36829

COPY

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

RECEIVED - FCC
JUN - 7 2006
Federal Communication Commission
Bureau / Office

In the Matter of Application of Lazer Broadcasting Corporation For Minor Modification of KXRS(FM), Hemet, California	File No. BPH-20040205AAK Facility ID No. 36829

To: The Chief, Media Bureau

PETITION FOR RECONSIDERATION

LBI Radio License Corp. ("LBI"), the licensee of KBUE(FM), Long Beach, California, Facility Id. No. 34386 ("KBUE"), by its attorneys and pursuant to Section 1.106 of the Commission's rules,[1] hereby submits this Petition for Reconsideration of the staff's letter order granting the above-captioned application of Lazer Broadcasting Corporation ("Lazer") for minor modification of KXRS(FM), Hemet, California, Facility Id. No. 36829 ("KXRS").[2] The KXRS Application proposed to modify the KXRS facilities by changing the station's operations from Channel 289A to Channel 288A (co-channel with KBUE) and moving to a new transmitter site 38 kilometers away from the licensed Channel 289A facility. It was a "one-step" application, and, pursuant to the Commission's policies, should have been dismissed unless Lazer demonstrated that the proposed transmitter site complied with allotment standards with respect to

[1] *See* 47 C.F.R. § 1.106. By public notice dated May 8, 2006, the FCC announced that Lazer's application had been granted. *See Broadcast Actions*, Public Notice, Report No. 46230 (May 8, 2006). This petition is filed within thirty days of release of that public notice, and is thus timely filed pursuant to Section 1.106 of the Commission's rules.

[2] *See* Letter from Rodolfo F. Bonacci to Lazer Broadcasting Corporation (May 3, 2006) ("*Letter Order*"). The above-captioned application will be referred to herein as the "KXRS Application," and the construction permit resulting from its grant as the "KXRS Construction Permit."

minimum distance separation and city-grade coverage.[3] In the KXRS Application, Lazer stated that its purpose was to increase the population served by KXRS.[4]

As demonstrated in LBI's informal objection to the KXRS Application[5] and as further shown below and in the attached *Engineering Statement*, however, the increase in population served by KXRS with its modified facilities will come at severe expense to LBI, because of the massive interference to KBUE that will result. In addition, the modified KXRS facilities will not provide the requisite level of city-grade coverage to Hemet, KXRS's community of license, which, pursuant to the Commission's rules, is supposed to be Lazer's primary concern. Finally, although the FCC's general policy is to await receipt of foreign concurrence prior to acting on an application that requires such action, here the Commission deviated from that policy, and did so without explanation. For all these reasons, the FCC should reconsider the grant of the KXRS Application.

First, as LBI demonstrated in its *Informal Objection* and as further shown in the attached *Engineering Statement*, the operation of KXRS with the facilities authorized in the KXRS Construction Permit will cause massive interference to KBUE, notwithstanding technical compliance with the FCC's minimum distance separation requirements.[6] Specifically, KXRS' modified operations will result in considerable contour overlap with KBUE, such that *one hundred percent* of the land area and *one hundred percent* of the population within the KBUE 60

---

[3] *See Amendment of the Commission's Rules to Permit FM Channel and Class Modifications by Application*, 8 FCC Rcd 4735 (1993).

[4] *See* KXRS Application, Engineering Statement.

[5] LBI Radio License Corp. Informal Objection (filed Mar. 25, 2004) ("*LBI Objection*").

[6] *See Engineering Statement* at 1-2, Table 1, Figure 1; *see also LBI Objection, Engineering Statement* at 1-2, Figure 1, Table 1.

dBu contour will be encompassed by the KXRS interfering contour.[7] Using the FCC's "undesired-to-desired" signal strength ratio, the modified KXRS facilities are predicted to cause interference to 45.2 percent of the population, and 45.5 percent of the area, within KBUE's 60 dBu contour.[8] Although the protected contour of the modified KXRS facility would cover an additional 1,922,859 persons, the loss in service to KBUE would affect 2,798,623 persons, for an overall loss in aural service to 875,764 persons.[9] This substantial degree of interference is due to the location of KXRS' new transmitter site on a mountain slope, which allows KXRS to factor the negative heights above average terrain in some directions (toward the rising mountain) into its overall height above average terrain, thereby allowing an increase in antenna height so great that KXRS – a Class A station – exceeds the contour distances for *Class B* stations in the azimuths towards KBUE.[10]

Moreover, as shown in the attached *Engineering Statement*, there is an alternative site from which KXRS could operate on Channel 288A while causing significantly less interference to KBUE.[11] From a site located at Gilman Hot Springs on a ridge overlooking Hemet, KXRS would be predicted to cause interference to only 4.2 percent of the population served by

---

[7] *See Engineering Statement* at 1-2, Table 1, Figure 1; *LBI Objection*, *Engineering Statement* at 1, Figure 1.

[8] *See Engineering Statement* at 2, Table 1.

[9] *See id.*

[10] *See id.* at 1; *LBI Objection*, *Engineering Statement* at 2, Table 1. The proposed KXRS facilities technically satisfy the minimum distance separation requirement for co-channel Class A stations, which mandates separation of 115 kilometers. *See* 47 C.F.R. § 73.207. The minimum distance separation requirement for co-channel Class A and Class B stations, however, mandates separation of 178 kilometers. *See id.* Therefore, if the KXRS Application had been considered under the rules applicable to Class B stations, it would have clearly failed to comply with the minimum distance separation requirements and would have been considered 61.3 km short-spaced to KBUE. *See id.*; *see also LBI Objection* at 2 n.2 & *Engineering Statement* at 2.

[11] *Engineering Statement* at 2-3, Table 4.

KBUE.[12] While this interference level is itself significant, it is far lower than the interference caused by the facilities authorized in the KXRS Construction Permit.[13]

Although LBI included interference allegations in its *Informal Objection*, the *Letter Order* is completely silent on this issue. While it is true that the Commission ordinarily relies solely upon compliance with minimum distance separation requirements when processing "one-step" applications such as the KXRS Application, KXRS' modified operations will cause a truly remarkable amount of interference to KBUE and will result in a net loss of aural service to nearly 1 million persons, some of whom reside within KBUE's principal community contour.[14] Under these circumstances, failure to consider LBI's interference evidence was manifestly inconsistent with the public interest.[15] The FCC was thus obligated to take a "hard look" at LBI's showing of interference, and to depart from its ordinary processing guidelines.[16] At the very least, the Commission was obligated to *consider* whether the interference that the modified

---

[12] *Id.*

[13] There is an additional alternative site, located near Cherry Valley, from which KXRS could theoretically operate on Channel 288A. *See id.* From this site, however, KXRS would be predicted to cause interference to 30.4 percent of the population served by KBUE, thus rendering it nearly as problematic from an interference standpoint as the site authorized in the KXRS Construction Permit. *See id.* at 3, Table 4. The Cherry Valley site, like the site authorized in the KXRS Construction Permit, also would fail to provide sufficient principal community coverage to Hemet, and would be unacceptable for this reason as well. *See id.* at 3.

[14] *See id.* at 2. By way of analogy, even in the case of *grandfathered* short-spaced stations, a modification will not be approved where, as here, it would result in a net loss in service. *See* 47 C.F.R. § 73.213(a). Moreover, the Commission has found in other contexts that interference within a station's principal community contour is particularly problematic. *See, e.g., Creation of a Low Power Radio Service*, 15 FCC Rcd 2205, ¶ 66 (2005) (prohibiting low power FM stations from causing interference within the principal community contour of a full power commercial or non-commercial FM station); 47 C.F.R. § 73.809(a) (same).

[15] Indeed, in view of the significant interference that KXRS' modified facilities will cause to KBUE, it cannot possibly be said that the grant of the KXRS Application satisfies the Commission's statutory obligation to "provide a fair, efficient, and equitable distribution of radio service." 47 U.S.C. § 307(b).

[16] *E.g., WAIT Radio v. FCC*, 418 F.2d 1153, 1157 (D.C. Cir. 1969); *see also* 47 C.F.R. § 1.3 (authorizing Commission to waive its rules for "good cause" shown).

KXRS facilities would cause to KBUE justified a different approach.[17] The FCC, however, said nothing whatsoever regarding LBI's interference showing in the *Letter Order*, requiring reconsideration of its decision. The availability of an acceptable alternative site from which KXRS could operate on Channel 288A and cause significantly less interference to KBUE serves to tip the balance even farther in favor of a finding that consideration of LBI's interference showing is appropriate on reconsideration.

Second, and as LBI also demonstrated previously, the KXRS Application failed to comply with the Commission's standards with respect to city-grade coverage.[18] LBI demonstrated that the modified KXRS facilities would fail to comply with the 80 percent principal community coverage requirement.[19] As LBI showed, of the 27 radials from the KXRS transmitter site that pass through Hemet, 14 are totally blocked by terrain features and another 8 are at least partially blocked.[20] This clearly amounts to a major terrain obstruction. Moreover, Longley-Rice signal level predictions indicate that signal levels of at least 70 dBu would only cover 72.9 percent of the area and 67.4 percent of the population of Hemet.[21]

In the *Letter Order*, all the Commission did in relation to the issue of principal community coverage was to state, without elaboration, that its propagation expert had conducted

---

[17] *See, e.g.*, *Motor Vehicle Mfg. Ass'n v. State Farm Mut. Auto Ins. Co.*, 463 U.S. 29, 43, 50-51 (1983) (failure to respond to commenters' arguments renders agency decision arbitrary and capricious); *Darrell Andrews Trucking, Inc. v. Fed. Motor Carrier Safety Admin.*, 296 F.3d 1120, 1134-35 (D.C. Cir. 2002) ("substantial" argument "requires an answer from the agency"); *Iowa v. FCC*, 218 F.3d 756, 759 (D.C. Cir. 2000) ("[T]he Commission's failure to address [commenters'] arguments requires that [the Court] remand this matter for the Commission's further consideration."); *NAACP v. FCC*, 682 F.2d 993, 997-98 (D.C. Cir. 1982) (FCC must respond to "significant comments made in the . . . proceeding") (citing *Ala. Power Co. v. Costle*, 636 F.2d 323, 384-85 (D.C. Cir. 1979)).

[18] *See LBI Objection* at 2-3 & *Engineering Statement* at 2-6, Figures 2-6.

[19] *See John R. Hughes*, 50 Fed. Reg. 5679 (1985).

[20] *LBI Objection* at 2-3 & *Engineering Statement* at 4, Figures 4A-4AA.

[21] *Id.* at 3 & *Engineering Statement* at 4-5, Figure 5. KXRS' own engineers agreed with these findings. *See Lazer Opposition to Petition to Deny* at 2 & *Engineering Statement* at 1.

an independent study and concluded that no major terrain obstruction existed and that the KXRS Application complied with the FCC's principal community contour requirements.[22] The Commission failed to address LBI's showing that 14 of the 27 KXRS radials that pass through Hemet are totally terrain blocked, nor did it endeavor to explain the methodology utilized by its expert to arrive at a conclusion completely at odds with that reached by LBI's consulting engineer, as well as KXRS' *own* engineering experts. Particularly in the face of LBI's detailed explanation of why the KXRS Application failed to comply with the principal community coverage requirements, including the extensive engineering showing accompanying LBI's *Informal Objection*, the Commission was required to provide a more detailed explication of the reasons for its conclusion.[23]

Finally, the FCC's grant of the KXRS Application prior to the receipt of Mexican concurrence conflicted with established Commission policy, under which the FCC ordinarily will not grant a construction permit until the requisite foreign approvals have been received.[24] The Commission provided no explanation whatsoever in the *Letter Order* regarding any reason that

---

[22] *See Letter Order* at 1.

[23] *See supra* n.17; *see also Greater Boston Television Corp. v. FCC*, 444 F.2d 841, 852 (D.C. Cir. 1970) (agency decision subject to reversal where it is "intolerably mute" regarding the reasoning employed); *cf. General Elec. Co. v. EPA*, 53 F.3d 1324, 1329 (D.C. Cir. 1995) (internal citations omitted) ("by reviewing the regulations and other public statements issued by the agency, a regulated party acting in good faith . . . [should] be able to identify, with ascertainable certainty, the standards with which the agency expects parties to conform"); *Salzer v. FCC*, 778 F.2d 869, 875 (D.C. Cir. 1985) (explaining that "[t]he *quid pro quo* for stringent acceptability criteria is explicit notice of all application requirements").

[24] *See* Construction Permit, FCC File No. BPH-20040205AAK, Special Operating Condition # 4. Indeed, the FCC has often withheld approval of applications filed by LBI pending receipt of Mexican concurrence. *See* FCC File No. BPH-20030415AAM; *see also* FCC File No. BPCT-19980702KH; FCC File No. BPCDT-19980702KF; FCC File No. BMPCDT-20000501AFR.

might have existed for applying a different rule here. Here, too, the FCC was obligated to supply a reasoned explanation for its decision, and its failure to do so requires reconsideration.[25]

In sum, the grant of the KXRS Application was in error, and the Commission should reconsider the *Letter Order*.

Respectfully submitted,

LBI RADIO LICENSE CORP.

By: Eve K. Reed

James R. Bayes
Eve Klindera Reed

Of

Wiley Rein & Fielding LLP
1776 K Street NW
Washington, DC 20006
TEL: 202.719.7000
FAX: 202.719.7049

Its Attorneys

Dated: June 7, 2006

[25] *See, e.g., Greater Boston Television Corp.*, 444 F.2d at 852 ("an agency changing its course must supply a reasoned analysis indicating that prior policies and standards are being deliberately changed, not casually ignored"); *Telephone & Data Systems, Inc. v. FCC*, 19 F.3d 42 (D.C. Cir. 1994) (remanding an FCC order so that the Commission could bring its decision into compliance with agency precedent or explain its departure from that precedent); *see also, e.g., New Orleans Channel 20, Inc. v. FCC*, 830 F.2d 361, 366 (D.C. Cir. 1987) (recognizing "the importance of treating parties alike"); *Melody Music, Inc. v. FCC*, 345 F.2d 730, 732-33 (D.C. Cir. 1965) (holding that the Commission must "do more than enumerate factual differences, if any, between appellant and the other cases; it must explain the relevance of those differences to the purposes of the Federal Communications Act").

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of June, 2006, I caused copies of the foregoing **Petition for Reconsideration** to be mailed via first-class mail postage prepaid to the following:

Harry C. Martin, Esq.
Fletcher Heald & Hildreth, PLC
1300 North 17th Street
11th Floor
Arlington, VA 22209-3801
Counsel for Lazer Broadcasting Corporation

Eve K. Reed

Eve Klindera Reed

ENGINEERING STATEMENT
in support of a
PETITION FOR RECONSIDERATION
prepared for
LBI Radio License Corp.

This statement has been prepared in support of a *Petition for Reconsideration* filed by *LBI Radio License Corp. ("LBI")* regarding grant of a Construction Permit ("CP") to *Lazer Broadcasting Corporation* ("*Lazer,*" file number BPH-20040205AAK), under which *Lazer* has been authorized to modify the KXRS(FM) licensed facility (Facility ID 36829, Ch. 289A, Hemet, CA). *LBI* is the licensee of KBUE(FM) (Facility ID 34386, Ch. 288A, Long Beach, CA). The instant statement provides detailed engineering information regarding the extent of new interference which will be caused to KBUE from the KXRS CP facility and provides data regarding alternate sites for KXRS.

Interference to KBUE

The CP authorizes KXRS to change to Channel 288A and employ a different transmitter location, 38 km away from the licensed Channel 289A KXRS facility. The KXRS CP is co-channel to KBUE and is "fully spaced" to it and all other domestic stations under the Commission's minimum distance separation requirements of §73.207(a). As stated within LBI's *Informal Objection* of the grant of the underlying KXRS application, the KXRS CP facility will result in considerable contour overlap with KBUE, despite being fully spaced as required in Section 73.207(a)) of the Commission's Rules. This overlap is due to the terrain surrounding the KXRS CP transmitter site being very irregular, where the antenna's height above average terrain in directions towards the KBUE protected contour is extraordinarily high. KBUE does not contribute to this situation, as the terrain surrounding the KBUE site is fairly uniform resulting in a nearly circular 60 dBμ protected contour area for KBUE.

The attached **Figure 1** provides a map depicting the KBUE protected contour (60 dBμ) along with the interfering 40 dBμ F(50,10) contour from the co-channel KXRS CP facility. No overlap of these contours would be permitted under §73.215 if that rule section were applicable to the KXRS CP facility. As demonstrated on **Figure 1**, all land area and all population within the KBUE protected contour is encompassed by the KXRS CP interfering 40 dBμ F(50,10) contour, thus

subjecting the entire KBUE service area to new wholesale overlap by a co-channel station's interfering contour.[1]

Figure 1 also depicts the predicted area of interference to KBUE (tinted orange) as derived using the undesired-to-desired ("U/D") signal strength "ratio" method of determining the area subject to interference. The "ratio" method is specified in §73.213(a) regarding modifications to so-called grandfathered short-spaced stations. Using this method, the interference caused by KXRS to KBUE would affect 2,798,623 persons, which is 45.2 percent of the 6,193,984 total population within the KBUE 60 dBμ contour (2000 Census). The land area subject to interference consists of 821 sq. km, which is 45.5 percent of the total land area (1806 sq. km) within the KBUE 60 dBμ contour. The interference area would extend so deep into the KBUE service area that it encompasses an area of 60,041 persons within the KBUE 70 dBμ principal community contour.

The licensed KXRS facility (Ch. 289A, BLH-19881116KE) protected contour (60 dBμ) encompasses 186,210 persons. The protected contour for the KXRS CP facility would cover 2,109,069 persons, representing a gain of 1,922,859 persons. However, as described above, the loss in service to KBUE would affect 2,798,623 persons. Thus, the KXRS CP facility's population gain (1,922,859) is more than offset by KBUE's loss (2,798,623), representing a net loss in aural service to 875,764 persons (see **Table 1**, which follows).

[1] The interfering contour associated with the licensed KXRS facility on Channel 289A (first-adjacent) does not overlap KBUE's protected contour.

Table 1
POPULATION CHANGE SUMMARY

Facility	Population within 60 dBμ Contour (2000 Census)
KXRS Licensed	186,210
KXRS CP	2,109,069
KXRS Change	1,922,859
KBUE with KXRS Licensed	6,193,984
KBUE interference-free with KXRS CP	3,395,361
KBUE Change	-2,798,623
Net KBUE and KXRS Population Change	-875,764

Alternate Sites for KXRS

A map is attached as **Figure 2** depicting the "area to locate" KXRS on Channel 288A based on the standard spacing requirements of §73.207 and distance rounding per §73.208(c). The "area to locate" area includes a portion of the mountain ridge overlooking Hemet. This ridge is the partial terrain obstruction into Hemet from the KXRS CP site (as discussed in LBI's *Informal Objection*). Two fully spaced prospective alternate sites for KXRS are identified on the map that would result in appreciably less interference to KBUE.

A prospective fully-spaced site on the ridge overlooking Hemet is identified and referred to herein as the "Gilman Hot Springs Site." Another terrain peak located near Cherry Valley would also comply with FCC spacing requirements. The Cherry Valley site is partially terrain-blocked into Hemet, similar to KXRS CP site that the Commission found to be acceptable. The Cherry Valley site was once authorized as a transmitter site for station KWIE(FM) (Ch. 241A, San Jacinto, CA).[2] Technical facility data for each of these prospective transmitting locations for KXRS is summarized in the attached **Tables 2** and **3**. Each prospective site could be employed as a maximum Class A

[2] See FCC file number BPH-19990813IC and FCC Antenna Structure Registration number 1202850.

facility (6 kW effective radiated power and 100 meters antenna height above average terrain, or equivalent).

Table 4, which follows, provides a summary of the KBUE protected contour population that would be subject to interference from the KXRS CP facility as well as the two alternate sites, using the "ratio" method described herein. The Gilman Hot Springs site would result in significantly less interference being caused to KBUE.

Table 4
SUMMARY OF INTERFERENCE POPULATION TO KBUE

KBUE Scenario	Within KBUE 60 dBμ Contour (2000 Census)	
	Interference-Free Population	Interference Population
KBUE with KXRS Licensed (Ch. 289A)	6,193,984	0
KBUE with KXRS CP (Ch. 288A)	3,395,361	2,798,623 (45.2%)
KBUE with KXRS at Gilman Hot Springs (Ch. 288A)	5,932,017	261,967 (4.2%)
KBUE with KXRS at Cherry Valley (Ch. 288A)	4,309,192	1,884,792 (30.4%)

Certification

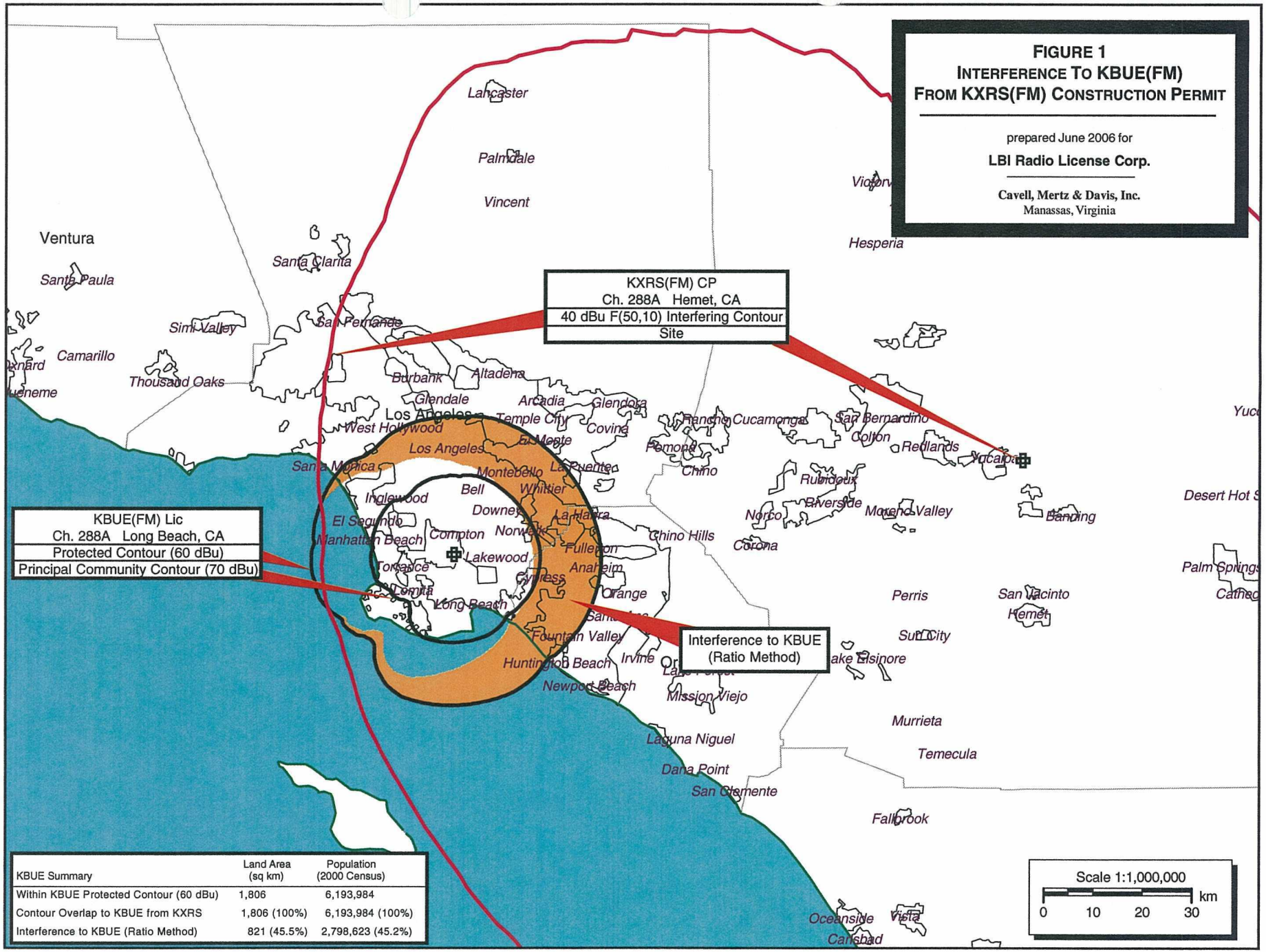
Under penalty of perjury, the undersigned hereby certifies that the foregoing statement was prepared by him or under his direction, and that it is true and correct to the best of his knowledge and belief. Mr. Davis is a principal in the firm of *Cavell, Mertz & Davis, Inc.*, is a Registered Professional Engineer in Virginia, holds a Bachelor of Science degree from Old Dominion University in Electrical Engineering Technology, and has submitted numerous engineering exhibits to various local governmental authorities and the Federal Communications Commission. His qualifications are a matter of record with that entity.

Joseph M. Davis, P.E.
June 7, 2006

Cavell, Mertz & Davis, Inc.
7839 Ashton Avenue
Manassas, VA 20109
(703) 392-9090

List of Attachments:

Figure 1	Interference to KBUE(FM)
Figure 2	Allocation Spacing Map
Table 2	Gilman Hot Springs Facility Data
Table 3	Cherry Valley Facility Data



KBUE Summary	Land Area (sq km)	Population (2000 Census)
Within KBUE Protected Contour (60 dBu)	1,806	6,193,984
Contour Overlap to KBUE from KXRS	1,806 (100%)	6,193,984 (100%)
Interference to KBUE (Ratio Method)	821 (45.5%)	2,798,623 (45.2%)

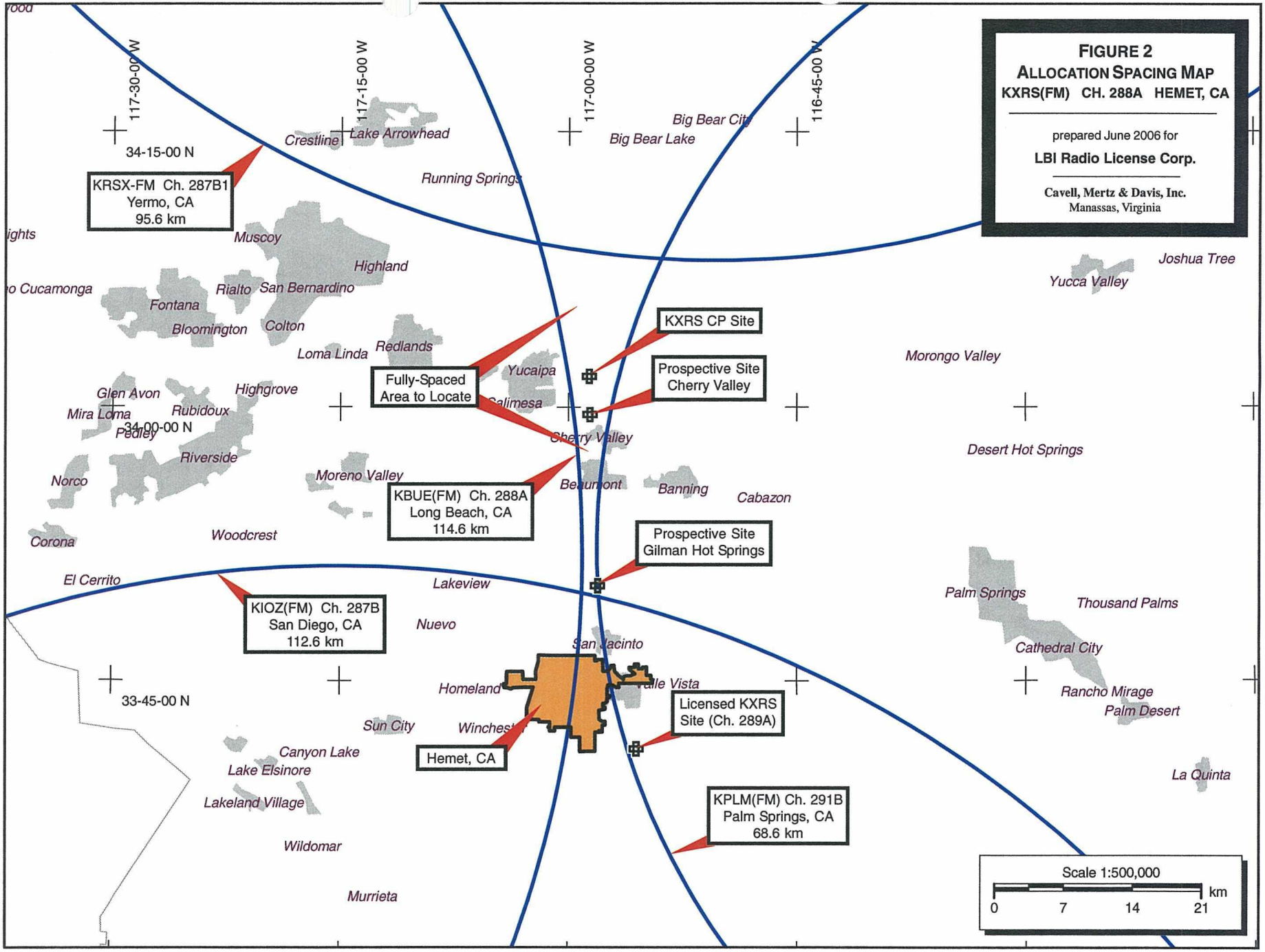


FIGURE 2
ALLOCATION SPACING MAP
KXRS(FM) CH. 288A HEMET, CA
prepared June 2006 for
LBI Radio License Corp.
Cavell, Mertz & Davis, Inc.
Manassas, Virginia
117-30-00 W
117-15-00 W
117-00-00 W
116-45-00 W
34-15-00 N
34-00-00 N
33-45-00 N
KRSX-FM Ch. 287B1
Yermo, CA
95.6 km
KXRS CP Site
Prospective Site
Cherry Valley
Fully-Spaced
Area to Locate
KBUE(FM) Ch. 288A
Long Beach, CA
114.6 km
Prospective Site
Gilman Hot Springs
KIOZ(FM) Ch. 287B
San Diego, CA
112.6 km
Licensed KXRS
Site (Ch. 289A)
Hemet, CA
KPLM(FM) Ch. 291B
Palm Springs, CA
68.6 km
Crestline
Lake Arrowhead
Running Springs
Big Bear City
Big Bear Lake
Joshua Tree
Yucca Valley
Muscoy
Highland
Rialto
San Bernardino
Fontana
Bloomington
Colton
Loma Linda
Redlands
Yucaipa
Morongo Valley
Glen Avon
Highgrove
Mira Loma
Rubidoux
Pedley
Riverside
Norco
Corona
Moreno Valley
Cherry Valley
Beaumont
Banning
Cabazon
Desert Hot Springs
Woodcrest
El Cerrito
Lakeview
Nuevo
San Jacinto
Homeland
Sun City
Canyon Lake
Lake Elsinore
Lakeland Village
Wildomar
Murrieta
Palm Springs
Thousand Palms
Cathedral City
Rancho Mirage
Palm Desert
La Quinta
Scale 1:500,000
km
0
7
14
21

Table 2

GILMAN HOT SPRINGS FACILITY DATA

prepared for

LBI Radio License Corp.

Site Coordinates: (NAD-27)	N-Lat 33° 50' 12" W-Lon 116° 58' 05"
Effective Radiated Power:	0.45 kW Non-directional
Antenna Radiation Center Height	
Above ground:	58 m
Above mean sea level:	1030 m
Above average terrain:	360 m

ALLOCATION SPACING SUMMARY

REFERENCE
33 50 12 N.
116 58 05 W.

CLASS = A
Current Spacings

DISPLAY DATES
DATA 06-03-06
SEARCH 06-05-06

Channel 288 - 105.5 MHz

Call		Channel	Location		Azi	Dist	FCC	Margin
KXRS.C	CP	288A	Hemet	CA	357.6	21.24	115.0	-93.76
KXRS	LIC	289A	Hemet	CA	166.6	16.94	72.0	-55.06
KPLM	LIC	291B	Palm Springs	CA	86.6	68.63	69.0	-0.37*
KIOZ	LIC	287B	San Diego	CA	193.3	113.68	113.0	0.68
KBUE	LIC	288A	Long Beach	CA	271.5	116.20	115.0	1.20
VA288	VAC	288A	Desert Center	CA	97.8	142.11	115.0	27.11
KRSXFM	LIC-N	287B1	Yermo	CA	5.3	129.10	96.0	33.10
KLOB	LIC-Z	234A	Thousand Palms	CA	86.1	49.64	10.0	39.64
KPWR	LIC-D	290B	Los Angeles	CA	293.5	110.32	69.0	41.32

* Spacing criteria met when rounded to nearest kilometer, per §73.208.

Table 3

CHERRY VALLEY FACILITY DATA

prepared for

LBI Radio License Corp.

Site Coordinates: (NAD-27)	N-Lat 33° 59' 36" W-Lon 116° 58' 37"
Effective Radiated Power:	6 kW Non-directional
Antenna Radiation Center Height	
Above ground:	119 m
Above mean sea level:	1150 m
Above average terrain:	100 m

ALLOCATION SPACING SUMMARY

REFERENCE
33 59 36 N.
116 58 37 W.

CLASS = A
Current Spacings

DISPLAY DATES
DATA 06-03-06
SEARCH 06-05-06

Channel 288 - 105.5 MHz

Call		Channel	Location		Azi	Dist	FCC	Margin
KXRS.C	CP	288A	Hemet	CA	358.9	3.85	115.0	-111.15
KXRS	LIC	289A	Hemet	CA	172.0	34.19	72.0	-37.81
KBUE	LIC	288A	Long Beach	CA	262.9	116.22	115.0	1.22
KPLM	LIC	291B	Palm Springs	CA	101.0	70.61	69.0	1.61
KRSXFM	LIC-N	287B1	Yermo	CA	6.5	111.90	96.0	15.90
KIOZ	LIC	287B	San Diego	CA	191.2	130.48	113.0	17.48
KOSS	LIC-N	288A	Rosamond	CA	311.7	144.21	115.0	29.21
VA288	VAC	288A	Desert Center	CA	104.5	146.28	115.0	31.28
KPWR	LIC-D	290B	Los Angeles	CA	284.8	103.83	69.0	34.83
KMZTFM	LIC	286B	Los Angeles	CA	284.9	103.99	69.0	34.99
KLOB	LIC-Z	234A	Thousand Palms	CA	105.6	52.27	10.0	42.27