# APPLICATION FOR NONCOMMERCIAL EDUCATIONAL FM CONSTRUCTION PERMIT

# ROCHESTER COMMUNITY & TECHNICAL COLLEGE

#### KRPR

### ROCHESTER, MINNESOTA

### CH 210C3 3.20 KW 180 M HAAT

## FM INTERFERENCE STUDY - CHANNEL 210C3

### RESERVED CHANNELS ONLY

Job Title : KRPR MAX STUDY	Separation Buffer 50 km
Channel 210 ( 89.9 MHz)	
ERP = 3.200 kW HAAT = 220.0 meters	Coordinates: 44-02-28 92-20-25
AATT OTIA (TUSHDO) EDDIVUN	lotitudo Parit. In
Status State FCC File No. Freq. MaxHAAT(m	) Longitude deg. Tou (km) (km)
	<del></del>
WCAL Northfield 207C1 100.	44-41-19 321 3 02 67 70 4
min offosilanske 88.3 234 U	93-04-22
WCAL 60 dBu Desired = 67.1 km; Proposed	100 dBu Undopined - 0.0 by
Proposed 60 dBu Desired = 35.0 km; WCAL	100 dbu Undestred = 3.0 km OK
TOTAL TOTAL	too aga ondestred = 9.0 km OK
KOAL Winona 20803 1.80 DA	44-01-50 00 0 50 00
LIC MN BLED891030KB 89 5 101 0	91-38-31 11.69 CLOSE
KQAL 60 dBu Desired = 29.1 km; Proposed	91-38-31 11.69 CLOSE
Proposed 60 dBu Desired = 35.0 km; KQAL	
TOPOCCO OF GBG DESTINED - 35.0 KM ; KOAL	80 dBu Undesired = $9.4 \text{ km}$ OK
WUFC Fau Claire 20002 5.0	
WUEC Eau Claire 209C3 5.2 LIC WI BLED960227KB 89 7 192 0	44-47-58 39.2 109.30 89.8
LIC WI BLED960227KB 89.7 192.0	91-27-59 19.53 CLEAR
more or usu pestred = 36.8 km : Proposed	54 dBu Undesired = 52.5 km OK
Proposed 60 dBu Desired = 35.0 km ; WUEC	54 dBu Undesired ≈ 54.8 km OK
VIIQII Uankata	
KMSU Mankato 20902 20.0	44-08-34 275.4 133.58 96.4
''''	U4 - 111 - 112 - 1
NMSO GO GBG Desired = 40.3 km : Proposed	54 dRu lindaginad - 50 5 km ov
Proposed 60 dBu Desired = 35.0 km ; KMSU	54 dBu Undesired = 61.4 km OK
KMOJ Minneapolis 210A 1.00	44-59-00 324.6 129.08 103 6
MIT GLEUGHTIZULP 89.9 74.0	93.17.22 OF EX OLEAR
NOT OF OBU DESIFED # 10.0 km : Proposed	40 dBu Undesired = 03 5 km OK
Proposed 60 dBu Desired = 35.0 km ; KMOJ	40 dBu Undesired = 36.3 km OK
	TO COU CHICESTIES - 30.3 KM OK
NEW Bremer 210A .100 APP IA BPED980612MB 89.9 16.0 NEW 60 dBu Desired = 5.7 km; Proposed	42-43-38 184 5 146 42 00 0
APP IA BPED980612MB 89.9 16.0	92-28-51
NEW 60 dBu Desired = 5.7 km · Proposed	40 dRu Undoniana - 00 5 to 01
Proposed 60 dBu Desired = 35.0 km ; NEW	40 dby Undestred = 93.5 km OK
The state of the postion a port Mill ! MEM	40 dBu Undesired = 18.6 km OK

# APPLICATION FOR NONCOMMERCIAL EDUCATIONAL FM CONSTRUCTION PERMIT

# **ROCHESTER COMMUNITY & TECHNICAL COLLEGE**

#### KRPR

### ROCHESTER, MINNESOTA

### CH 210C3 3.20 KW 180 M HAAT

### FM INTERFERENCE STUDY - CHANNEL 210C3

Channel ERP = Call	le : KRPR MAX STUDY 210 ( 89.9 MHz) 3.200 kW HAAT = 2: City State FCC File No	20.0 met Channel	FRUIDWI	Coordinates	A	-28 92-	20-25
NEW APP	Austin MN BPED980603MB	211A 90.1	6. DA 97.0	43-38-27 93-08-51	235.8 (See Al)	78.70 Location	Map)
WHLA	La Crosse WI BMLED970521KB	212C 90.3	100. 307.0	43-48-17 91-22-06	108.3 <u>{See All</u>		84.2 <u>Map)</u>
WVCF APP WVCF Propose	Eau Claire WI BPED980728IA 60 dBu Desired = 17 ed 60 dBu Desired =	90.5 '.5 km :	.900 95.0 Proposed ; WVCF	44-57-29 91-28-58 100 dBu Unde 100 dBu Unde	sired =	86.11 ( 3.0 km	CLEAR OK

<sup>\*\*</sup> End of FM NCE Interference Study for FM Channel 210 \*\*

### FM I.F. SEPARATION STUDY

Job Title :KRPR APPLICATION	Separation Buffer 50 k				
Channel 210C3 ( 89.9 MHz) Call City Channel Status State FCC File No. Freq.	FRP/VW\	Coordinates Latitude Longitude	Da		_

No stations or application found within required protection distance

\*\* End of separation study for channel 210C3 \*\*

# TABULATION OF DISTANCE TO PROTECT & INTERFERENCE CONTOURS

# FROM PROPOSED KRPR CHANNEL 210C3 ROCHESTER, MN

Azimuth	HAAT	Relative	Equiv	Rough	60.0 dBu	80.0 dBu	54.0 d8u
(Deg T)	(m )	Field	Damas	<b>^</b>	f(50,50)	f(50,10)	f(50,10)
.00	184.18	1.000	Power 3.200	Correct	<u>(km)</u>	<u>(km)</u>	(km)
10.00	182.18	1.000	3.200		32.40	10.63	48.57
20.00	184.45	1.000	3.200		32.22	10.57	48.33
30.00	181,59	1.000	3.200	.000	32.42	10.64	48.60
40.00	187.29	1.000	3.200	.000	32.17	10.56	48.26
50.00	181.41	1.000	3.200	.000	32.66	10.71	48.94
60.00	179.68	1.000	3.200	.000	32.16	10.55	48.24
70.00	171.18	1.000	3.200	.000	32.01	10.50	48.03
80.00	165.34	1.000	3.200	.000	31.24	10.25	47.01
90.00	157.11	1.000	3.200	.000	30.71	10.06	46.30
100.00	159.69	1.000	3.200	.000	29.96	9.78	45.30
110.00	148.41	1.000	3.200	.000	30.19	9.87	45.61
120.00	150.85	1.000	3.200	.000	29.17	9.48	44.24
130.00	142.54	1.000	3.200	.000	29.39	9.56	44.54
140.00	146,58	1.000	3.200	.000	28.64	9.28	43:51
150.00	156.42	1.000	3.200	.000	29.00	9.42	44.01
160.00	157.62	1.000		.000	29.89	9.76	45.22
170.00	164.18	1.000	3.200	.000	30.00	9.80	45.36
180.00	177.92	1.000	3.200	.000	30.60	10.02	46.16
190.00	175.33	1.000	3.200	.000	31.85	10.45	47.82
200.00	167.45	1.000	3.200	.000	31.62	10.38	47.51
210.00	179.46	1.000	3.200	.000	30.90	10.13	46.55
220.00	189.64	1.000	3.200	.000	31.99	10.50	48.01
230.00	201.26		3.200	.000	32.86	10.78	49.22
240.00	193.58	1.000	3.200	.000	33.84	11.08	50.60
250.00	212.78	1.000	3.200	.000	33.20	10.88	49.69
260.00	208.97	1.000	3.200	.000	34.76	11.38	51.93
270.00	197.29	1.000	3.200	.000	34.47	11.28	51.50
280.00		1.000	3.200	.000	33.51	10.98	50.14
290.00	192.65	1.000	3.200	.000	33.12	10.86	49.58
300.00	199.22	1.000	3.200	.000	33.67	11.03	50.36
	196.00	1.000	3.200	.000	33.40	10.95	49.98
310.00	205.18	1.000	3.200	.000	34.16	11.19	51.06
320.00	190.28	1.000	3.200	.000	32.92	10.80	49.30
330.00	177.31	1.000	3.200	.000	31.80	10.43	47.75
340.00	179.06	1.000	3.200	.000	31.95	10.49	47.96
350.00	180.08	1.000	3.200	.000	32.04	10.51	48.08

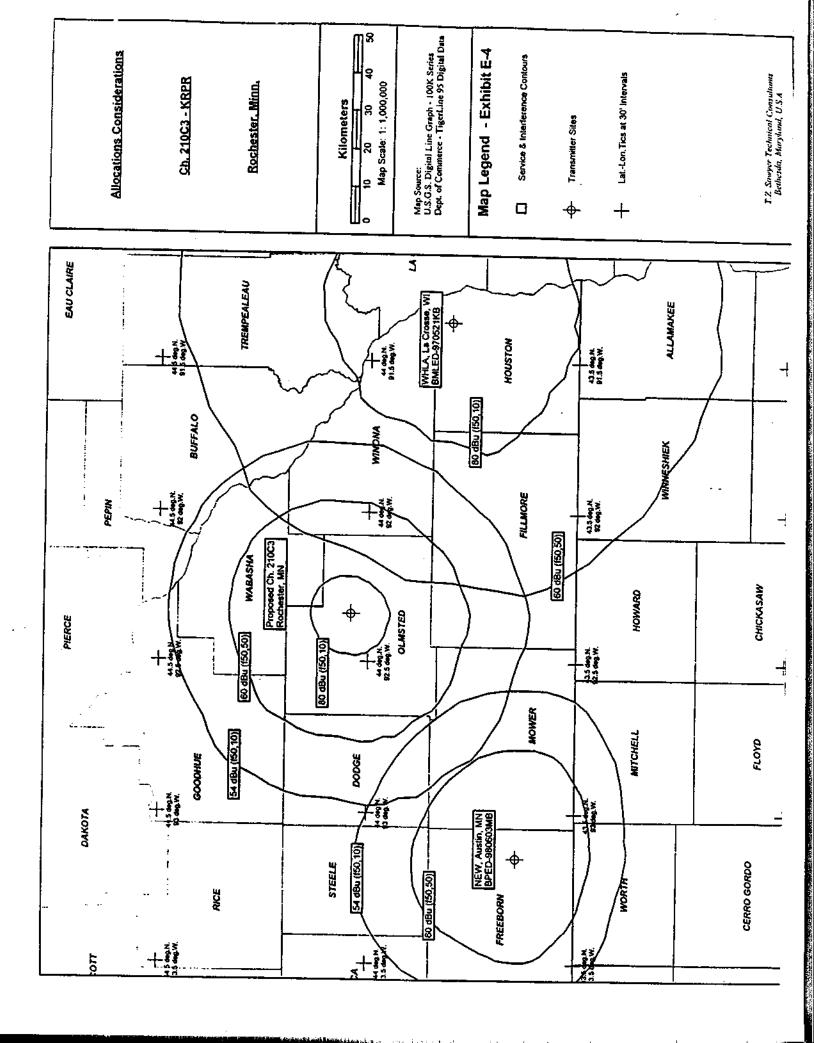
# TABULATION OF DISTANCE TO PROTECT & INTERFERENCE CONTOURS

# FROM PROPOSED CHANNEL 211A BPED-980603MB AUSTIN, MN

NEW NCE Azimuth	HAAT	211A Relative	Equiv	Rough	60.0 dBu f(50,50)	6.000 kW 54.0 dBu
(Deg T)	(m )	Field	Power	Correct	(km)	f(50,10) (km)
.00	95.07	1.000	6.000		27.63	42.70
10.00	93.52	1.000	6.000	.000	27.41	42.37
20.00	89.56	1.000	6.000		26.86	41.47
30.00	89.05	1.000	6.000	.000	26.79	41.36
40.00	90.72	1.000	6.000		27.02	41.74
50.00	92.89	1.000	6.000		27.33	42.23
60.00	95.82	1.000	6.000		27.73	42.86
70.00	103.26	1.000	6.000		28.73	44.38
80.00	105.42	1.000	6.000		29.00	44.79
90.00	106.27	1.000	6.000		29.11	44.95

### FROM WHLA CHANNEL 212C BMLED-970521KB LA CROSSE, WI

WHLA LIC		2120			10	00.000 kW
AZIMUTH	HAAT	RELATIVE	Equiv	Rough	60.0 pBu	80.0 pBu
					F(50,50)	F(50,10)
(DEG T)	(M )	<u>FIELD</u>	POWER	CORRECT	(KM)	<u>(KM)</u>
225.00	297.19	1.000	100.000	.000	72.16	33.56
230.00	294.53	1.000	100.000	.000	71.95	33.40
235.00	299.81	1.000	100.000	.000	72.37	33.72
240.00	320.57	1.000	100.000	.000	73.92	34.96
245.00	327.86	1.000	100.000	.000	74.46	35,40
250.00	343.26	1.000	100.000	.000	75.59	36.33
255.00	343.94	1.000	100.000	.000	75.64	36,37
260.00	307.72	1.000	100.000	.000	72.97	34.19
265.00	285.35	1.000	100.000	.000	71.20	32.84
270.00	268.84	1.000	100.000	.000	69.82	31.82
275.00	268.64	1.000	100.000	.000	69.80	31.81
280.00	271.82	1.000	100.000	.000	70.07	32.00
285.00	247.75	1.000	100.000	.000	68.05	30.55
290.00	229.99	1.000	100.000	.000	66.56	29.49
295.00	228.88	1.000	100.000	.000	66.46	29.43
300.00	239.88	1.000	100.000	.000	67.41	30.10
305.00	256.22	1.000	100.000	.000	68.76	31.05
310.00	264.05	1.000	100.000	.000	69.41	31.52
315.00	268.48	1.000	100.000	.000	69.79	
320.00	270.98	1.000	100.000	.000	70.00	31.80
325.00	244.88	1.000	100.000			31.95
723100	*******	1.000	100.000	.000	67.82 .	30.39



### ATTACHMENT E

Declarations Pursuant to Section 73.3525(a)

### DECLARATION

Thomas J Kigin, under penalty of perjury, hereby declares the following to be true and correct:

- 1. I am Executive Vice President of Minnesota Public Radio ("MPR"), an applicant for a new noncommercial educational FM station on Channel 211 at Austin, Minnesota (File No. BPED-19980603MB) (the "MPR Application").
- 2. The MPR Application was not filed for the purpose of reaching or carrying out each of the separate agreements entered into with Broadcasting for the Challenged, Inc. (BFC"), LifeTalk Broadcasting Association ("LifeTalk") and CSN International ("CSN"), the approval of which will result in the grant of the MPR Application and the dismissal of applications for new FM facilities filed by BFC (File No. BPED-19981215MG), LifeTalk (File No. BPED-19981215MD) and CSN (File No. BPED-19981215ME) as described in MX Group 980606.
- 3. Neither MPR, its principals nor any third party has paid or will pay BFC, LifeTalk, CSN or any third party any money or other consideration for the dismissal of the applications filed by BFC, LifeTalk and CSN other than as set forth in the agreements between MPR, on the one hand, and each of BFC, LifeTalk and CSN, on the other hand, attached to the Joint Request.
- 4. There is no agreement among MPR, on the one hand, and each of BFC, LifeTalk and CSN, on the other hand, other than the agreements attached to the Joint Request. There is no agreement between MPR and Rochester Public Radio, applicant for a construction permit to make changes to KRPR(FM), Rochester, MN (File No. BPED-19981211MB).
- 5. Approval of the agreements is in the public interest because it will resolve the MX Group 980606 proceeding at an earlier date than would otherwise be possible.

Thomas J Kigin

July <u>11</u>, 2001

### DECLARATION OF GEORGE S. FLINN, JR.

I, George S. Flinn, Jr., hereby declare under penalty of perjury that the following declaration is true and correct to the best of my knowledge:

I am President of Broadcasting for the Challenged, Inc. ("BFTC"), an applicant for authority to construct a new noncommercial FM radio broadcast station on Channel 211 at Albert Lea, Minnesota (File No. BPED-19981215MG). This Declaration is in support of a Settlement Agreement pursuant to which the construction permit for Austin, Minnesota will be awarded to Minnesota Public Radio, Inc. ("MPR") and the application of BFTC will be dismissed in exchange for consideration to be paid by MPR, competing applicant for the Albert Lea/Austin, Minnesota facility (File No. BPED-19980603MB).

The Settlement Agreement serves the public interest because it removes the mutual exclusivity between the applications filed for the Albert Lea/Austin, Minnesota facility by MPR and BFTC, avoids potential litigation between the applicants, conserves FCC resources and expedites the provision of a new broadcast service to Austin, Minnesota.

I hereby declare that BFTC's application was not filed for the purpose of reaching or carrying out a settlement. Other than that specified in the Settlement Agreement, no consideration has been, or will be, paid to BFTC in consideration for the dismissal of its application.

BROADCASTING FOR THE CHALLENGED, INC.

Bv:

George S. Flinn, Jr.

As its President

Signed and dated this 20th day of June, 2001.

#### **DECLARATION**

Jeffrey W. Smith hereby declares as follows:

I am Vice President and a Director of CSN International, an applicant for a permit to construct a new noncommercial educational FM station in Albert Lea, Minnesota. On behalf of CSN International, pursuant to the attached Settlement Agreement with Minnesota Public Radio and conditioned upon the FCC's approval of the settlement agreement, I hereby request that the FCC dismiss CSN's application with prejudice.

I hereby affirm under penalty of perjury that there are no other agreements or understandings, oral or written, between the parties or their principals providing for the direct or indirect payment of money or other consideration in connection with the Settlement Agreement; that the Settlement Agreement contains all of the terms, conditions and consideration agreed upon by the parties; and that CSN International did not file its application for the purpose of entering into a settlement agreement. CSN International believes that the Settlement Agreement will serve the public interest because it will promptly resolve the conflict between CSN International's application and the mutually exclusive applicants in the same MX Group, thereby providing the public with a new noncommercial educational broadcast service sooner than otherwise would be possible while conserving the resources of the applicants and of the FCC.

Executed this 9th day of July, 2001.

#### **DECLARATION**

### Paul Moore deposes and states as follows:

- I am the president of LifeTalk Broadcasting Association, applicant for a new noncommercial FM station at Hayfield, Minnesota (File No. BPRD-19981215MD).
- LifeTalk has entered into a settlement agreement with a mutually exclusive applicant, Minnesota Public Radio (MPR) (File No. BPED-19980603MB), pursuant to which LifeTalk will seek the dismissal of its application in exchange for consideration from MPR.
- 3. LifeTalk did not file its application for the purpose of obtaining or implementing a settlement agreement.
- 4. Neither LifeTalk nor any of its principals has received, paid, promised or been promised consideration of any type in exchange for the dismissal of its application in excess of that described in the accompanying Settlement Agreement.
- FCC approval of the accompanying Settlement Agreement will be in the public interest because it will allow for the immediate initiation of a new FM service to the public by MPR at Austin, Minnesota.

This Declaration is given under the penalty of perjury this \_\_\_\_/ To day of July 2001.

Paul Moore

### ATTACHMENT F

Section 307(b) Analysis

### Section 307(b) Analysis

Approval of the attached settlement agreements between (1) Minnesota Public Radio ("MPR") and Broadcasting for the Challenged, Inc. ("BFC"); (2) MPR and LifeTalk Broadcasting Association ("Lifetalk"); and (3) MPR and CSN International ("CSN") will result in a fair, efficient and equitable distribution of radio service as required by Section 307(b) of the Communications Act of 1934, as amended (the "Act"). Accordingly, the Commission should grant the applications of MPR and Rochester Public Radio ("RPR") without providing other parties the opportunity to apply for the facilities.

MPR<sup>2</sup> proposed Austin, Minnesota as its community of license for a new noncommercial FM station; LifeTalk<sup>3</sup> proposed Hayfield, Minnesota as its community of license for a new noncommercial FM station; both BFC<sup>4</sup> and CSN<sup>5</sup> proposed Albert Lea, Minnesota as the community of license for a new noncommercial educational FM stations; and RPR's<sup>6</sup> competing proposal requests authorization to make changes to the licensed facilities of KRPR(FM), Rochester, Minnesota. Therefore, pursuant to Section 73.3525(b)(1) of the Commission's rules, an analysis was performed to ensure that the grant of the MPR Application and the RPR

<sup>&</sup>lt;sup>1</sup> 47 U.S.C. § 307(b).

<sup>&</sup>lt;sup>2</sup> See FCC File No. BPED-19980603MB ("MPR Application").

<sup>&</sup>lt;sup>3</sup> See FCC File No. BPED-19981215MD ("LifeTalk Application").

<sup>&</sup>lt;sup>4</sup> See FCC File No. BPED-19981215MG ("BFC Application").

<sup>&</sup>lt;sup>5</sup> See FCC File No. BPED-19981215ME ("CSN Application").

<sup>&</sup>lt;sup>6</sup> See FCC File No. BPED-19981211MB ("RPR Application").

Application, and the dismissal of the BFC Application, the LifeTalk Application and the CSN Application, would not "unduly impede" the goals of Section 307(b).

An applicant for a noncommercial educational FM station will be favored under Section 307(b) if: (1) ten percent or more of the population within the applicant's proposed service area (but not less than 2,000 people) would receive a first or second noncommercial educational aural service; and (2) such applicant would provide a first or second noncommercial educational aural service to at least 5,000 more people than the other applicants. As demonstrated in the attached Engineering Statement of Doug Vernier, none of the applications that will be dismissed as a result of approval of the attached settlement agreements would have been entitled to a preference under Section 307(b).

Pursuant to the principles outlined by the Mass Media Bureau for applying Section 307(b) to competing NCE applicants, the RPR Application is not eligible for Section 307(b) consideration because it does not provide a first or second aural service to ten percent or more of the population within KRPR's service area. The Lifetalk Application is not eligible for consideration under Section 307(b) because a grant of the BFC Application would provide more than 5000 more people with a first aural service than would a grant of the Lifetalk Application. The BFC Application is similarly ineligible for 307(b) consideration, because a grant of the CSN

<sup>&</sup>lt;sup>7</sup> Reexamination of the Comparative Standards for Noncommercial Educational Applicants, 15 FCC Rcd 7386 (2000); Memorandum Opinion and Order on Reconsideration, FCC 01-64, MM Docket No. 95-31 (rel. Feb. 28, 2001); appeal docketed, National Public Radio v. F.C.C., No. 00-1246 (D.C. Cir. June 12, 2000).

<sup>&</sup>lt;sup>8</sup> Public Notice, Deadline for NCE Settlements and Supplements Extended to July 19, 2001; Date for Calculating Comparative Qualifications Remains June 4, 2001; Mass Media Bureau Provides Examples of Application of NCE Section 307(b) Criteria, DA 01-1245, MM Docket No. 95-31 (rel. May 24, 2001).

Application would provide a first or second aural service to more than 5000 more people than would a grant of the BFC Application. Finally, because a grant of the CSN Application would provide a first or second aural service to less than 5000 more people than would a grant of the MPR Application, CSN is not entitled to a dispositive preference under Section 307(b). Accordingly, approval of the MPR Application and the RPR Application and dismissal of the BFC Application, the Lifetalk Application and the CSN Application as contemplated in the attached settlement agreements satisfies Section 307(b) of the Act, and does not require republication pursuant to Section 73.3525 of the Commission's rules.



### **ENGINEERING STATEMENT**

Concerning the Application of
Minnesota Public Radio
To Supplement the Pending Application
BPED19980603MB
To Construct a New Non-Commercial FM Station
To Serve Austin, MN

May, 2001

Channel 211A 6 kW ERP

This engineering statement includes analyses pursuant to Section 307(b) for the mutually exclusive group of applications that included BPED19980603MB, an application for a new NCE-FM station to serve Austin, MN.

**Attachment A** is a map depicting first and second aural service proposed by Minnesota Public Radio under BPED19980603MB. The area within the proposed one mV/m contour amounts to 2,103 square kilometers. The population within the 60 dBu service contour was determined to be 61,803 people.

The 60 dBu service contours of all existing NCE FM stations that overlap the proposed facility were then added to the map. The population in each contour overlap area was calculated using the same method as above. The areas of second service or above were then subtracted from the whole, leaving 29,208 people receiving first aural service from the proposed station, or 47.3% of the people residing in the coverage area. The total population receiving second service is 6,313, or 10.2%.

**Attachment B** is the 307(b) exhibit for CSN International's application at Albert Lea. This application proposes to provide first aural service to 29,839 people (47.6%) and second service to 6,583 (10.5%). The proposed population within the 60 dBu is 62,704 within a 2,210 sq. km area.

<sup>&</sup>lt;sup>1</sup> This figure was determined using numerical calculus. The distance to the one mV/m signal contour along each of 360 evenly spaced radial azimuths was squared and then the average of the sum of these distances was calculated. The resulting average radius squared was then multiplied by  $\pi$  to determine the area within the contour.

<sup>&</sup>lt;sup>2</sup> Population served based on the most recent (2000) census block data from the United States Census Bureau using the centroid method (PL-94-171).

Attachment C depicts the proposed coverage area of the application filed by Broadcasting for the Challenged under BPED19981215MG. The 60 dBu contour of this station will serve 27,020 people in a 1,026 sq. km. area, Of the population served, 26,934 people, or 99.7%, will receive first aural NCE FM service. Second service will be supplied to 86 people (0.3%).

The coverage area and first and second aural service areas of Life Talk's application (BPED19981215MD) are represented in **Attachment D**. Out of an expected served population of 29,596 in 1,917 sq. km. 24.9% or 7,365 people will receive first NCE service. Second service will provided to 14,720 people (49.7%).

The map that comprises Attachment E represents the coverage area for Rochester Community & Technical College proposed under BPED19981211MB. The applicant proposed to service 150,653 people in 3,194 sq. km. The proposed facility would not provide first service to any part of its coverage area. Second service will be supplied to 6,360 people or 4.2%.

Page #3 of this Engineering Statement is a declaration made by the preparer, Doug Vernier, attesting to his qualifications.

#### Declaration:

I, Doug Vernier, declare that I have received training as an engineer from the University of Michigan School of Engineering. That, I have received degrees from the University in the field of Broadcast Telecommunications. That, I have been active in broadcast consulting for over 25 years;

That, I have held a Federal Communications Commission First Class Radiotelephone License continually since 1964. In 1985, this license was reissued by the Commission as a lifetime General Radiotelephone license no. PG-16-16464;

That, I am certified as a Professional Broadcast Engineer (#50258) by the Society of Broadcast Engineers, Indianapolis, Indiana. (Re-certified 11/95.)

That, my qualifications are a matter of record with the Federal Communications Commission;

That, I have been retained by Minnesota Public Radio, St. Paul, Minnesota, and as such have prepared the engineering showings appended hereto;

That, a portion of the exhibits contained herein were prepared under my supervision by Kate Michler, Associate;

That, I have prepared these engineering showings, the technical information contained in same and the facts stated within are true of my knowledge;

That, under penalty of perjury, I declare that the foregoing is correct.

Douglas L. Vernier

Executed on May 21, 2001

Subscribed and sworn before me this 21st day of May, 2001.

Notary Public in and for the State of Iowa

My Commission Expires August 10, 2001

