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Please reply to JAMES E. DUNSTAN
jdunstan@gsblaw.com TEL EXT 2534

November 9, 2007

Our File No. 20684-00102-61

VIA HAND DELIVERY

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

FILED/ACCEPTED

NOV - 9 2007

Federal Communications Commission
Office of the Secretary

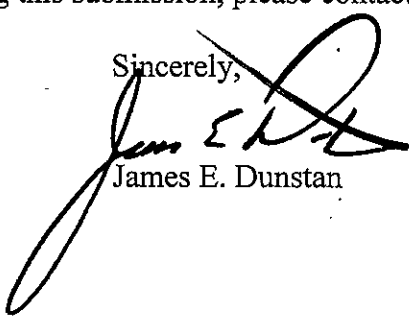
Re: **Petition for Reconsideration**
Application of Community Wireless of Park City, Inc.
For a Minor Change to KCPW-FM, Salt Lake City, UT
Facility Id. No. 13481
File No. BPED-20070907AEC

Dear Ms. Dortch:

Transmitted herewith on behalf of Community Wireless of Park City, Inc., are an original and four copies of its Petition for Reconsideration being filed with respect to the above-referenced application.

If there are any questions concerning this submission, please contact the undersigned directly.

Sincerely,


James E. Dunstan

Enclosures
JED:yg

2007 NOV 13 P 1:57

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

FILED/ACCEPTED
NOV - 9 2007
Federal Communications Commission
Office of the Secretary

In the Matter of Application of)	
)	
COMMUNITY WIRELESS OF PARK)	File No. BPED-20070907AEC
CITY, INC.)	
)	
For a Minor Change to KCPW-FM)	
Salt Lake City, UT)	
Facility ID No. 13481)	

To: The Chief, Media Bureau

PETITION FOR RECONSIDERATION

Community Wireless of Park City, Inc. ("Community Wireless"), by its attorneys, hereby files this Petition For Reconsideration of the dismissal of the above-referenced application. For the reasons set forth below, Community Wireless hereby requests that the application, as amended as of the date below, be reconsidered and granted.

On September 7, 2007, Community Wireless filed the above-referenced application to change the transmitter site of KCWP-FM, Park City, Utah. As part of its engineering showing, it determined that no prohibited overlap would occur with any other station. By letter dated October 11, 2007 (the "Dismissal Letter"),¹ the Media Bureau dismissed the application. A copy of that letter is appended hereto Exhibit 1. The Dismissal Letter found that the proposed 54 dBu contour of KCPW-FM would, based on the FCC's calculations, overlap very slightly the existing licensed 60 dBu contour for first-adjacent channel KPGR, Pleasant Grove, UT, resulting in prohibited interference.

¹ This Petition for Reconsideration is being filed within 30 days of the Dismissal Letter, and therefore is timely.

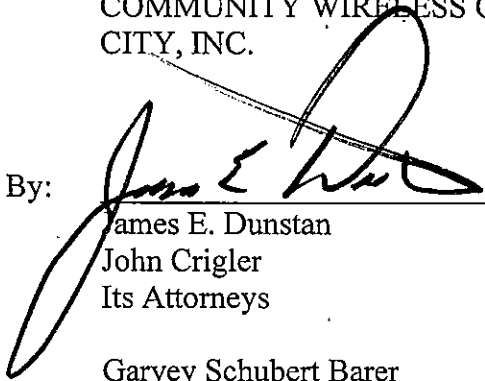
According to Community Wireless' calculations, the original application complied with the overlap rule and could have been granted. Although Community Wireless believes that its initial engineering was correct, and that no overlap with KPGR would occur, nonetheless, attached hereto as Exhibit 2 is a minor curative amendment to the application which removes the alleged prohibitive overlap. The amendment reduces the effective radiated power (ERP) from 3000 watts to 2000 watts. The proposed power reduction will result in the 54 dBu contour being pulled back in sufficiently to eliminate any overlap with the 60 dBu contour of KPGR. No other changes to the application are proposed.

Accordingly, Community Wireless requests that the Commission grant this Petition for Reconsideration, reinstate and grant the above-referenced application *nunc pro tunc*.

Respectfully submitted

COMMUNITY WIRELESS OF PARK
CITY, INC.

By:



James E. Dunstan
John Crigler
Its Attorneys

Garvey Schubert Barer
1000 Potomac Street, N.W.
Washington, D.C. 20007
(202) 965-7880

November 9, 2007

CERTIFICATE OF SERVICE

The undersigned, an employee of Garvey Schubert Barer, hereby certifies that on November 9, 2007, the foregoing "Petition for Reconsideration" was hand-delivered, to the following:

James Bradshaw
Deputy Chief, Audio Division
Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dale E. Bickel
Senior Engineer, Audio Division
Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554



Yvette Graves

Exhibit 1

FEDERAL COMMUNICATIONS COMMISSION

445 12th Street SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
HOME PAGE: <http://www.fcc.gov/mb/audio/>

PROCESSING ENGINEER: Dale Bickel
TELEPHONE: (202) 418-2700
FACSIMILE: (202) 418-1411
MAIL STOP: 2-B450
INTERNET ADDRESS: dale.bickel@fcc.gov

October 11, 2007

Community Wireless of Park City, Inc.
Box 1372
Park City, UT 84060

In re: KCPW-FM, Park City, UT
Community Wireless of Park City, Inc.
Facility ID No. 13481
Application BPED-20070907AEC

Dear KCPW-FM:

This letter refers to your application to change the transmitter site of KCPW-FM, filed September 7, 2007. Our review of this application indicates that the proposed operation is in violation of Section 73.509. Specifically, and contrary to what is shown in your application, we find that the proposed 54 dBu interfering contour for KCPW-FM would overlap the existing licensed 60 dBu contour for first-adjacent channel station KPGR, Pleasant Grove, UT, resulting in prohibited overlap caused to the latter station. See the attached contour map. We checked our results using two different programs.¹

Accordingly, your application is unacceptable for filing and IS DISMISSED. This action is taken pursuant to Section 0.283 of the Commission's Rules.

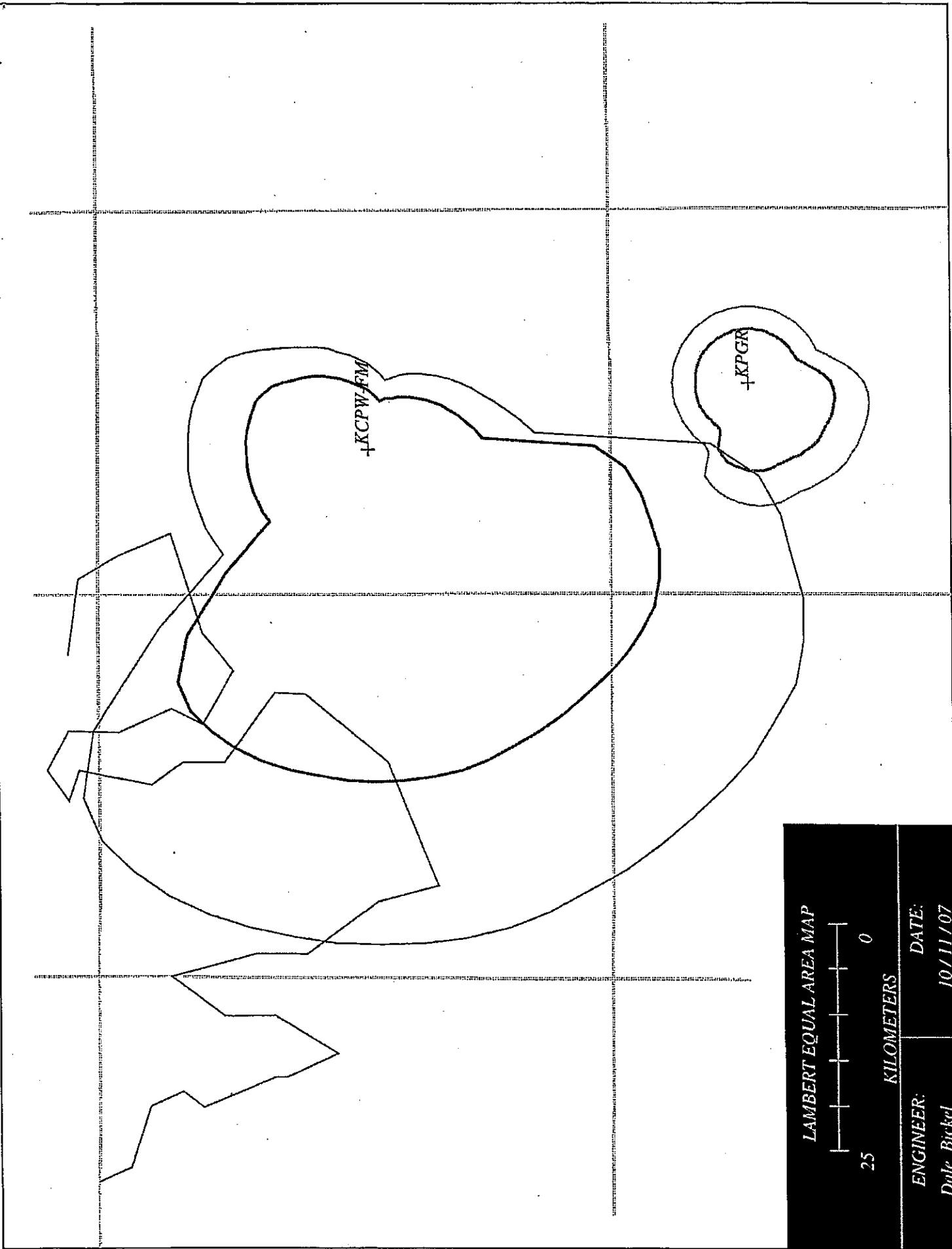
Sincerely,



Dale E. Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Garvey Schubert Barer
: Mario Hieb, P.E.

¹ A second terrain database predicted greater prohibited contour overlap than that shown in the attachment. There is no information in your application that would help us determine why your contour plots did not show this prohibited contour overlap. It may be that your analysis did not consider enough radials to accurately show the locations of the contours.



LAMBERT EQUAL AREA MAP

25 0
KILOMETERS

ENGINEER:

Dale Bickel

DATE:

10/11/07

THE FOLLOWING IS A LIST OF THE DATA WHICH APPEARS ON THE ABOVE MAP

BOTTOM LATITUDE: 40.16 TOP LATITUDE: 41.10 LEFT LONGITUDE: -112.66 RIGHT LONGITUDE: -111.43

MAP: ENLARGED CONUS MAP PROJECTION: Lambert Equal-area CENTER LAT: 40.63 LONG: -112.04 GRID SPACING: 0.50

KILOMETERS / INCH = 13.06

PLOT MADE ON: 11 October, 2007 7:05 HOURS

call	serv	city,state	application no.	contour	chan	erp	haat	rcamsl	coverage area	A1	A7
KCPW-F	FM	SALT LAKE CITY,UT	BPED-20070907AEC	60.0 dBu	(50,50)	202A	-163.0	1546.0	1693.5 sq km	0	42
KCPW-F	FM	SALT LAKE CITY,UT	BPED-20070907AEC	54.0 dBu	(50,10)	202A	-163.0	1546.0	3757.7 sq km	0	42
KPGR	FM	PLEASANT GROVE,UT	BLER-19810914AE	60.0 dBu	(50,50)	201A	-344.0	1457.0	169.8 sq km	0	44
KPGR	FM	PLEASANT GROVE,UT	BLER-19810914AE	54.0 dBu	(50,10)	201A	-344.0	1457.0	336.9 sq km	0	44

No topographic data is available for this location.

A1 - Number of radials where free space equation was used for field strength calculations.

A7 - Number of radials where a HAAT less than 30 meters was adjusted to 30 meters.

Exhibit 2

Federal Communications Commission Washington, D.C. 20554 FCC 340	Approved by OMB 3060-0029 (February 2007) FOR FCC USE ONLY
APPLICATION FOR CONSTRUCTION PERMIT FOR RESERVED CHANNEL NONCOMMERCIAL EDUCATIONAL BROADCAST STATION Read INSTRUCTIONS Before Filling Out Form	FOR COMMISSION USE ONLY FILE NO. - 20070907AEC

Section I - General Information

1. Legal Name of the Licensee/Permittee COMMUNITY WIRELESS OF PARK CITY, INC. Mailing Address BOX 1372									
<table border="1"> <tr> <td data-bbox="50 714 527 787">City PARK CITY</td> <td data-bbox="527 714 1104 787">State or Country (if foreign address) UT</td> <td data-bbox="1104 714 1500 787">Zip Code 84060 -</td> </tr> <tr> <td data-bbox="50 787 527 861">Telephone Number (include area code) 4356499004</td> <td colspan="2" data-bbox="527 787 1500 861">E-Mail Address (if available) BFEULNER@KPCW.ORG</td> </tr> <tr> <td data-bbox="50 861 527 924">FCC Registration Number: 0005059977</td> <td data-bbox="527 861 1104 924">Call Sign KCPW-FM</td> <td data-bbox="1104 861 1500 924">Facility Identifier 13481</td> </tr> </table>	City PARK CITY	State or Country (if foreign address) UT	Zip Code 84060 -	Telephone Number (include area code) 4356499004	E-Mail Address (if available) BFEULNER@KPCW.ORG		FCC Registration Number: 0005059977	Call Sign KCPW-FM	Facility Identifier 13481
City PARK CITY	State or Country (if foreign address) UT	Zip Code 84060 -							
Telephone Number (include area code) 4356499004	E-Mail Address (if available) BFEULNER@KPCW.ORG								
FCC Registration Number: 0005059977	Call Sign KCPW-FM	Facility Identifier 13481							
<table border="1"> <tr> <td data-bbox="50 924 1104 997">2. Contact Representative (if other than licensee/Permittee) JOHN CRIGLER, ESQ.</td> <td data-bbox="1104 924 1500 997">Firm or Company Name GARVEY SCHUBERT BARER</td> </tr> <tr> <td data-bbox="50 997 1104 1071">Telephone Number (include area code) 2029657880</td> <td data-bbox="1104 997 1500 1071">E-Mail Address (if available) JCRIGLER@GSBLAW.COM</td> </tr> </table>	2. Contact Representative (if other than licensee/Permittee) JOHN CRIGLER, ESQ.	Firm or Company Name GARVEY SCHUBERT BARER	Telephone Number (include area code) 2029657880	E-Mail Address (if available) JCRIGLER@GSBLAW.COM					
2. Contact Representative (if other than licensee/Permittee) JOHN CRIGLER, ESQ.	Firm or Company Name GARVEY SCHUBERT BARER								
Telephone Number (include area code) 2029657880	E-Mail Address (if available) JCRIGLER@GSBLAW.COM								
3. Is this application being filed in response to a window? If Yes, specify closing date and/or window number:	<input type="radio"/> Yes <input checked="" type="radio"/> No								
4. Application Purpose <table border="0"> <tr> <td><input type="radio"/> New station</td> <td><input type="radio"/> Major Modification of construction permit</td> </tr> <tr> <td><input type="radio"/> Major Change in licensed facility</td> <td><input type="radio"/> Minor Modification of construction permit</td> </tr> <tr> <td><input type="radio"/> Minor Change in licensed facility</td> <td><input type="radio"/> Major Amendment to pending application</td> </tr> <tr> <td></td> <td><input checked="" type="radio"/> Minor Amendment to pending application</td> </tr> </table> <p>(a) File number of original construction permit: -</p> <p>(b) Service Type: <input checked="" type="radio"/> FM <input type="radio"/> TV <input type="radio"/> DTV</p> <p>(c) Community of License: City: SALT LAKE CITY State: UT</p> <p>(d) Facility Type <input checked="" type="radio"/> Main <input type="radio"/> Auxiliary</p> <p>If an amendment, submit as an Exhibit a listing by Section and Question Number the portions of the pending application that are being revised. [Exhibit 1]</p>		<input type="radio"/> New station	<input type="radio"/> Major Modification of construction permit	<input type="radio"/> Major Change in licensed facility	<input type="radio"/> Minor Modification of construction permit	<input type="radio"/> Minor Change in licensed facility	<input type="radio"/> Major Amendment to pending application		<input checked="" type="radio"/> Minor Amendment to pending application
<input type="radio"/> New station	<input type="radio"/> Major Modification of construction permit								
<input type="radio"/> Major Change in licensed facility	<input type="radio"/> Minor Modification of construction permit								
<input type="radio"/> Minor Change in licensed facility	<input type="radio"/> Major Amendment to pending application								
	<input checked="" type="radio"/> Minor Amendment to pending application								

NOTE: The failure to include an explanatory providing full particulars in connection with a "No" response may result in dismissal of the application. See Instructions, paragraph L for additional information regarding completion of explanatory exhibits.

SECTION II - Legal and Financial

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.	<input checked="" type="radio"/> Yes <input type="radio"/> No
2.	Eligibility. Each application must answer "Yes" to one and "No" to two of the three following certifications. An applicant should not submit an explanatory exhibit in connection with these Question 2 "No" responses. The applicant certifies that it is: a. a nonprofit educational institution; or b. a governmental entity other than a school; or c. a nonprofit educational organization, other than described in a. or b.	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No
3.	For applicants checking "Yes" to question 2(c) and applying for a new noncommercial educational television station only, the applicant certifies that the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural, and civic segments of the principal community to be served.	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
4.	a. The applicant certifies that the Commission has previously granted a broadcast application identified here by file number that found this applicant qualified as a noncommercial educational entity with a qualifying educational program, and that the applicant will use the proposed station to advance a program similar to that the Commission has found qualifying in applicant's previous application. b. Applicants who answered "No" to Question 4(a), must include an exhibit that describes the applicant's educational objective and how the proposed station will be used to advance an educational program that will further that objective according to 47 C.F.R. Section 73.503 (for radio applicants) and 47 C.F.R. Section 73.621 (for television applicants).	<input type="radio"/> Yes <input type="radio"/> No FCC FileNumber [Exhibit 2]
5.	The applicant certifies that its governing documents (e.g., articles of incorporation, by-laws, charter, enabling statute, and/or other pertinent organizational document) permit the applicant to advance an educational program and that there is no provision in any of those documents that would restrict the applicant from advancing an educational program or complying with any Commission rule, policy, or provision of the Communications Act of 1934, as amended.	<input type="radio"/> Yes <input type="radio"/> No
6.	a. Parties to the Application. List separately each party to the application including, as applicable, the applicant, its officers, directors, five percent or greater stockholders, non-insulated partners, members, and all other persons and entities with attributable interests. If another entity hold an attributable interest in the applicant, list separately, as applicable, its officers, directors, five percent or greater stockholders, non-insulated partners, and board members. Create a separate row for each individual or entity. Attach additional pages if necessary. [Enter Parties/Owners Information] <hr/> <hr/> b. Applicant certifies that equity and financial interests not set forth above are non-attributable pursuant to 47 C.F.R. Section 73.3555 and that there are no agreements or understandings with any non-party that would give influence over the applicant's programming, personnel, or finances to that non-party.	<input type="radio"/> Yes <input type="radio"/> No [Exhibit 3]
7.	Other Authorizations. List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest pursuant to the notes to 47 C.F.R. Section 73.3555.	<input type="checkbox"/> N/A [Exhibit 4]
8.	Character Issues. Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with: 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.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 5]
9.	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	<input checked="" type="radio"/> Yes <input type="radio"/> No

	<p>action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another government unit; or discrimination.</p> <p>If the answer is "No," attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the 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.</p>	<p>See Explanation in [Exhibit 6]</p>
10.	<p>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.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 7]</p>
11.	<p>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.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>
12.	<p>Local Public Notice. Applicant certifies compliance with the public notice requirements of 47 C.F.R. Section 73.3580.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>
13.	<p>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.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
14.	<p>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.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p><input checked="" type="radio"/> N/A</p>
<p>QUESTIONS 15, 16 AND 17 APPLY ONLY TO APPLICANTS FOR NEW STATIONS. OTHER APPLICANTS CAN PROCEED TO QUESTION 18.</p>		
15.	<p>Financial. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.</p> <p>If "No" to 15., answer question 16. and 17.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 8]</p>
16.	<p>Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration?</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>
17.	<p>Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision?</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>
<p>NOTE: If Yes to 16. or 17., the application cannot be granted unconditionally until all of the necessary funds are committed or appropriated. In the case of grants from the National Telecommunications and Information Administration, no further action on the applicant's part is required. If the applicant relies on funds from a source specified in Question 17., the applicant must advise the Commission when the funds are committed or appropriated. This should be accomplished by letter amendment to the application. Applicants should take note that the Commission's construction period is not considered "tolled" by funding difficulties and that any permit granted conditionally on funding will expire if the station is not constructed for any reason, including lack of funding.</p>		
<p>QUESTIONS 18 AND 19 DO NOT APPLY TO APPLICATIONS FOR NEW STATIONS. APPLICANTS FOR NEW FM STATIONS CAN PROCEED TO SECTION III. APPLICANTS FOR NEW TV STATIONS CAN PROCEED TO SECTION IV.</p>		
<p>Holding Period.</p>		
18.	<p>Applicant certifies that this application does not propose a modification to an authorization that was awarded on the basis of a preference for fair distribution of service pursuant to 47 U.S.C. Section 307(b).</p> <p>If "No," answer a. and b. below. If applicant answers "No" to 18. above and cannot answer "Yes" to either a. or b. below, the application is unacceptable.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>

a.	Applicant certifies that the proposed modification will not downgrade service to the area on which the Section 307(b) preference was based.	<input type="radio"/> Yes <input type="radio"/> No
b.	Applicant certifies that although it proposes to downgrade service to the area on which the Section 307 (b) preference was based, applicant has provided full service to that area for a period of four years of on-air operations.	<input type="radio"/> Yes <input type="radio"/> No
19.	Applicant certifies that this application does not propose a modification to an authorized station that received a credit for superior technical parameters under the point system selection method in 47 C.F.R. Section 73.7003.	<input type="radio"/> Yes <input type="radio"/> No
	If "No," applicant must be able to answer "Yes" to a. below or provide an exhibit that makes a compelling showing that the downgrade would be in the public interest.	
a.	Applicant certifies that the population and area within the proposed service contour (60 dBu (FM) or grade B (TV)) are greater than or equivalent to those authorized.	<input type="radio"/> Yes <input type="radio"/> No [Exhibit 9]

Section III

Fair Distribution of Service Pursuant to 47 U.S.C. Section 307(b) (New and Major Changes to FM Radio Only) (Other applicants can proceed to Section IV).

1.	Applicant certifies that the proposed station will provide a first noncommercial educational aural service to (a) at least 10 percent of the people residing within the station's 60 dBu (1mV/m) service contour and (b) to a minimum of 2,000 people. Applicants answering "Yes" must provide an Exhibit.	<input type="radio"/> Yes <input checked="" type="radio"/> No [Exhibit 10]
2.	Applicant certifies that the proposed station will provide a second noncommercial educational aural service to (a) at least 10 percent of the people residing within the station's 60 dBu (1mV/m) service contour and (b) to a minimum of 2,000 people. Applicants answering "Yes" must provide an Exhibit.	<input type="radio"/> Yes <input checked="" type="radio"/> No [Exhibit 11]

Section IV Point System Factors - New and Major Change Applications Only (used to select among mutually exclusive radio and television 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.

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.	<input type="radio"/> Yes <input type="radio"/> No
2.	Diversity of Ownership: (a) Applicant certifies that the principal community (city grade) contour of the proposed station does not overlap the principal community contour of any other authorized station (comparing radio and television to television, including non-fill-in translator stations other than those identified in 2(b) below) 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 qualification in a local public inspection file and has submitted to the Commission copies of the documentation.	<input type="radio"/> Yes <input type="radio"/> No
	(b) Is the application's certification to 2(a) based on its exclusion of translator station(s) that will be replaced with a full service station pursuant to the authorization requested here?	<input type="radio"/> Yes <input type="radio"/> No
	If Yes, applicant must include an exhibit identifying the translator station authorization for which it will request cancellation upon commencement of operation of the proposed full service station (i.e., upon its filing of a license application and receipt of program test authority).	[Exhibit 12]
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.	<input type="radio"/> Yes <input type="radio"/> No

4. Technical Parameters: Applicant certifies that the numbers in the boxes below accurately reflect the new area and population that its proposal would serve with a 60 dBu (FM) or Grade B (TV) signal measured in accordance with the standard predicted contours in 47 C.F.R. Section 73.713(c) (FM) and 73.683(TV) 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 any area already within the station's existing service area). (Points, if any, will be determined by FCC)	<input type="radio"/> Yes <input type="radio"/> No
New area served in square kilometers (excluding areas of water):	1387
Population served based on the most recent census block data from the United States Bureau of Census using the centroid method:	885958

SECTION V - Tie Breakers - New and Major Change Applications Only (used to choose among competing radio and television applications receiving the same number of points in Section IV)

1. Existing Authorizations. By placing a number in the box, the applicant certifies that it and other parties to the application have, as of the date of filing and pursuant to 47 C.F.R. Section 73.3555, attributable interests in the stated number of relevant broadcast station authorizations. Radio applicants should count all attributable full service radio stations, AM and FM, commercial and noncommercial, and FM translator stations other than fill-in stations or those identified in IV (2)(b) above. TV applicants should count all attributable full service TV stations, commercial and noncommercial and TV translator stations other than fill-in stations or those identified in IV(2)(b) above. (number of commercial and non-commercial licenses and construction permits)
2. Pending Applications. By placing a number in the box, the applicant certifies that it and other parties to the application have, as of the date of filing and pursuant to 47 C.F.R. Section 73.3555, attributable interests in the stated number of pending applications for new or major changes to relevant broadcast stations. Radio applicants should count all attributable full service radio stations, AM and FM, commercial and noncommercial, and FM translator stations other than fill-in stations or those identified in IV(2)(b) above. TV applicants should count all attributable full service TV stations, commercial and noncommercial, and TV translator stations other than fill-in stations or those identified in IV(2)(b) above. (number of pending commercial and non-commercial applications)

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 BLAIR FEULNER	Typed or Printed Title of Person Signing SECRETARY
Signature	Date 11/8/2007

Section VII Preparer's Certification

I certify that I have prepared Section VII (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 MARIO HIEB, P.E.	Relationship to Applicant (e.g., Consulting Engineer) CONSULTING ENGINEER	
Signature	Date 11/7/2007	
Mailing Address 36 H ST #2		
City SALT LAKE CITY	State or Country (if foreign address) UT	Zip Code 84103-
Telephone Number (include area code) 8015755148	E-Mail Address (if available) MARIO@XMISSION.COM	

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 VII - FM 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 Number: 202											
2.	Class (select one): <input type="radio"/> D <input checked="" type="radio"/> A <input type="radio"/> B1 <input type="radio"/> B <input type="radio"/> C3 <input type="radio"/> C2 <input type="radio"/> C1 <input type="radio"/> C0 <input type="radio"/> C											
3.	Antenna Location Coordinates: (NAD 27) Latitude: Degrees 40 Minutes 44 Seconds 17 <input checked="" type="radio"/> North <input type="radio"/> South Longitude: Degrees 111 Minutes 48 Seconds 42 <input checked="" type="radio"/> West <input type="radio"/> East											
4.	Proposed Assignment Coordinates: (NAD 27) - RESERVED CHANNELS ABOVE 220 ONLY <input checked="" type="checkbox"/> Not Applicable Latitude: Degrees Minutes Seconds <input type="radio"/> North <input type="radio"/> South Longitude: Degrees Minutes Seconds <input type="radio"/> West <input type="radio"/> East											
5.	Antenna Structure Registration Number: <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Notification filed with FAA											
6.	Overall Tower Height Above Ground Level:										25 meters	
7.	Height of Radiation Center Above Mean Sea Level:										1546 meters(H) 1546 meters(V)	
8.	Height of Radiation Center Above Ground Level:										14 meters(H) 14 meters(V)	
9.	Height of Radiation Center Above Average Terrain:										-163 meters(H) -163 meters(V)	
10.	Effective Radiated Power:										2 kW(H) 2 kW(V)	
11.	Maximum Effective Radiated Power: (Beam-Tilt Antenna ONLY)										<input checked="" type="checkbox"/> Not Applicable kW(H) kW(V)	
12.	Directional Antenna Relative Field Values: <input type="checkbox"/> Not applicable (Nondirectional) Rotation (Degrees): 194 <input type="checkbox"/> No Rotation											
	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
	0	1	10	1	20	1	30	1	40	1	50	1
	60	1	70	1	80	1	90	1	100	1	110	1
	120	1	130	1	140	1	150	1	160	1	170	1
	180	1	190	1	200	0.88	210	0.701	220	0.559	230	0.446
	240	0.355	250	0.283	260	0.226	270	0.18	280	0.226	290	0.283
	300	0.355	310	0.446	320	0.559	330	0.701	340	0.88	350	1
	Additional Azimuths											

Relative Field Polar Plot

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.

CERTIFICATION		
AUXILIARY ANTENNA APPLICANTS ARE NOT REQUIRED TO RESPOND TO ITEMS 12-15.		
13.	Main Studio Location. The proposed main studio location complies with 47 C.F.R. Section 73.1125.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 13]
14.	Community Coverage. The proposed facility complies with 47 C.F.R. Section 73.315. (Channels 221 and above) or 47 C.F.R. Section 73.515 (Channels 220 and below).	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 14]
15.	Interference. The proposed facility complies with all of the following applicable rule sections. Check all that apply:	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 15]
Contour Overlap Requirements. a. <input checked="" type="checkbox"/> 47 C.F.R. Section 73.509 Exhibit Required. [Exhibit 16]		
Spacing Requirements. b. <input checked="" type="checkbox"/> 47 C.F.R. Section 73.207 with respect to station(s)		
Grandfathered Short-Spaced. c. <input type="checkbox"/> 47 C.F.R. Section 73.213(a) with respect to station(s) Exhibit Required. [Exhibit 17]		
Contour Protection. d. <input type="checkbox"/> 47 C.F.R. Section 73.215(a) with respect to station(s) Exhibit Required. [Exhibit 18]		
Television Channel 6 Protection. e. <input checked="" type="checkbox"/> 47 C.F.R. Section 73.525 with respect to station(s) Exhibit Required. [Exhibit 19]		
16.	Reserved Channels Above 220. a. Availability of Channels. The proposed facility complies with the assignment requirements of 47 C.F.R. Section 73.203.	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 20]
17.	International Borders. The proposed antenna location is not within 320 kilometers of the common border between the United States and Canada or Mexico. If "No," specify the country and provide an exhibit of compliance with all provisions of the relevant International Agreement.	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Canada <input type="radio"/> Mexico [Exhibit 21]
18.	Environmental Protection Act. 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 radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Worksheet #7, an Exhibit is required. 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 radiofrequency electromagnetic exposure in excess of FCC guidelines.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 22]
19.	Community of License Change - Section 307(b). If the application is being submitted to change the facility's community of license, then the applicant certifies that it has attached an exhibit containing information demonstrating that the proposed community of license change comports with the fair distribution of service policies underlying Section 307(b) of the Communications Act of 1934, as amended (47 U.S.C. Section 307(b)).	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A [Exhibit 23]

An exhibit is required unless this question is not applicable.

PREPARER'S CERTIFICATION ON PAGE 8 MUST BE COMPLETED AND SIGNED.

Exhibits

Exhibit 1

Description: NATURE OF AMENDMENT

BPED-20070907AEC IS HEREBY AMENDED TO DECREASE POWER FROM 3000 WATTS TO 2000 WATTS TO ELIMINATE FCC-PREDICTED OVERLAP TO KPGR, PLEASANT GROVE, UT. NO OTHER CHANGES ARE MADE TO THE APPLICATION.

Attachment 1

Exhibit 13

Description: COMPREHENSIVE ENGINEERING EXHIBIT

Attachment 13

Description
COMPREHENSIVE ENGINEERING STATEMENT
EXHIBITS AND FIGURES

Exhibit 14

Description: SEE COMPREHENSIVE ENGINEERING EXHIBIT

Attachment 14

Exhibit 15

Description: SEE COMPREHENSIVE ENGINEERING EXHIBIT

Attachment 15

Exhibit 16

Description: SEE COMPREHENSIVE ENGINEERING EXHIBIT

Attachment 16

Exhibit 19

Description: SEE COMPREHENSIVE ENGINEERING EXHIBIT

Attachment 19

Exhibit 21

Description: SEE COMPREHENSIVE ENGINEERING EXHIBIT

Attachment 21

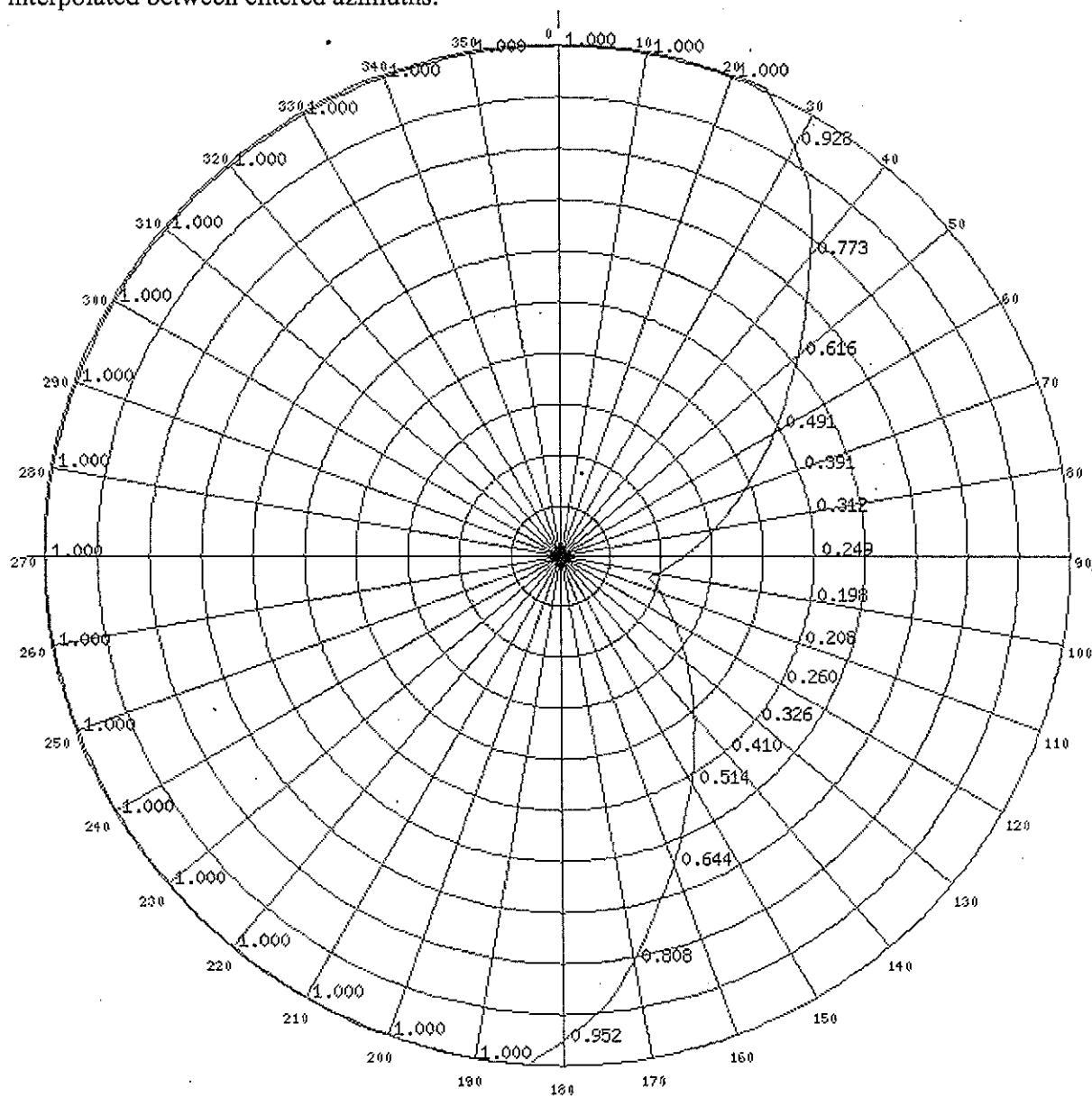
Exhibit 22**Description:** SEE COMPREHENSIVE ENGINEERING EXHIBIT

Attachment 22

Description
Comprehensive engineering statement-figures
Comprehensive engineering statement

Any specified rotation has already been applied to the plotted pattern.

Field strength values shown on a rotated pattern may differ from the listed values because intermediate azimuths are interpolated between entered azimuths.



TECHNICAL EXHIBIT

APPLICATION FOR CONSTRUCTION PERMIT
FOR RESERVED CHANNEL
NONCOMMERCIAL EDUCATIONAL BROADCAST STATION

SALT LAKE CITY, UTAH
CH 202A 2,000 WATTS -163 M

NOVEMBER 8, 2007

MARIO HIEB, P.E.
CONSULTING ENGINEER
SALT LAKE CITY, UT

Technical Narrative

This engineering report has been prepared on behalf of Community Wireless of Park City at Park City, UT, in support of an application for a construction permit for relocation of an existing non-commercial educational class station.

This application is an amendment to the application to change the transmitter site of KCPW-FM, filed September 7, 2007, an application that was dismissed by the Commission.

This application modifies the aforementioned application by reducing the effective radiated power from 3000 watts to 2000 watts.

The proposal would not be subject to environmental processing in accordance with Section 1.1306. It is believed that this proposal conforms to all applicable rules and regulations of the FCC.

Proposed Station Data

Frequency: 88.3 MHz.

Channel: 202

ERP: 2,000 watts

Class: A

Proposed Antenna Location

The geographic coordinates (NAD 27) of the proposed site are as follows:

North Latitude: 40-44-17

West Longitude: 105-57-17

Transmitting Antenna

ANTENNA: Shively 6812, 2-bay, 0.5 wavelength spacing, configured for a directional pattern.

ORIENTATION: 194 degrees. See Figure 1.

Main Studio

The main studio will be located at 210 East 400 South, Suite 10, Salt Lake City, Utah.

Community Coverage

This application complies with 47 CFR § 73.515 in that the proposed station will cover at least 50% of the principal community with a 60 dBu signal or better, as indicated in Figure 2.

Contour Overlap

This application complies with 47 CFR § 73.509 in that proposed station does not overlap the pertinent contours of any first, second, third adjacent channel stations, as shown in Table 1 and Figure 3 and Figure 4. The contours were calculated and drawn by RadioSoft ComStudy 2 software.

Spacing Requirements

This application complies with 47 CFR § 73.207 in that proposed station is properly spaced with any pertinent first, second, third adjacent and IF channels, as shown in Table 1.

TV Channel 6 Protection

The proposed station complies with 47 CFR § 73.525 in that there are no channel 6 TV stations within 174 km.

International Borders

The proposed antenna location is 918 kilometers of the common border between the United States and Canada, and is in compliance with international agreements.

Environmental Considerations

The station will operate with an effective radiated power of 2 kilowatts into a Shively 6812, 2-bay, 0.5 wavelength spaced antenna. The non-ionizing RFR analysis was conducted utilizing the FCC FM Model software program. Results of this analysis are shown in Figure 5.

The worst-case, predicted power density for the proposed station at two meters above ground level is estimated to be $78.3 \mu\text{W}/\text{cm}^2$, which will occur at a horizontal distance of 22 meters from the base of the tower.

Since the permitted power density for general-population/uncontrolled exposure (GPE) in the FM band is $200 \mu\text{W}/\text{cm}^2$, the predicted power density of the proposed site is 38.2% of the GPE.

Access to the transmitting site is restricted and appropriately marked with warning signs. When it becomes necessary for workers to ascend the tower, appropriate measures, such as reduction or shut down of power if necessary, shall be taken to ensure that the human exposure to radio-frequency radiation will not exceed the FCC guidelines.

Callsign	State	City	Freq	Channel	ERP w	Class	Status	Distance km
KPGR	UT	PLEASANT GROVE	88.1	201	115	A	LIC	42.25
KWCR-FM	UT	OGDEN	88.1	201	2000	A	LIC	51.22
KNKL	UT	NORTH OGDEN	88.7	204	73000	C1	LIC	101.66

TABLE 1: Pertinent first, second, third adjacent, and IF channel stations spaced with proposed station.

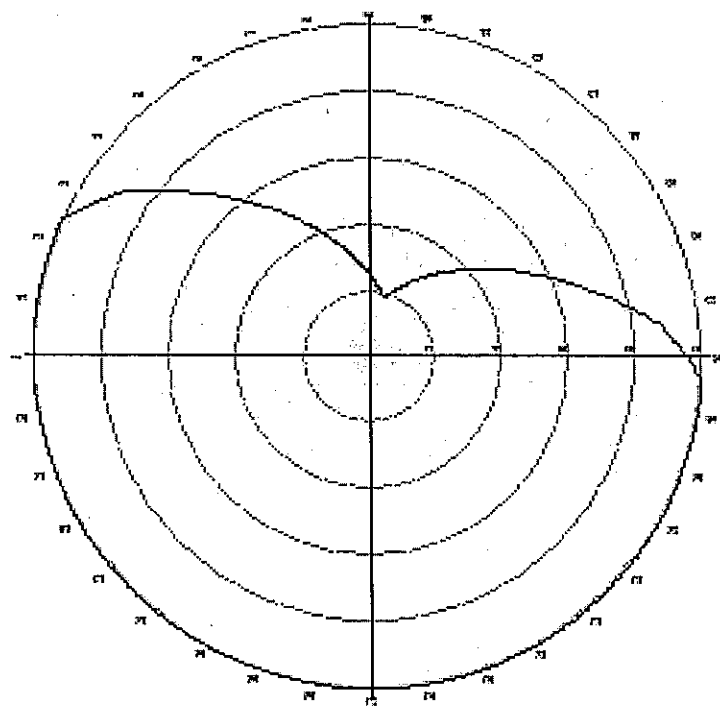


FIGURE 1: Proposed station directional antenna pattern.

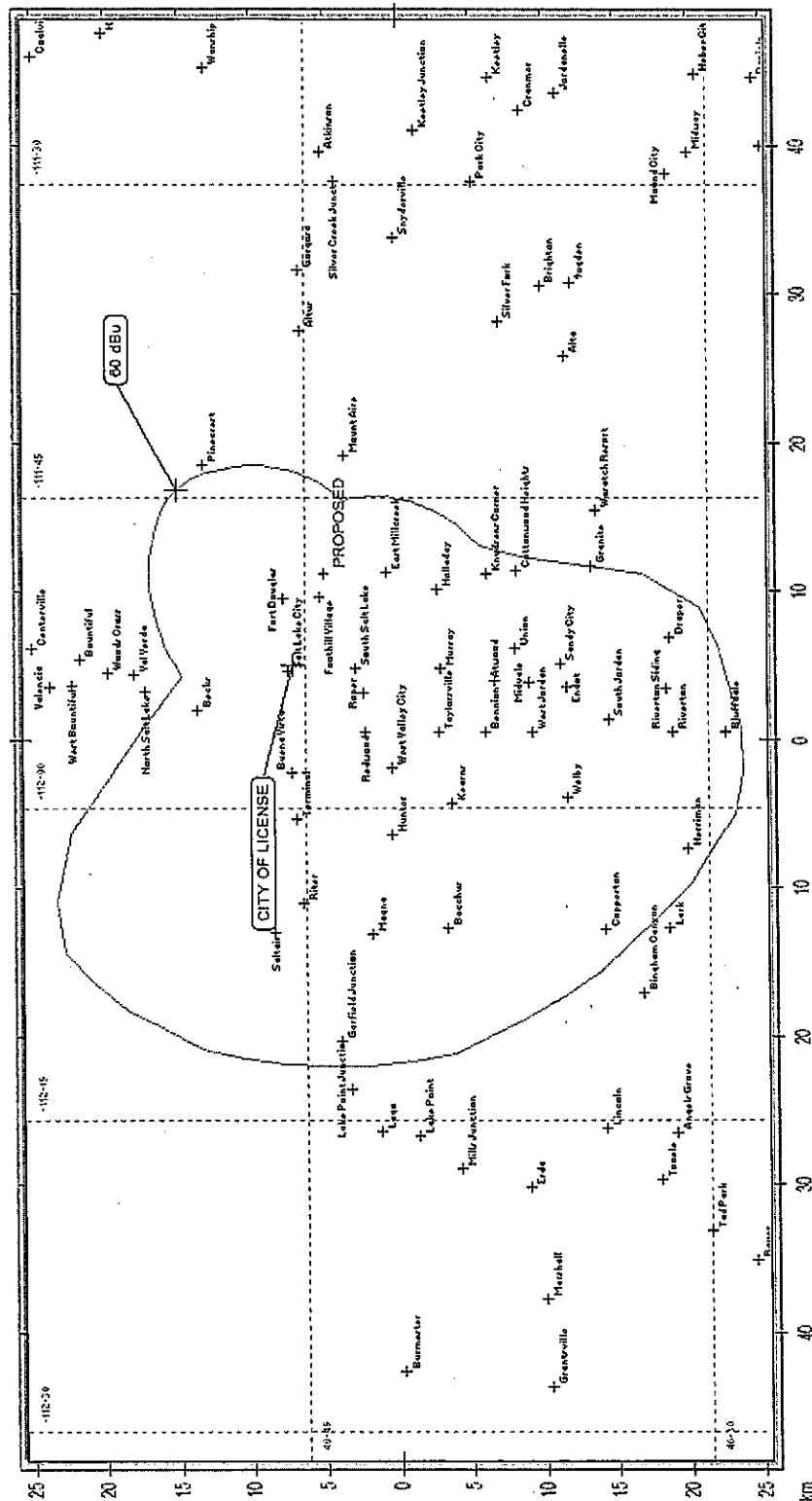


FIGURE 2: Coverage contours of the proposed station.

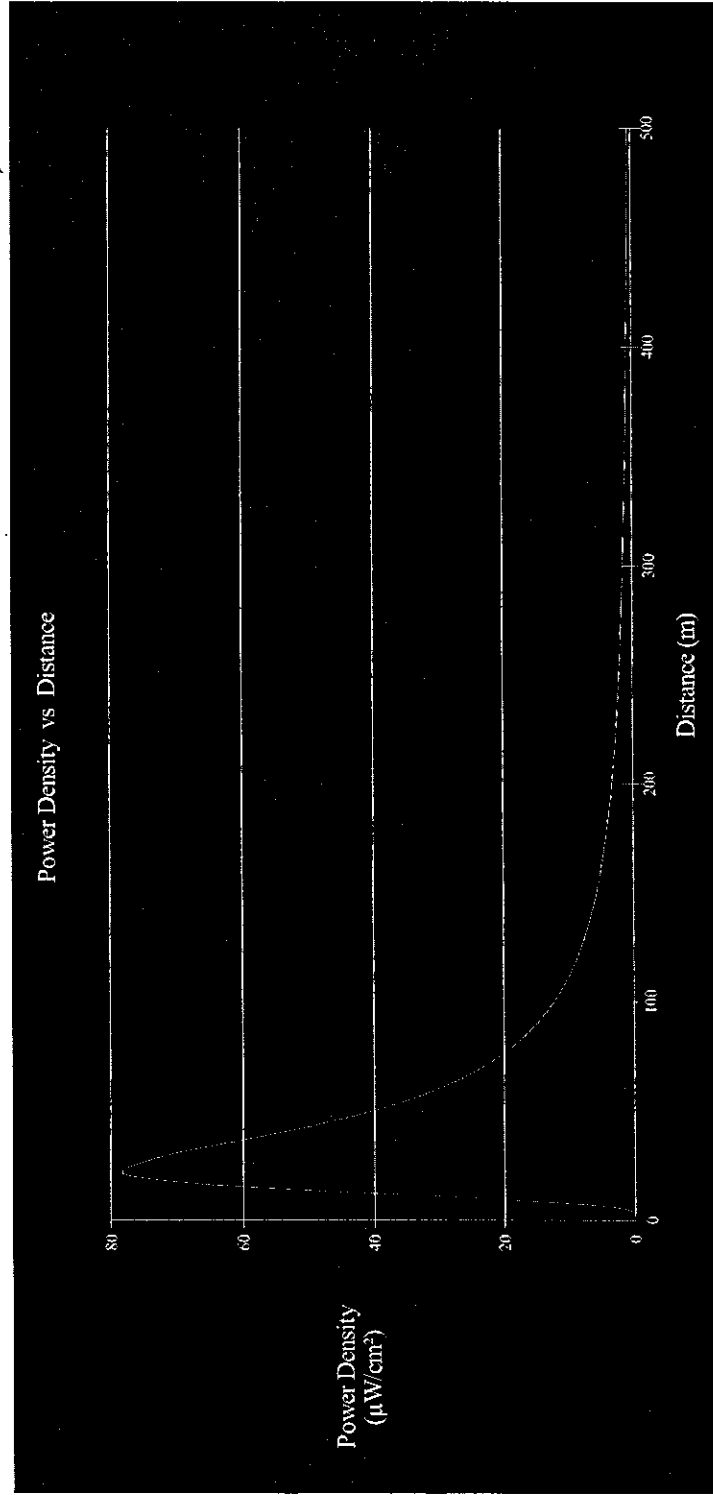


FIGURE 5: Predicted RFR levels of the proposed station using FCC FM Model software.