

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

**RECEIVED**

SEP 29 2004

Federal Communications Commission  
Office of Secretary

In the Matter of Application of )  
THE SCHOOL BOARD OF MIAMI-DADE )  
COUNTY, FLORIDA )  
For Authorization to Modify Facilities of )  
ITFS Station KTB85 )  
Miami, Florida )

WT Docket No. 03-66

File No. BMPLIF-19950915HW

**DOCKET FILE COPY ORIGINAL**

To: The Commission

**OPPOSITION TO PETITION FOR RECONSIDERATION**

The School Board of Broward County (“Broward”), by counsel, hereby opposes the Petition for Reconsideration filed August 30, 2004 by the School Board of Miami-Dade County, Florida (“Miami-Dade”) in the captioned matter (the “Petition”).<sup>1</sup> Miami-Dade therein requests reconsideration of the dismissal of the above-referenced application to modify the facilities of ITFS station KTB85 at Miami, Florida (the “Application”). As explained below, the Petition should be denied for multiple reasons – most significantly, because the Miami-Dade Application will cause devastating interference to Broward’s co-channel facility, Station KTZ22.

<sup>1</sup> This Opposition is timely pursuant to two consent motions for extension of the response deadline, filed September 13 and 23, 2004.

No. of Copies rec'd 0+11  
List ABCDE

## I. PROCEDURAL BACKGROUND

Miami-Dade's Application was dismissed pursuant to *Report and Order and Further Notice of Proposed Rulemaking*, released July 29, 2004, *In the Matter of Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands*, WT Docket No. 03-66 (the "July 29 Report & Order"). Appendix E thereto contained a group of applications deemed mutually exclusive with other pending ITFS proposals, among them Miami-Dade's 1995 proposal to modify Station KTB85. In the July 29 Report & Order, the Commission determined (1) that, in light of its decision to institute geographic area licensing, it would dismiss (with limited exceptions) all pending MDS and ITFS modifications proposals (the "Global Dismissal Ruling"); and (2) that it would dismiss pending mutually-exclusive ITFS applications. *Id.* at ¶¶ 58, 261-263.

In its reconsideration petition, Miami-Dade posits that its Application was dismissed because it is mutually exclusive with the application of the School Board of Palm Beach County to modify the facilities of KZB29, File No. BMPLIF-950524DM (the "Palm Beach Application"). Miami-Dade then argues – by pretzel logic that we address below – as follows: It urges that, whereas the Palm Beach Application should be dismissed in due course pursuant to the July 29 Report & Or-

der, Miami-Dade's own Application should not be dismissed because it falls within one of the exceptions to the Global Dismissal Ruling. As a consequence, Miami-Dade claims, the dismissal of the Palm Beach Application will leave Miami-Dade's Application in singleton status and therefore processable.

On September 13, 2004, the School Board of Palm Beach County ("Palm Beach") and its excess capacity lessee, WBSWP Licensing Corporation, filed an opposition to Miami-Dade's reconsideration request (the "Palm Beach Opposition"). The thrust of that opposition is that Miami-Dade's Application was unacceptable for filing in 1995 because it would cause substantial interference to Broward's co-channel Station KTZ22. Accordingly, Palm Beach urges that the Miami-Dade Application should have been dismissed as defective years ago, and the issue of its mutual exclusivity to Palm Beach's application should never have arisen.

## **II. THE MIAMI-DADE APPLICATION IS DEFECTIVE BECAUSE IT WOULD CAUSE PROHIBITED INTERFERENCE TO BROWARD'S EXISTING ITFS STATION KTZ22.**

We do not address the implications of Palm Beach's argument with respect to the status of its own application. Presumably, Palm Beach's application would be dismissed pursuant to the Global Dismissal Ruling, even if it were not mutually exclusive with Miami-Dade's Application. But assuming *arguendo* that the two applications were mutually exclusive, Miami-Dade's claim that the Global Dismissal Ruling will have the effect of extinguishing Palm Beach's application and thereby leave its own Application in singleton status and processable, is fallacious.

The predicate for dismissal under Paragraphs 261-263 of the July 29 Report & Order is the existence of applications mutually exclusive prior to release of the Notice of Proposed Rulemaking. If the Palm Beach and Miami-Dade applications were mutually exclusive as of that point, both must be dismissed. Mutual exclusivity is the logically prior question because all pending applications are in play one way or another. Mutual exclusivity is a separate, unrelated ground for dismissal under the July 29 Report & Order. Miami-Dade cannot import into that analysis the distinct and logically secondary issue of which applications are to be dismissed under the Global Dismissal Ruling.

In any event, Palm Beach is entirely correct that Miami-Dade's Application cannot be granted because it will cause severe interference to Broward's operations. Strangely, however, Miami-Dade's Petition omits any discussion of Broward's Station KTZ22. We are at a loss as to why Miami-Dade chose this tack. For, even if Miami-Dade were correct (which it is not) that the prospective dismissal of Palm Beach's application should leave Miami-Dade's proposal as a singleton, its Application remains patently defective and ungrantable by virtue of the interference it would cause to Broward's operations.

On this score, the Commission's records are replete with pleadings and technical analyses that Broward and Palm Beach filed over the course of the last eight years demonstrating that Miami-Dade's Application could not be granted because it would cause interference to scores of Broward's receive sites.

One possible explanation for the Petition's having omitted any reference to Broward's station is that Miami-Dade may be under a mistaken belief concerning a bogus interference consent letter. As the voluminous record in this litigation will reflect, it appears that Miami-Dade at some point obtained an unauthorized letter from an individual who was not a representative of the Broward County School Board. As soon as the School Board became aware of this, it immediately advised the Commission and all parties that the letter was not authorized, that Broward School Board had never consented to Miami-Dade's Application, and that it had no intention to do so in the future because of the debilitating interference the Miami-Dade proposal would cause to Broward's extensive ITFS operations. The disavowal came in the form of a letter from Dr. Frank R. Petruzielo, then Superintendent of the School Board of Broward County. *See* Attachment 1 hereto.

Indeed, it would have been absurd for Broward to consent to the egregious levels of interference that Miami-Dade's Application is predicted to cause. Broward has been an ITFS licensee since 1967, making it one of the most venerable and experienced users of ITFS spectrum in the country. In the course of a year, its ITFS operations serve several hundred thousand users at over 200 receive sites.<sup>2</sup> As

---

<sup>2</sup> Broward has an exemplary record in the field of distance learning. Its distance program has over 120 video-conferencing units, 1250 academic programs, virtual field trips and special events for elementary, middle and high school students. Staff development opportunities are abundant with such offerings as: National Board Certification Workshops, ESE training, and meetings between Curriculum Supervisors and their department heads. Scores of full-time virtual students and hundreds of part-time students enroll in one or more of these courses while still attending their traditional school. In addition, Broward's on-site production studios have created award-winning edu-

the Commission is aware, Broward utilizes *all* of its channel capacity. None is leased to commercial operators. Given the widespread interference that Miami-Dade's proposal would cause to Broward's educational operations, it is preposterous to think that Broward would have acquiesced in Miami-Dade's plan.

In the event that Miami-Dade may be of the view that its 2001 amendment resolves the interference problem, this too is incorrect. As discussed in pleadings long since in the record, it is virtually impossible given the proximity of Broward's transmit site and the proposed transmit site of Miami-Dade (a mere 22 miles with no intervening terrain) for Miami-Dade to fashion an acceptable technical solution to its problem. The technical changes proposed in the Amendment do not eliminate harmful interference that would result to the operations of KTZ22. Moreover, the accompanying waiver request would radically deny Broward the protection from interference to which it is entitled under the current rules, and thus cannot be in the public interest. *See* Broward's Reply to Opposition to Petition to Deny (Nov. 13, 2001), Attachment 2 hereto. The simple fact is that some facilities modifications are not technically possible, and this is one of them.

Finally, Miami-Dade's argument that grant of its Application is in the public interest because it will eliminate a grandfathered F-Group in Miami is erroneous. As discussed at length in Attachment 2, Miami-Dade's request for waiver is wholly

---

cational programming delivered to students, teachers, administrators, and parents throughout Broward County, and distributed nationally to other school systems.

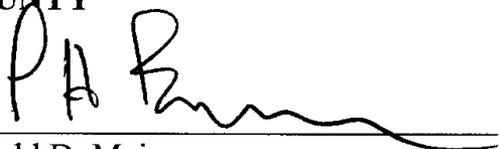
unwarranted. Miami-Dade's elimination of the F-Group in Miami (by modifying to the G-Group) will cause irreparable harm to Broward's existing G-Group operation, as demonstrated in the engineering statement that is part of Attachment 2.

\* \* \*

For the foregoing reasons, Miami-Dade's Petition for Reconsideration should be denied.

Respectfully submitted,

**SCHOOL BOARD OF BROWARD  
COUNTY**

By: 

Ronald D. Maines  
Paul H. Brown

WOOD MAINES & BROWN,  
CHARTERED  
1827 Jefferson Place, NW  
Washington, DC 20036  
(202) 293-5333

Its Counsel

Dated: September 29, 2004

# **ATTACHMENT 1**



# THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

600 SOUTHEAST THIRD AVENUE • FORT LAUDERDALE, FLORIDA 33301-3125 • TEL (954) 765-6271 • FAX (954) 760-7483

DR. FRANK R. PETRUZIELO  
*Superintendent of Schools*

## SCHOOL BOARD

*Chairperson* LOIS WEXLER  
*Vice Chairperson* KAREN DICKERHOOF

DR. ABRAHAM S. FISCHLER  
MIRIAM M. OLIPHANT  
DR. ROBERT D. PARKS  
DR. DON SAMUELS  
DIANA WASSERMAN

October 30, 1996

The Secretary  
Federal Communications Commission  
Washington, D. C. 20554

**RE: FCC File #BMPLIF-950915HW; Modification of License, ITFS Station KTB-85;  
School Board of Dade County, Florida**

Dear Mr. Secretary:

The enclosed affidavit constitutes our petition to deny the above referenced application.

As the thirty-year licensee of ITFS station KTZ-22, the School Board of Broward County, Florida, has every intent of protecting its interest in the continued use of the G group ITFS channels in the Broward County, Florida, area.

The above referenced application appears to have omitted vital information regarding the potential for possible interference with our receive sites for station KTZ-22. We object to any interference which might adversely affect any of our receive sites.

Sincerely,

Frank R. Petruzielo  
Superintendent of Schools

FRP/EEA/NGT:dc  
Enclosure

STAMP AND RETURN

BEFORE THE

Federal Communications Commission

In re Application of )  
SCHOOL BOARD OF DADE )  
COUNTY, FLORIDA )

For Modification of  
ITFS Station KTB-85  
Miami, Florida

To: Chief, Video Services Division

RECEIVED

File No. BMP 11996-50915HW

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

RECEIVED

NOV 11 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Petition To Deny

The School Board of Broward County, Florida, licensee for thirty years of Instructional Fixed Television Station KTZ-22, Fort Lauderdale, Florida, by and through its attorney, hereby files its Petition to Deny the above-captioned application. In support whereof, the following is offered:

1. By way of background, The School Board of Broward County has been delivering quality educational programming to more than two hundred schools and other instructional receive sites for more than thirty years. It has done so without a wireless partner, and, based on the needs it sees into the future, continues to plan to operate without a wireless partner. Wireless cable entrepreneurs are working with educators in West Palm Beach, to the North, and Dade County Schools and other entities to the South to develop wireless cable systems in those areas. Broward County has no desire to thwart the plans of the schools and their partners in either of these

jurisdictions in full deployment of successful wireless operations, but only if those plans do not involve harmful interference to the well-established, long-standing service to the schools of Broward County.

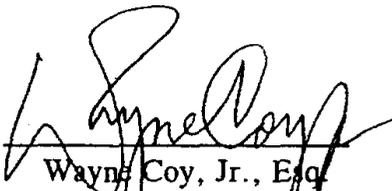
2. The substance of this Petition to Deny is contained in the attached sworn statement of Dale F. Carls, Operations Manager of the Instructional Television Center within the Broward School System. He alleges that a key element of the application is contained in a letter that was missing from the application. Upon reflection, it is assumed that the letter in question is one issued by one Joseph J. Ceros-Livingston, then Director of the Instructional Television Center, in which he states that "the Broward County Instructional Television Center has no objection to (the Miami) proposal." As is plain from the face of the letter, the letter did not issue from nor represent the views of the licensee of the ITFS facility, The School Board itself. For that reason alone, it cannot be considered a commitment of The School Board.

3. Secondly, the "assurances" that supported the issuance of the letter came from the wireless cable partner of the above-captioned school, and that wireless partner is no longer in the picture. Such assurances must be regarded as worthless, absent some reaffirmation or representation from the new wireless entity that now seeks to use the letter to support its application.

4. The School Board now believes that a substantial number, perhaps as high as 40 of its current receive sites will receive harmful interference from the proposed operation of the Miami station. The fact that no interference study is enclosed with the application further raises the concerns of The School Board.

For all of the above reasons, The School Board of Broward County respectfully urges that the above-captioned application be DENIED.

Respectfully submitted

By:   
Wayne Coy, Jr., Esq

Cohn and Marks  
1333 New Hampshire Ave., N.W.  
Suite 600  
Washington, D.C. 20036-1573

(202) 293-3860

November 1, 1996

## A F F I D A V I T

I, Dale F. Carls, Operations Manager, Instructional Television Center, School Board of Broward County, Florida, 6600 S.W. Nova Drive, Fort Lauderdale, Florida, 33317, under threat of perjury, do solemnly swear that the following statement is true and accurate to the best of my knowledge:

1. With reference to FCC file number BMPLIF-950915HW, an application from The School Board of Dade County, Florida, for the modification of the license for ITFS station KTB-85, currently operating on channels F1 - F4, and proposing to move to channels G1 - G4;
  - a. Exhibit E-5; CO-CHANNEL INTERFERENCE STUDY; Paragraph 2; STATEMENT CONCERNING STATION KTZ-22, MIAMI, FLORIDA:
    - (i) KTZ-22 is licensed to The School Board of Broward County, Florida, as indicated in the exhibit, but is located in Fort Lauderdale, Florida, not Miami.
    - (ii) The exhibit refers to an attached Figure A.1, a letter from the School Board of Broward County, Florida, accepting interference caused to KTZ-22 from their modified 50 watt Miami station. The copy of the application in our possession includes no such Figure A.1 nor such letter otherwise referenced. Furthermore, to the best of my knowledge, no such letter exists or ever existed. It is not now, now has it ever been, the intention of the School Board of Broward County, Florida, to accept any level of interference to their KTZ-22 receive sites from this or any other station.

- b. The application does not include detailed co-channel interference studies for station KTZ-22. We therefore have no means of determining what, if any, interference this proposed station might cause to station KTZ-22, currently licensed to the School Board of Broward County, Florida, for operation on the G group channels.

SIGNED:   
Dale F. Carls, Operations Manager  
Instructional Television Center

DATE: October 30, 1996

## **ATTACHMENT 2**

2239-001

Stamp and Return

BROWN

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C.

RECEIVED

NOV 13 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

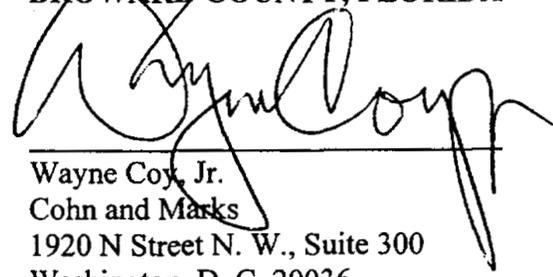
In re Application of )  
 )  
THE SCHOOL BOARD OF )  
MIAMI-DADE COUNTY, FLORIDA )  
 )  
For Authorization to Modify )  
The Facilities of ITFS )  
Station KTB-85 )  
Miami, Florida )

File no. BMPLIF-19950915HW

To: The Chief  
Video Services Division  
Mass Media Bureau

REPLY TO OPPOSITION TO PETITION TO DENY

THE SCHOOL BOARD OF  
BROWARD COUNTY, FLORIDA



Wayne Cox, Jr.  
Cohn and Marks  
1920 N Street N. W., Suite 300  
Washington, D. C. 20036  
(202) 293-3860

November 13, 2001

BEFORE THE  
**Federal Communications Commission**

In re Application of )

THE SCHOOL BOARD OF )  
MIAMI-DADE COUNTY, FLORIDA )

File no. BMPLIF-19950915HW

For Authorization to Modify )  
The Facilities of ITFS )  
Station KTB-85 )  
Miami, Florida )

To: The Chief  
Video Services Division  
Mass Media Bureau

**REPLY TO OPPOSITION TO PETITION TO DENY**

The School Board of Broward County (“Broward”), by its attorney and pursuant to Section 74.912 of the Rules of The Commission, hereby submits its Reply to The Opposition to the Petition to Deny and the accompanying Amendment and Request for Waiver filed by The School Board of Miami-Dade County (“Dade”) in the above-captioned matter. As will be more fully set forth below, the Opposition, Amendment and Waiver Request filed by Dade must be Rejected and the Petition to Deny Granted for the following reasons: a) the Opposition completely fails to deal with the single most important issue in the Petition – that the “no objection” letter was unauthorized and of no probative value; b) even the most generous reading of the Engineering Statement attached to the Amendment to propose to upgrade receive sites reveals that there will be substantial amounts of interference to the Broward receive sites under the best of conditions; and c) the waiver request seeks to promote the private selfish interest of the requesting party by attempting to deny Broward the protection from interference that it is due under current rules and has nothing whatsoever to do with serving the public interest.

## **Background**

1. Broward County is located on the East Coast of Florida just north of Dade County and south of Palm Beach County. It is an area of 750 square miles, with the population primarily situated along the eastern side of the county along the Atlantic Ocean, hemmed in by the Everglades to the West. The same general population distribution is true for both Palm Beach and Dade Counties. The orientation of receiving antennas is primarily in a north/south direction, due to the population distribution.

2. The Broward County Board of Education operates the fifth largest school system in the United States. It has well over 250,000 students located at 220 school sites, numbers that grows each year. The number of new school sites opening each year is primarily to the west as the growing population pushes its way relentlessly into the Everglades on the west side of the County.

3. The Board has been the licensee of 8 ITFS channels for more than thirty-five (35) years and uses them exclusively to provide vital and necessary instructional programming to its entire array of schools. Currently the ITFS channels are in operation 16.5 hours a day, five days a week. Virtually all of the school children spend part of nearly every day watching material delivered to the school site by ITFS. There is no question that the educational and instructional materials reaching the schools via ITFS is critical to fulfillment of the educational mission of the system. Preschool programming and homework related materials supplement the in-class portion of the school days. Preschool, adult, and other enhancement programming fill the broadcast schedule all year long. The number of student/hours using ITFS programming approaches 400,000,000 annually, with a potential viewing audience of 1.5 million.

4. The critical fact for purposes of the instant matter is that the Broward transmitter site for its ITFS facilities and the proposed transmitter site for the Miami-Dade ITFS facilities are 22 miles apart, with no intervening terrestrial barriers. This fact alone renders much of the conventional analysis of interference inadequate and counterproductive. Each transmitter is well inside the protected service area of the other party rendering standard protection techniques such

as antenna upgrades, antenna shielding, signal offset and directionalization of signal propagation hopeless inadequate.

5. Beginning with the first inquiry from Dade, Broward has always maintained that its sole interest is “the quiet enjoyment” of what it has and needs for the future to serve its student population. What other parties want to do in other counties is of no concern to Broward, so long as it does not create harmful interference with the present and future use of its own system. But make no mistake about it, Broward intends to defend its turf vigorously from those that would encroach upon it. It has taken thirty-five years to define and refine the uses of the system and Broward does not want to lose what it feels it has developed entirely and completely within the spirit and letter of the Rules and Regulations of the FCC. The sole beneficiaries of this effort are the school children and residents of the County.

#### **The Opposition was Non-responsive**

6. Prior to filing the application that is the subject of this proceeding, Miami-Dade contacted a mid-level employee of the school system, Joseph J. Ceros-Livingston, and, based on the vague and unsupported assurances that “they will take whatever steps may become necessary to prevent or correct any interference to the (Broward County) receive sites, the Broward County Instructional Television Center has no objection to ...”.(Emphasis mine) This letter was then appended to the application as the “no objection” letter of the licensee. First, the letter never purports to commit the licensee which is the School Board, not the Television Center; and second, in no event was Ceros-Livingston authorized to commit the licensee. Thus, by its very terms the letter was invalid for the purpose intended.

7. Broward acted promptly and in a timely manner once it discovered the improper and unauthorized signature. The Opposition does not respond to this issue. The inescapable conclusion is that the signature was invalid, the party soliciting it either knew or should have known it was invalid, and that a knowledgeable person would not have signed such a letter. Being both substantively and procedurally defective, the application must be dismissed.

8. The Dade application was apparently defective in other respects, as was pointed out in a Petition to Dismiss or Deny filed by Wireless Broadcasting Systems of America ("WBSA") in this matter. WBSA alleged that the application was for a station whose license had been cancelled and that the cancellation was confirmed (and the call sign deleted) in a letter to John Griffith Johnson on August 23, 1995 . The applicant's subsequent attempts to reinstate the application leave the status of the application in considerable doubt. WBSA further alleged that the Dade application was barred in that it was mutually exclusive with another application which had "Cut-Off" protection under the Commission's former filing rules. Finally, according to WBSA, the application contained a vague and undefined request for digital authorization that was initially unauthorized and conflicts with the Commission's then current policies concerning digital operation.

#### **The Harmful Interference Cannot be Cured**

9. As noted above, and further discussed in the Engineering Statements attached hereto, the proximity of the transmitters renders standard interference protection/reduction measures inadequate where the transmitters are only 22 miles apart. The notion of "correcting interference" in this situation cannot hope to be accomplished with receiver upgrades, receiver shielding, or beam tilt. The towers are simply too close together and the desired/undesired signal strengths hopelessly overlapping and commingled. If, by some circumstance, two parties were actually to be licensed in this setting, the resulting tumultuous haggling between the parties over actual interference could hardly be described as serving the public interest. Moreover, the Commission has no effective procedure for restoring the present status quo where the assurances proved impossible to implement.

10. Bear in mind that Broward is not talking about theoretical or hypothetical sites. The Interference will occur at 220 school sites where children are waiting for their lessons to be delivered via ITFS. Antennas are already upgraded to the specifications of the proposed amendment at most sites. Shielding of a vast majority of the antennas will not be effective since the undesired signal is in the same direction as the desired signal. Beam tilt will actually increase the interference at many schools located close to the Dade County line.

## **The Waiver Request and The Public Interest**

11. Any request for the waiver of any rule is predicated on the general validity of the rule, the anomalous result if the rule is applied, and the resulting public good from the allowance of the waiver. In the present situation there is no valid reason to provide an exception to the general application of the rule. If, as sought by Dade, the amendment is treated as a minor amendment and governed by the rules in effect at the time that the application being amended was first filed, there would only be protection required at the then registered receive sites, and the concept of the protected service area otherwise applicable to digital applications would not be available. In as much as the Commission stopped the registration of receive sites in 1995, and the protected service area concept was substituted therefor in digital applications, the principle purpose of the requested waiver would be to deprive one party of both ways of defending itself while seeking to relieve the other party of any responsibility for the substantial interference it would cause is measure by today's rule. Depriving a party of its substantive rights to its detriment is not and cannot be the basis for a waiver.

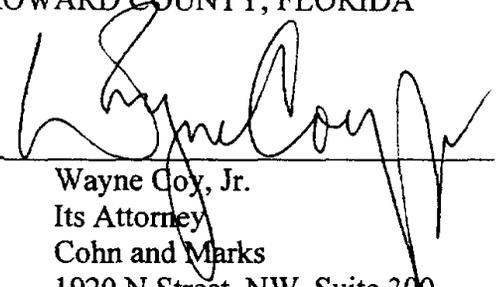
12. There is no possible public interest reason to waive a rule where a party is severely disadvantaged thereby. Broward County has had its ITFS facilities in place for thirty-five years. Any party wishing to file for similar facilities must do so consistent with the existing licensed facilities. To grant the Dade application by granting a waiver would be to dramatically undercut the integrity of the previous issued license. The history and tradition of radio licensing by the FCC has been predicated on the maximization of the public interest with the limitation of protecting existing licenses already providing service to the public. To deprive even a few Broward County schools of the instructional services of the present and the educational potential of the future by waiving the protection they are otherwise entitled to would be to pay much too high a price. The test cannot be whether some other party benefits, The test is whether some entitled party is deprived of a licensed and protected right. Selfish gain is not among the reasons for testing the validity of a waiver request.

For all of the above reasons the Opposition to the Petition to Deny, the Amendment, and the Request for Waiver as filed by the Miami-Dade School Board must be DENIED.

Respectfully submitted

THE SCHOOL BOARD OF  
BROWARD COUNTY, FLORIDA

By



Wayne Goy, Jr.  
Its Attorney  
Cohn and Marks  
1920 N Street, NW, Suite 300  
Washington, DC 20036-1622  
(202) 293-3860

November 13, 2001

**Engineering Declaration**  
Of  
Andrew Furlong

In response to the Opposition to Petition to Deny filed January 31, 2001, by The School Board of Miami-Dade County, licensee of ITFS station KTB-85, the associated Amendment and Request for Waiver, also filed January 31, 2001, I offer the following information.

At the time of the Dade proposal, Broward County School District had 200 schools (see Attachment A) receiving educational programming from its ITFS network. Currently, there are 215 schools receiving educational programming. These schools are spread over an area averaging 25 miles wide and 30 miles long encompassing most of Broward County. These Schools each receive educational programming on eight ITFS channels sixteen and a half (16 ½) hours a day, five days a week. The system operates at 50 watts transmitter power, an omni-directional antenna, and high gain receive antennas designed to maximize signal level and reduce interference. The majority of our receive antennas are the Anixter Mark open grid type 48" and 72" as demonstrated in exhibit 1. These are the same type receive antenna that Bell South wants to up grade to. In 1994, Broward modified the polarization of its B-Group to accommodate Dade County Schools, at a cost of over \$950,000.00. Dade did not modify any of its transmit parameters and did not share in any of the Broward costs. Despite this change, Broward Schools has continued to periodically receive interference from B-Group station WHR866 in Miami. Dade proposes to increase power and transmit antenna height from its current operating state, which could only increase the amount of interference received on the Broward B-Group, and Dade proposes to add new service on the G-Group, using the same proposed transmit characteristics as the B-Group. This could only cause additional interference on the Broward G-Group channels to are northern sites.

I hereby certify under penalty of perjury that the forgoing is true and correct to the best of my knowledge. I am the Chief Engineer for Broward County School District.

  
Andrew Furlong  
Title  
BECON

Date: 10-30-01

BECON RECEIVE SITES

NEW	OLD	FCC	SCHOOL	ADDRESS	CITY	DATE	LONG	DIS	GROUND	ROAD	STRUCTURE	MANUFACTURER	MODEL
NO.	NO.	NO.							FEET		HEIGHT		
1	92		TROPICAL ELEM.	1500 S.W. 66th Ave.	Plantation	26-06-10	80-14-07	1.17	180.9	5	39	Conifer	PT-2521
2	113		HUNT JAMES S ELEM	7800 N.W. 45th	Fort Lauderdale	26-11-22	80-13-22	2.28	181.5	12	47	Jerrold-Taco	EPA-2
3	0		RIVERGLADES ELEM	7400 Park Side Drive	Parkland	26-19-17	80-13-45	16.20	181.5	15	77	Anixter-Mark	P-25A72G
4	115		SILVER LAKES MIDDLE	7800 N.W. 45th Ave Blvd	North Lauderdale	26-11-22	80-13-22	2.28	181.5	10	42	Anixter-Mark	P-25A48
5	116		NORTH LAUDERDALE ELEM.	7500 Kimberly Blvd.	North Lauderdale	26-12-59	80-13-35	8.99	183.8	10	37	Anixter-Mark	P-25A24
6	114		MORROW ELEM.	1000 N.W. 45th	North Lauderdale	26-11-22	80-13-22	2.28	183.8	12	39	Andrew	P4F-25
7	117		CORAL SPRINGS HIGH	7201 W. Sample Road	Coral Springs	26-16-23	80-13-14	12.90	184.3	12	62	Andrew	P4F-25
8	118		FOREST GLEN MIDDLE	800 W. 69th	Coral Springs	26-12-08	80-12-55	15.72	185.8	13	45	Anixter-Mark	P-25A48G
9	118		ATLANTIC WEST ELEM.	301 N.W. 69th Terr.	Margate	26-14-00	80-13-10	10.19	185.8	15	40	Anixter-Mark	P-25A24
10	0		PARK SPRINGS ELEM.	6800 N.W. 69th Terr.	Coral Springs	26-17-30	80-12-26	14.24	186.8	14	67	Anixter-Mark	P-25A72G
11	120		MARGATE ELEM.	8300 N.W. 18th St.	Margate	26-15-02	80-12-37	11.43	188.0	13	31	Anixter-Mark	P-25A24
12	76		ROYAL PALM ELEM.	1851 N.W. 56th Ave	Lauderhill	26-08-03	80-13-32	4.50	188.2	8	33	Jerrold-Taco	EPA-2
13	121		MARGATE MIDDLE	500 N.W. 65th Ave.	Margate	26-14-10	80-12-42	10.43	188.3	12	34	Anixter-Mark	P-25A24
14	0		TELECABLE OF BROWARD	5000 N.W. 65th	Coconut Creek	26-12-10	80-11-37	15.71	188.7	15	60	Anixter-Mark	P-25A72G
15	123		BROADVIEW ELEM.	1800 S.W. 82nd Ave.	Pompano Beach	26-12-17	80-12-25	8.38	192.4	10	35	Anixter-Mark	P-25A24
16	79		SEMINOLE MIDDLE	8200 S.W. 80th St	Plantation	26-09-06	80-13-55	1.11	191.7	5	19	Conifer	PT-2521
17	122		WINSTON PARK ELEM.	4000 Winston Park Blvd.	Coconut Creek	26-17-44	80-11-01	14.78	192.7	14	58	Anixter-Mark	P-25A48G
18	124		ATLANTIC VOCATIONAL CENTER	3700 OCEANVIEW PKWY	Coconut Creek	26-11-22	80-11-33	11.12	193.3	10	32	Conifer	PT-2521
19	45		LAUDERHILL MIDDLE	1901 N.W. 49th Ave.	Lauderhill	26-08-56	80-13-01	4.48	195.2	8	59	Conifer	PT-2521
20	125		COCONUT CREEK HIGH	1400 N.W. 27th	Coconut Creek	26-11-22	80-11-31	11.50	198.4	10	38	Conifer	PT-2521
21	11		CASTLE HILL ELEM.	2840 N.W. 46th Ave.	Lauderhill	26-09-33	80-12-42	5.25	198.7	7	45	Anixter-Mark	P-25A24
22	0		QUIET WATERS ELEM.	4100 WILKINSON GREENWAY	Deerfield Beach	26-07-23	80-07-23	16.24	197.5	15	66	Anixter-Mark	P-25A48G
23	126		COCONUT CREEK ELEM.	500 N.W. 45th Ave.	Coconut Creek	26-14-13	80-11-01	10.88	197.4	14	40	Anixter-Mark	P-25A24
24	14		LAUDERHILL ELEM.	1477 N.W. 46th St	Lauderhill	26-08-56	80-13-01	4.48	198.4	7	41	Anixter-Mark	P-25A24
25	0		DREW CHARLES ELEMENTARY	1000 N.W. 31 Ave.	Pompano Beach	26-14-31	80-09-43	11.67	203.2	18	59	Anixter-Mark	P-25A24
26	0		CROSS CREEK SCHOOL	1010 N.W. 21 Ave	Pompano Beach	26-08-56	80-09-10	11.73	203.7	16	66	Anixter-Mark	P-25A48G
27	0		CYPRESS RUN ALTERN. CENTER	2300 N.W. 18TH St	Pompano Beach	26-15-11	80-09-10	12.60	204.2	15	14	Conifer	PT-2521
28	127		DREW CHARLES RES. CENTER	2600 N.W. 9th	Pompano Beach	26-14-25	80-09-25	11.69	204.9	19	50	Anixter-Mark	P-25A24
29	129		DEERFIELD BEACH HIGH	910 S.W. 15th St	Deerfield Beach	26-17-45	80-07-05	16.19	208.9	21	67	Anixter-Mark	P-25A72G
30	128		ANDERSON BOYD HIGH	3050 N.W. 41st St	Lauderdale Lakes	26-10-26	80-11-08	7.00	207.0	10	59	Anixter-Mark	P-25A48
31	132		ORIOLE ELEM.	3081 N.W. 39th St.	Lauderdale Lakes	26-10-27	80-11-08	6.82	207.3	10	68	Anixter-Mark	P-25A48G
32	131		TEDDER ELEM.	4157 N.E. 1st Terr.	Pompano Beach	26-16-24	80-07-27	16.09	207.6	18	77	Anixter-Mark	P-25A72G
33	133		DEERFIELD PARK ELEM.	827 S.W. 2nd Ave.	Deerfield Beach	26-18-31	80-06-24	17.30	207.6	16	48	Andrew	P4F-25
34	72		PLANTATION PARK ELEM.	875 S.W. 2nd Ave	Plantation	26-06-23	80-13-20	11.78	207.3	7	29	Anixter-Mark	P-25A48G
35	134		BRIGHT HORIZONS CENTER	3901 N.E. 1st Terr.	Pompano Beach	26-18-33	80-07-28	14.80	208.1	15	35	Andrew	P2F-25
36	12		LAUDERDALE LAKES MIDDLE	3911 N.W. 30th Ave	Lauderdale Lakes	26-10-26	80-11-02	6.68	207.9	10	55	Anixter-Mark	P-25A48
37	135		DEERFIELD BEACH ELEM.	650 N.E. 1st St.	Deerfield Beach	26-19-10	80-05-44	18.28	208.5	10	66	Anixter-Mark	P-25A48
38	136		PARK RIDGE ELEM.	5200 N.W. 30th Ave	Pompano Beach	26-17-24	80-08-19	16.48	209.8	15	43	Conifer	PT-2521
39	130		MARKHAM, ROBERT C. ELEM.	1501 N.W. 15th Ave.	Pompano Beach	26-14-41	80-08-16	12.51	209.2	10	25	Conifer	PT-2521
40	137		DEERFIELD BEACH MIDDLE	701 S.E. 8th Ave	Deerfield Beach	26-16-24	80-05-52	17.53	209.4	10	67	Anixter-Mark	P-25A72G
41	138		CRYSTAL LAKE MIDDLE	3551 N.E. 3rd Ave.	Pompano Beach	26-16-21	80-07-07	14.78	209.6	21	42	Anixter-Mark	P-25A48G
42	139		PALMVIEW ELEM.	2601 N.E. 1st Ave	Pompano Beach	26-16-24	80-07-27	14.01	209.7	17	41	Anixter-Mark	P-25A24
43	140		SANDERS PARK ELEM.	800 N.W. 16th St.	Pompano Beach	26-14-52	80-08-00	12.83	209.8	15	77	Anixter-Mark	P-25A72G
44	141		ELY HIGH	1201 N.W. 9th Ave	Pompano Beach	26-14-27	80-08-03	12.99	210.7	10	78	Anixter-Mark	P-25A48G
45	69		PLANTATION ELEM.	301 N.W. 46th Ave.	Plantation	26-07-25	80-12-39	3.01	211.1	8	25	Anixter-Mark	P-25A24
46	142		CONTINENTAL CABLE CO	141 N.W. 10th St	Pompano Beach	26-14-50	80-07-28	13.22	211.6	17	87	Anixter-Mark	P-25A48
47	143		CRESTHAVEN ELEM.	801 N.E. 25th St.	Pompano Beach	26-15-45	80-06-49	14.33	212.1	15	88	Anixter-Mark	P-25A48G
48	144		NORCREST ELEM.	3951 N.E. 10th Ave	Pompano Beach	26-16-21	80-07-07	14.78	212.1	12	41	Anixter-Mark	P-25A48G
49	145		POMPANO BEACH MIDDLE	310 N.E. 6th St.	Pompano Beach	26-14-09	80-07-13	12.57	214.9	17	46	Anixter-Mark	P-25A24
50	146		CYPRESS ELEM.	851 S.W. 9th Ave	Pompano Beach	26-13-03	80-07-23	11.31	215.9	8	77	Anixter-Mark	P-25A72G
51	112		WINGATE OAKS CENTER	1211 N.W. 33rd Terr.	Fort Lauderdale	26-08-22	80-11-33	4.55	216.3	7	58	Anixter-Mark	P-25A48G
52	147		POMPANO BEACH ELEM.	700 N.E. 13th Ave	Pompano Beach	26-14-18	80-06-22	13.21	217.0	15	78	Anixter-Mark	P-25A48G

## BECON RECEIVE SITES

NEW FCC NO	FCC NO	NAME	ADDRESS	CITY	DATE	PERM	POWER	HEIGHT	SPINDS	ROTOR	STRUCTURE HEIGHT (AG)	MANUFACTURER	MODEL
53	148	POMPANO MULTI-PURPOSE CTR.	1400 N.E. 8th St.	Pompano Beach	26-14-11	80-06-38	12.95	217.0	15	32	33	Anixter-Mark	P-25A24
54	71	NORTH ANTIPOLO ELEMENTARY	3400 N.W. 11th St.	Fort Lauderdale	26-09-31	80-10-26	6.31	217.7	9	33	43	Anixter-Mark	P-25A24
55	74	ROCK ISLAND ELEM.	2301 N.W. 26th St.	Fort Lauderdale	26-09-31	80-10-26	6.31	217.7	9	33	35	Anixter-Mark	P-25A48
56	51	PARKDALE ELEM.	2700 N.W. 27th St.	Fort Lauderdale	26-09-31	80-10-26	6.31	217.7	9	33	60	Anixter-Mark	P-25A48G
57	23	DANDY, WILLIAM MIDDLE (Evergl)	2400 N.W. 26th St.	Fort Lauderdale	26-09-21	80-10-32	6.10	217.8	9	49	52	Anixter-Mark	P-25A72G
58	150	RICKARDS MIDDLE	3400 N.W. 11th St.	Fort Lauderdale	26-12-05	80-08-01	10.17	218.7	7	77	80	Anixter-Mark	P-25A72G
59	107	NORTHEAST HIGH	700 N.E. 58th St.	Oakland Park	26-11-41	80-08-17	9.64	219.1	6	78	80	Anixter-Mark	P-25A48G
60	64	SOUTH PLANTATION HIGH	7000 S.W. 11th Way	Pompano Beach	26-09-30	80-10-31	1.60	219.2	8	36	37	Anixter-Mark	P-25A24
61	151	LLOYD ESTATES ELEM.	750 N.W. 41st St.	Oakland Park	26-10-35	80-09-09	8.09	219.8	7	45	47	Anixter-Mark	P-25A48
62	0	PARKWAY MIDDLE	3400 N.W. 11th St.	Fort Lauderdale	26-07-27	80-11-23	4.78	221.9	7	72	74	Anixter-Mark	P-25A48G
63	152	MC NAB ELEM.	1350 S.E. 9th Ave.	Pompano Beach	26-12-50	80-06-31	11.83	222.0	7	78	80	Anixter-Mark	P-25A48G
64	106	FLORANADA ELEM.	6261 N.E. 14th Way	Fort Lauderdale	26-11-01	80-07-45	3.64	222.2	6	44	46	Anixter-Mark	P-25A48
65	153	DILLARD HIGH	2501 N.W. 11th St.	Fort Lauderdale	26-08-17	80-10-34	5.16	226.1	8	58	60	Anixter-Mark	P-25A48G
66	19	DILLARD ELEMENTARY	2345 N.W. 11th St.	Fort Lauderdale	26-08-23	80-10-27	5.32	226.1	8	58	60	Anixter-Mark	P-25A48G
67	77	KING, MARTIN L. ELEM.	591 N.W. 31 Ave.	Fort Lauderdale	26-07-40	80-11-16	4.14	226.2	7	58	60	Anixter-Mark	P-25A48G
68	154	OAKLAND PARK ELEM.	938 N.E. 58th St.	Oakland Park	26-10-04	80-08-07	6.41	228.1	6	73	75	Anixter-Mark	P-25A48
69	99	WILTON MANORS ELEM.	2401 N.E. 3rd Ave.	Fort Lauderdale	26-09-26	80-08-38	7.53	229.5	8	56	58	Anixter-Mark	P-25A48
70	43	LAUDERDALE MANORS ELEM.	1400 N.W. 4th St.	Fort Lauderdale	26-08-23	80-09-12	6.03	229.9	6	40	42	Anixter-Mark	P-25A48
71	0	A1 (NEW SCHOOL)	N.W. 9th Ave. & 13th St.	Fort Lauderdale	26-08-28	80-09-14	6.35	233.4	8	58	60	Anixter-Mark	P-25A48G
72	88	SUNLAND PARK ELEM.	918 N.W. 15th St.	Fort Lauderdale	26-08-08	80-08-36	5.82	234.2	6	58	60	Anixter-Mark	P-25A48G
73	26	FORT LAUDERDALE HIGH	1600 N.E. 4th Ave.	Fort Lauderdale	26-08-53	80-08-23	7.34	234.5	6	65	68	Anixter-Mark	P-25A72G
74	64	PINE RIDGE CENTER	1281 S.W. 22nd Ave.	Fort Lauderdale	26-08-18	80-12-11	2.42	237.5	15	31	32	Anixter-Mark	P-25A24
75	8	BENNETT ELEM.	1755 N.E. 14th St.	Fort Lauderdale	26-08-40	80-07-26	8.04	240.0	8	45	48	Anixter-Mark	P-25A72G
76	89	SUNRISE MIDDLE	1750 N.E. 17th St.	Fort Lauderdale	26-08-38	80-07-23	6.05	240.7	8	47	50	Anixter-Mark	P-25A72G
77	52	NORTH FORK ELEM.	101 N.W. 15th Ave.	Fort Lauderdale	26-07-22	80-09-44	5.23	241.1	6	78	80	Anixter-Mark	P-25A48G
78	84	WALKER ELEM.	100 N.W. 15th St.	Fort Lauderdale	26-08-05	80-08-10	6.23	241.4	5	68	60	Anixter-Mark	P-25A48G
79	98	WESTWOOD HEIGHTS ELEM.	2861 S.W. 9th St.	Fort Lauderdale	26-06-40	80-10-55	3.77	242.8	8	37	38	Anixter-Mark	P-25A24
80	8	BAYVIEW ELEM.	1476 N.W. 11th St.	Fort Lauderdale	26-08-27	80-07-01	5.22	243.0	2	47	50	Anixter-Mark	P-25A72
81	155	SCHOOL BOARD ADMINISTRATION	1320 S.W. 4th St.	Fort Lauderdale	26-07-01	80-08-35	5.31	243.0	5	40	43	Anixter-Mark	P-25A72G
82	46	MEADOWBROOK ELEM.	2500 S.W. 35th Ave.	Fort Lauderdale	26-05-10	80-12-36	2.23	243.0	16	29	30	Comflex	PT-2521
83	87	STRANAHAN HIGH	1800 S.W. 5th Pl.	Fort Lauderdale	26-06-46	80-09-59	4.89	247.0	6	41	43	Andrew	P4F-25
84	73	RIVERLAND ELEM.	2600 S.W. 11th St.	Fort Lauderdale	26-08-07	80-10-33	4.05	247.7	7	66	70	Anixter-Mark	P-25A48G
85	110	SUNSET LEARNING CENTER	3775 S.W. 18th St.	Fort Lauderdale	26-06-02	80-11-51	2.58	247.4	10	29	30	Andrew	P2F-25
86	80	YOUNG VIRGINIA ELEM.	1008 E. Broward Blvd.	Fort Lauderdale	26-08-21	80-07-59	6.87	249.9	10	58	60	Anixter-Mark	P-25A48G
87	0	WRIGHT, K.C. ADMIN. BLDG.	600 S.E. 3rd Avenue	Fort Lauderdale	26-06-51	80-08-24	6.26	251.8	8	176	178	Anixter-Mark	P-25A48G
88	78	SELKIRK COMMUNICATIONS CABLE	644 S.W. 10th Ave.	Fort Lauderdale	26-08-07	80-08-16	6.08	252.1	6	36	40	Anixter-Mark	P-25A48
89	111	VOCATIONAL CENTER (SO. SIDE)	701 S. Andrews Ave.	Fort Lauderdale	26-06-43	80-08-39	5.96	252.5	6	64	66	Anixter-Mark	P-25A48
90	27	FOSTER (STEBBIE) ELEM.	3471 S.W. 22nd St.	Fort Lauderdale	26-08-40	80-11-29	2.77	253.1	7	36	37	Anixter-Mark	P-25A24
91	32	HARBORDALE ELEM.	900 S.E. 15th St.	Fort Lauderdale	26-08-09	80-08-02	6.44	259.9	9	50	52	Anixter-Mark	P-25A48
92	161	GROSSANT PARK ELEM.	1600 S.W. 4th Ave.	Fort Lauderdale	26-05-23	80-08-15	6.66	261.0	6	58	60	Anixter-Mark	P-25A48G
93	50	NEW RIVER MIDDLE	3100 Riverland Road	Fort Lauderdale	26-05-28	80-11-13	3.06	263.5	8	41	42	Andrew	P2F-25
94	75	ROGERS MIDDLE	700 S.W. 20th St.	Fort Lauderdale	26-08-24	80-08-02	7.33	267.7	7	49	47	Anixter-Mark	P-25A48
95	22	EDGEWOOD ELEM.	1300 S.W. 32nd Ct.	Fort Lauderdale	26-05-02	80-09-30	4.82	271.9	6	41	44	Anixter-Mark	P-25A72G
96	156	MC FATTER VOC. TECH CENTER	8500 Nova Drive	Dania	26-05-06	80-11-50	0.32	280.4	5	23	24	Comflex	PT-2521
97	13	COLLINS ELEM.	1050 N.W. 2nd St.	Dania	26-03-21	80-09-04	5.67	291.8	8	45	47	Anixter-Mark	P-25A48G
98	17	DANIA ELEM.	300 S.E. 2nd Ave.	Dania	26-07-01	80-08-31	5.51	291.8	10	45	47	Verco-Teco	EPA-4
99	57	OLSEN MIDDLE	1301 S.E. 2nd Ave.	Dania	26-02-11	80-08-19	6.95	299.5	5	46	48	Anixter-Mark	P-25A48G
100	7	BETHUNE ELEM.	2400 Monroe St.	Hollywood	26-02-30	80-08-17	6.61	299.6	5	28	26	Varian	AE-4
101	2	ATTUCKS MIDDLE	3500 N. 22nd Ave.	Hollywood	26-02-31	80-08-11	5.98	300.6	8	39	40	Anixter-Mark	P-25A24
102	62	SOUTH BROWARD HIGH	1801 N.E. 2nd Hwy	Hollywood	26-01-21	80-08-15	7.02	304.7	6	51	54	Anixter-Mark	P-25A72G
103	34	HOLLYWOOD CENTRAL ELEM.	1700 Monroe St.	Hollywood	26-00-26	80-08-32	7.98	313.0	7	55	58	Anixter-Mark	P-25A72G
104	56	OAKRIDGE ELEM.	1507 N. 28th Ave.	Hollywood	26-01-25	80-08-19	6.26	313.1	8	51	54	Jarrod-Taco	EPA-6
105	36	HOLLYWOOD HILLS HIGH	5400 Stirling Road	Hollywood	26-02-43	80-11-52	3.68	319.9	8	60	62	Anixter-Mark	P-25A48G