located at Walmart. The amount interference will not change if the new station is on the second or the third adjacent channel. There is no overlap of KVLTV 100 , or 80 dbu contours with either the Norwest or the Walmart station.

16. Interference will exist regardless of considerations if second or third adjacent channels are used for LPFM.

RECOMMENDATIONS

1. Petition for low power radio stations -- RM-9242 -- should be denied for reasons herein stated. There is no factual submission as to receivers of any kind ~~have~~ for a statement that they are better than before. There is no evidence that the listening public has not complained of interference --only blanket ~~statements~~ of lack of complaints. The vast majority of the listening public -- in the experience of commentator -- does not call or write letters, let alone to the Federal Communications Commission. Evidence has been submitted in cases of this submission that over half of the radios can not distinguish stations several channels removed.

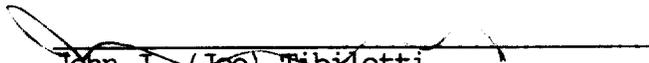
2. Interference has been shown to be destructive to two victim stations KTXN and KVLTV cited herein from operations of LPFM stations on the second and third adjacent channels and judged in light of §74.1204 in the absence of evidence to the contrary, not just un-supported statements with the intent of taking out of context the supposed ~~lack~~ of concern for second and third adjacent channels signals' strength at the desired existing station 60 dbu contour. The commission has added concern for interference in the form of the addition of §74.1204 in the beginning of 1990 -- not lessend it.

3. The commission staff as a result of deregulation is less and there is no facilities for the handling of hundreds of home prepared applications of the lower power FM variety. Commentator fully is in agreement with the stands taken by the National Association of Broadcasters and the state organizations in this docket.

4. There is no reason to CB-ize the FM band and make it full of limited coverage idealistic liberated hobbists. There is far more to running and owning a radio station than just low power, for low power also means low coverage area, and thus low audience for advertising purposes.

5. For all reasons cited and illustrated herein commentator requests that the petition RM-9242 be denied.

SUBMITTED,


John J. (Joe) Tibiletti

for Self and as President of Cosmopolitan Enterprises
of Victoria, Licensee of KTXN-FM

June 1, 1998

2618 FM 1685
Victoria, Texas, 77905