

FOR
FCC
USE
ONLY

FCC 349
**APPLICATION FOR AUTHORITY TO
CONSTRUCT OR MAKE CHANGES
IN AN FM TRANSLATOR OR FM
BOOSTER STATION**

FOR COMMISSION USE ONLY
FILE NO.

Section I - General Information

1.	Legal Name of the Applicant		
	Mailing Address		
	City	State or Country (if foreign address)	ZIP Code
	Telephone Number (include area code)	E-Mail Address (if available)	
	FCC Registration Number	Facility ID Number	
2.	Contact Representative (if other than licensee/permittee)		Firm or Company Name
	Mailing Address		
	City	State or Country (if foreign address)	ZIP Code
	Telephone Number (include area code)	E-Mail Address (if available)	

3. If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1116):

Governmental Entity Noncommercial Educational Licensee Other _____

4. Facility information:

a. FM Translator FM Booster

b. Community or communities to which the proposed facility will be licensed:

Community(ies)	State

5. **Application Purpose.**

New station

Major Modification of construction permit

Major Change in licensed facility

Minor Modification of construction permit

Minor Change in licensed facility

Major Amendment to pending application

Minor Amendment to pending application

a. File number of original construction permit: _____

Not applicable

If an amendment, submit as an Exhibit a listing by Section and Question Number of the portions of the pending application that are being revised.

Exhibit No.

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided. See General Instruction J.

Section II - Legal

1. **Certification.** Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets. Yes No

2. Applicant is: an individual a general partnership a for-profit corporation
 a limited partnership a not-for-profit corporation a limited liability company (LLC/LC)
 other

a. If "other," describe nature of applicant in an Exhibit.

3. a. Applicant certifies that it is not the licensee or permittee of the commercial primary station being rebroadcast and that neither it nor any parties to the application have any interest in or connection with the commercial primary station being rebroadcast? See 47 C.F.R. Section 74.1232(d). Yes No N/A

b. Applicant certifies that the FM translator's (a) 1mV/m coverage contour does not extend beyond the protected contour of the commercial FM primary station to be rebroadcast, or (b) entire 1mV/m coverage contour is contained within the greater of either: (i) the 2 mV/m daytime contour of the commercial AM primary station to be rebroadcast, or (ii) a 25-mile radius centered at the commercial AM primary station's transmitter site. Yes No N/A

NOTE: If No to a. and b., and no waiver has been requested in an Exhibit, this application is unacceptable for filing. See 47 C.F.R. Section 74.1232(d).

If No to a. and Yes to b. applicant is prohibited from receiving any support, before or after construction, either directly or indirectly from the commercial primary station being rebroadcast or from any person or entity having any interest whatsoever, or any connection with the primary FM station. Interested and connected parties include group owners, corporate parents, shareholders, officers, directors, employees, general and limited partners, family members and business associates. See 47 C.F.R. Section 74.1232(e).

4. The applicant, if for a commercial FM translator station with a coverage contour extending beyond the protected contour of the commercial primary station being rebroadcast, certifies that it has not received any support, before or after constructing, directly or indirectly, from the licensee/permittee of the primary station or any person with an interest in or connection with the licensee or permittee of the primary station, except for technical assistance as provided for under 47 C.F.R. Section 74.1232(e). Yes No N/A

5. For applicants proposing translator rebroadcasts that are not the licensee of the primary station, the applicant certifies that written authority has been obtained from the licensee of the station whose programs are to be retransmitted. **If No, this application is unacceptable for filing.** Yes No N/A

6. **Character Issues.** Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with: Yes No
a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or
b. any pending broadcast application in which character issues have been raised.

7. **Adverse Findings.** Applicant certifies that, with respect to the applicant, any party to the application, and any non-party equity owner in the applicant, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.

Yes No

See Explanation
in Exhibit No.

If the answer is "No," attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and a description of the disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 C.F.R. Section 1.65, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) the disposition of the previously reported matter.

8. **Alien Ownership and Control.** Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.

Yes No

See Explanation
in Exhibit No.

9. **Program Service Certification.** Applicant certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.

Yes No

10. **Local Public Notice.** Applicant certifies compliance with the public notice requirements of 47 C.F.R. Section 73.3580.

Yes No

11. **Auction Authorization.** If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable.

Yes No N/A

An exhibit is required unless this question is inapplicable.

Exhibit No.

12. **Anti-Drug Abuse Act Certification.** Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.

Yes No

13. **Equal Employment Opportunity (EEO).** If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A.

Yes No N/A

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing	Typed or Printed Title of Person Signing
Signature	Date

SECTION III PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name		Relationship to Applicant (e.g., Consulting Engineer)	
Signature		Date	
Mailing Address			
City		State or Country (if foreign address)	ZIP Code
Telephone Number (include area code)		E-Mail Address (if available)	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Section III-A - Engineering

TECHNICAL SPECIFICATIONS Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1. Channel: _____

2. Primary Station:

Facility ID Number	Call Sign	City	State
--------------------	-----------	------	-------

3. Delivery Method:
 Off-air Microwave Satellite Via _____ Other

4. Antenna Location Coordinates: (NAD 27)
 _____ ° _____ ' _____ " N S Latitude
 _____ ° _____ ' _____ " E W Longitude

5. Antenna Structure Registration Number: _____
 Not applicable FAA Notification Filed with FAA

6. Antenna Location Site Elevation Above Mean Sea Level: _____ meters

7. Overall Tower Height Above Ground Level: Height of _____ meters

8. Radiation Center Above Ground Level: _____ meters (H) _____ meters (V)

9. Effective Radiated Power: _____ kW (H) _____ kW (V)

10. Transmitting Antenna:
 Nondirectional Directional "Off-the-shelf" Directional composite

Manufacturer	Model
--------------	-------

Rotation: _____ ° No rotation

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

11. For FM Boosters and Fill-in translators only.

a. FM Fill-in Translators. Applicant certifies that the FM translator's (a) 1mV/m coverage contour does not extend beyond the protected contour of the commercial FM primary station to be rebroadcast, or (b) entire 1mV/m coverage contour is contained within the greater of either: (i) the 2 mV/m daytime contour of the commercial AM primary station to be rebroadcast, or (ii) a 25-mile radius centered at the commercial AM primary station's transmitter site.

Yes No
 N/A

See Explanation
in Exhibit No.

b. FM Boosters. Applicant certifies that the FM Booster station's service contour is entirely within the primary station's protected coverage contour.

Yes No
 N/A

See Explanation
in Exhibit No.

12. **Interference.** The proposed facility complies with all of the following applicable rule sections. Check all that apply.

Overlap Requirements.

a. 47 C.F.R. Section 74.1204.
Exhibit Required.

Exhibit No.

See Explanation
in Exhibit No.

Television Channel 6 Protection.

b. 47 C.F.R. Section 74.1205 with respect to station(s): _____
Exhibit Required.

Exhibit No.

13. **Unattended operation.** Applicant certifies that unattended operation is not proposed, or if this application proposes unattended operation, the applicant certifies that it will comply with the requirements of 47 C.F.R. Section 74.1234.

Yes No

See Explanation
in Exhibit No.

14. **Multiple Translators.** Applicant certifies that it does not have any interest in an application or an authorization for an FM translator station that serves substantially the same area and rebroadcasts the same signal as the proposed FM translator station.

Yes No

See Explanation
in Exhibit No.

15. **Environmental Protection Act.** Applicant certifies that the proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1306 (i.e., the facility will not have a significant environmental impact and complies with the maximum permissible radio frequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Appendix A, an **Exhibit is required.**

Yes No

See Explanation
in Exhibit No.

By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radio frequency electromagnetic exposure in excess of FCC guidelines.

PREPARER'S CERTIFICATION ON PAGE 4 MUST BE COMPLETED AND SIGNED.

Section IV -- Noncommercial Educational Point System Factors -- New and Major Change Applications on Reserved Channels Only (used to select among mutually exclusive applications for new stations and major modifications) NOTE: Applicants will not receive any additional points for amendments made after the close of the application filing window.

Preliminary Matter: Does this application provide fill-in service only?

Yes No

1. **Established Local Applicant:** Applicant certifies that for at least the 24 months immediately prior to application, and continuing through the present, it qualifies as a local applicant pursuant to 47 C.F.R. Section 73.7000, that its governing documents require that such localism be maintained, and that it has placed documentation of its qualifications as an established local applicant in a local public inspection file and has submitted to the Commission copies of the documentation.

Yes (3 points) No (0 points)

See Explanation
in Exhibit No.

2. **Diversity of Ownership:** Applicant certifies that the principal community (city grade) contour of the proposed station does not overlap the principal community contour of any other authorized radio station (including AM, FM, and non-fill-in FM translator stations, commercial or noncommercial) in which any party to the application has an attributable interest as defined in 47 C.F.R. Section 73.3555, that its governing documents require that such diversity be maintained, and that it has placed documentation of its diversity qualifications in a local public inspection file and has submitted to the Commission copies of the documentation.

Yes (2 points) No (0 points)

See Explanation
in Exhibit No.

3. **State-wide Network:** Applicant certifies that (a) it has NOT claimed a credit for diversity of ownership above; (b) it is one of the three specific types of organizations described in 47 C.F.R. Section 73.7003(b)(3); and (c) it has placed documentation of its qualifications in a local public inspection file and has submitted to the Commission copies of the documentation.

Yes (2 points) No (0 points)

See Explanation
in Exhibit No.

4. **Technical Parameters:** Applicant certifies that the numbers in the boxes below accurately reflect the new (increased) area and population that its proposal would serve with a 60 dBu signal measured in accordance with the standard predicted contours in 47 C.F.R. Section 73.313(c) and that it has documented the basis for its calculations in the local public inspection file and has submitted copies to the Commission. Major modification applicants should include the area of proposed increase only (exclude the station's existing service area). (Points, if any, will be determined by FCC)

Yes No

New (increased) area served in square kilometers (excluding areas of water):

Population served based on the most recent census block data from the United States

This box is for FCC use only:

0 points.

Technical Points:

1 point. Applicant's proposal covers the largest area and population, and both area and population are 10% greater than next

2 points. Applicant's proposal covers the largest area and population and both area and population are 25% greater than next

POINTS CLAIMED BY APPLICANT (from Questions 1-3)

TECHNICAL POINTS? (from Question 4)

TOTAL POINTS

Tie Breakers

5. **Existing Authorizations.** a. By placing a number in the box, the applicant certifies that it and any persons and organizations with attributable interests in the applicant pursuant to 47 C.F.R. Section 73.3555 have, as of the date of filing, existing authorizations for the following number of relevant broadcast stations. FM translator applicants should count all attributable full service radio stations, AM and FM, commercial and noncommercial and FM translator stations other than fill-in stations.

(number of attributable commercial and noncommercial licenses and construction permits)

b. (Fill-in Applicants Only.) By placing a number in the box, the applicant certifies that, in addition to the station identified in 5(a), it and any persons and organization s with attributable interests in the applicant pursuant to 47 C.F.R. Section 73.3555 have, as of the date of filing, existing authorizations for the following number of FM translators.

6. **Pending Applications.** a. By placing a number in the box, the applicant certifies that it and any persons and organizations with attributable interests in the applicant pursuant to 47 C.F.R. Section 73.3555 have, as of the date of filing, pending applications for new or major changes to the following number of relevant broadcast stations. FM translator applicants should count all attributable full service radio stations, AM and FM, commercial and noncommercial and FM translator stations other than fill-in stations.

(number of pending commercial and noncommercial applications)

b. (Fill-in Applicants Only.) By placing a number in the box, the applicant certifies that, in addition to the station identified in 5(a), it and any persons and organization s with attributable interests in the applicant pursuant to 47 C.F.R. Section 73.3555 have, as of the date of filing, existing authorizations for the following number of FM translators.

Section VI -- Certification

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing	Typed or Printed Title of Person Signing
Signature	Date