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Federal Communications Commission
Office of Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re Application of)
)
The Association for Community Education, Inc.)
)
For a New FM Translator Station on Channel)
211 in Santa Ana, California)
_____)

File No. BPFT-960910TB
File No. BPFT-970218TE

To: Chief, Audio Services Division

SUPPLEMENT TO MOTION TO DISMISS OR,
IN THE ALTERNATIVE, PETITION TO DENY

Santa Monica Community College District ("SMCCD") hereby supplements its December 31, 1996 Motion to Dismiss or, in the Alternative, Petition to Deny ("Motion") against the above-captioned application (File No. BPFT-960910TB) of the Association for Community Education, Inc. ("ACE"). The instant Supplement is being filed in response to a major amendment to its application filed by ACE on February 12, 1997 (File No. 970218TE) to change the transmitter location of ACE's proposed translator. ACE's amendment does not cure the fatal defects of its initial application, and, accordingly, its amendment must also be dismissed or denied. In support of that contention, the following is stated:

1. SMCCD is the licensee of noncommercial educational Station KCRW(FM) in Santa Monica, California.

2. In its December 31, 1996 Motion, SMCCD demonstrated that ACE's application should be dismissed or denied because ACE's proposed translator will cause interference to KCRW(FM) in violation of Section 74.1204(f) of the Commission's rules, 47 C.F.R. § 74.1204(f). A copy of the Motion is attached as Exhibit 1 and is hereby incorporated by reference.

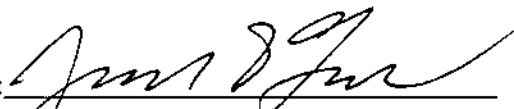
3. On February 12, 1997, ACE filed an amendment to its application, changing the proposed location of its transmitter because ACE was unable to obtain rights to use the location it originally proposed. As detailed more fully in the Engineering Statement attached hereto as Exhibit 3 and in SMCCD's December 31, 1996 Motion, that amendment does nothing to cure the interference that will be caused to KCRW(FM). In fact, the "amended interference area to KCRW extends further into populated areas where KCRW listeners are known to reside." Engineering Statement at 1.

WHEREFORE, in view of the foregoing, it is respectfully requested that ACE's amended application be dismissed or, in the alternative, denied.

Respectfully submitted,

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
2101 L Street, NW
Washington, DC 20037-1526
(202) 828-2265

Attorneys for Santa Monica Community
College District

By: 
Lewis J. Paper
Jacob S. Farber

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of May, 1997, the foregoing
**SUPPLEMENT TO MOTION TO DISMISS OR, IN THE ALTERNATIVE,
PETITION TO DENY** was sent via first class mail, postage prepaid to:

Philip C. Guthrie, President
The Association for Community
Education, Inc.
2301 Ponderosa Drive, Suite 28
Camarillo, CA 93010

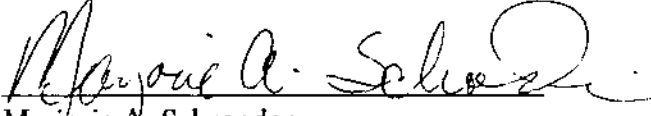

Marjorie A. Schroeder

EXHIBIT 1

VLS

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DEC 31 1996

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Federal Communications Commission
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In re Application of)
)
The Association for Community Education, Inc.)
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For a New FM Translator Station on Channel)
211 in Santa Ana, California)
_____)

File No. BPFT-960910TB

To: Chief, Audio Services Division

MOTION TO DISMISS OR, IN THE ALTERNATIVE, PETITION TO DENY

Santa Monica Community College District ("SMCCD"), acting pursuant to Sections 73.3584 and 74.1233 of the Commission's rules, hereby moves for the dismissal of the application filed by The Association for Community Education, Inc. ("ACE") for a new FM translator station to operate on Channel 211 in Santa Ana, California. In the alternative, SMCCD petitions for a denial of ACE's application. In support of the foregoing relief, the following is stated:

1. SMCCD is the licensee of noncommercial educational Station KCRW(FM) in Santa Monica, California.

2. As documented in the attached Affidavit of John J. Davis, SMCCD's consulting engineer, the signal of KCRW(FM) is "regularly received in the Santa Ana area . . ." Davis Affidavit at 2.

3. As further demonstrated in Davis' attached Affidavit, ACE's proposed translator operation "will cause interference to the signal of KCRW . . ." Davis Affidavit at 1.

4. As Davis explains, there are 1,063 subscribers of KCRW(FM) who listen to KCRW(FM) and fall within the area of interference that will be created by ACE's proposed translator operation.

5. The Commission has long held that "the proper role for FM translators remains as a secondary service supplementing the service of FM radio broadcast stations." Amendment of Part 74 of the Commission's Rules concerning FM Translators Stations, 8 FCC Rcd 5093 (1993). Accordingly, the Commission promulgated changes to its rules in 1990 "to ensure that the translator service does not adversely affect the operation of FM radio broadcast stations." *Id.* Among other rule changes adopted in 1990, the Commission added a new section 74.1204(f) which states as follows:

An application for an FM translator station will not be accepted for filing even though the proposed operation would not involve overlap of field strength contours with any other station, as set forth in (a) of this section, if the predicted 1 mV/m field strength contour of the

FM translator station will overlap a populated area already receiving a regularly used, off-the-air signal of any authorized co-channel first, second or third adjacent channel broadcast station, including Class D (secondary) noncommercial educational FM stations, and grant of the authorization will result in interference to the reception of such signal.

47 C.F.R. § 1204(f). The Commission explained in 1990 that the foregoing subsection precludes a "grant [of] an application if an objecting party provides convincing evidence that the proposed translator station would be likely to interfere with the reception of a regularly received off-the-air existing service, even if there is no predicted prohibited overlap." Amendment of Part 74 of the Commissions' Rules Concerning FM Translator Stations, 5 FCC Rcd 7212, 7230 (1990), *aff'd*, Amendment of Part 74 of the Commission's Rules Concerning FM Translator Stations, *supra*.


6. As detailed in Davis' attached Affidavit, SMCCD operates KCRW(FM) on the first adjacent channel (Channel 210) to the channel proposed for ACE's translator station. Subsection 74.1204(f) therefore requires that ACE's translator application be dismissed as not in accord with applicable rules. See 47 C.F.R. § 73.3564(b) (acceptance of an application by the staff "will not preclude the subsequent dismissal of the application if it is found to be patently not in accordance in with the FCC's rules"). In the alternative, ACE's application should be denied since the requisite public interest finding cannot be made under Section 309(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(a).

WHEREFORE, in view of the foregoing, it is respectfully requested that ACE's application be dismissed or, in the alternative, denied.

Respectfully submitted,

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
2101 L Street, NW
Washington, DC 20037-1526
(202) 828-2265

Attorneys for Santa Monica Community
College District

By: 
Lewis J. Paper

ENGINEERING EXHIBIT

PETITION TO DENY
THE APPLICATION OF
ASSOCIATION FOR COMMUNITY EDUCATION, INC.
FOR A NEW FM TRANSLATOR STATION
TO SERVE
SANTA ANA, CALIFORNIA
CHANNEL 211, 90.1 MHz

FCC FILE NO. BPFT-960910TB

PREPARED FOR:

SANTA MONICA COMMUNITY COLLEGE DISTRICT
1900 PICO BOULEVARD
SANTA MONICA, CALIFORNIA 91405

DECEMBER 10, 1996

PREPARED BY:

JOHN J. DAVIS
CONSULTING ENGINEER
POST OFFICE BOX 128
SIERRA MADRE, CALIFORNIA 91025-0128
(818) 355-6909
FAX: (818) 355-4890

1.0 INTRODUCTION:

This Engineering Exhibit was prepared for SANTA MONICA COMMUNITY COLLEGE DISTRICT, licensee of Non-Commercial Educational Station KCRW in Santa Monica, California, to support its petition to deny the application of the Association for Community Education, Inc. ("Community") for construction permit for a new FM translator station to serve Santa Ana, California on Channel 211 (90.1 MHz) [FCC File No. BPFT-960910TB]. Community proposes to use the translator to rebroadcast the programming of KMRO in Camarillo, California.

It will be shown that the proposed translator will cause interference to the signal of KCRW, which operates on the first adjacent channel, Channel 210 (89.9 MHz), which is regularly received in the Santa Ana area.

2.0 INTERFERENCE CONSIDERATIONS:

While Community's proposed Santa Ana translator does not involve any interference contour overlap with the KCRW 60 dBu protected contour, Section 74.1204(f) of the Rules states:

"An application for an FM translator station will not be accepted for filing even though the proposed operation would not involve overlap of field strength contours with any other station, as set forth in paragraph (a) of this section, if the predicted 1 mV/m field strength contour of the FM translator station will overlap a populated area already receiving a regularly used, off-the-air signal of any authorized co-channel, first, second or third adjacent channel broadcast station, including Class D (secondary) noncommercial educational FM stations and grant of the authorization will result in interference to the reception of such signal" (emphasis added).

The KCRW signal is regularly received in the Santa Ana area and Community's proposed translator will interfere with the reception of the KCRW signal in this area. Figure 1 shows the interference area¹ around Santa Ana. This interference area was determined to be 1,491 square km and the population within this area is 899,107 persons (1990 Census). The KCRW subscriber database² revealed that within this interference area there are 1,063 subscribers who regularly listen to KCRW. All of these subscribers will be adversely affected by the proposed translator.

3.0 SUMMARY:

Community's proposed FM translator will cause interference to the regularly received signal of first adjacent channel station KCRW and, therefore, must be denied.

¹ Interference area is defined as the area where the undesired signal is 6 dB greater than the desired signal.

² These are active paid-up listener/subscribers whose names and addresses will be provided to the Commission upon request.

PETITION TO DENY
APPLICATION FOR A NEW FM TRANSLATOR TO SERVE SANTA ANA, CA
FILED BY ASSOCIATION FOR COMMUNITY EDUCATION, INC.

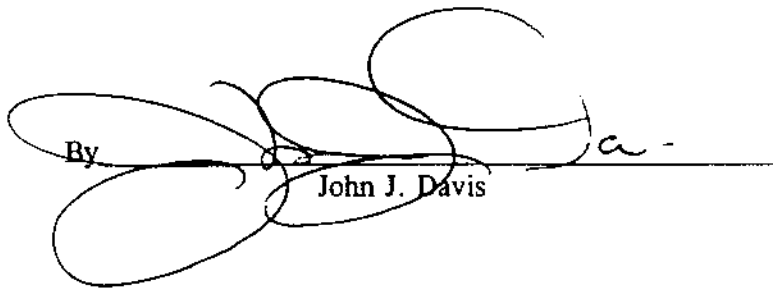
PREPARED FOR
SANTA MONICA COMMUNITY COLLEGE DISTRICT
1900 PICO BOULEVARD
SANTA MONICA, CALIFORNIA

4.0

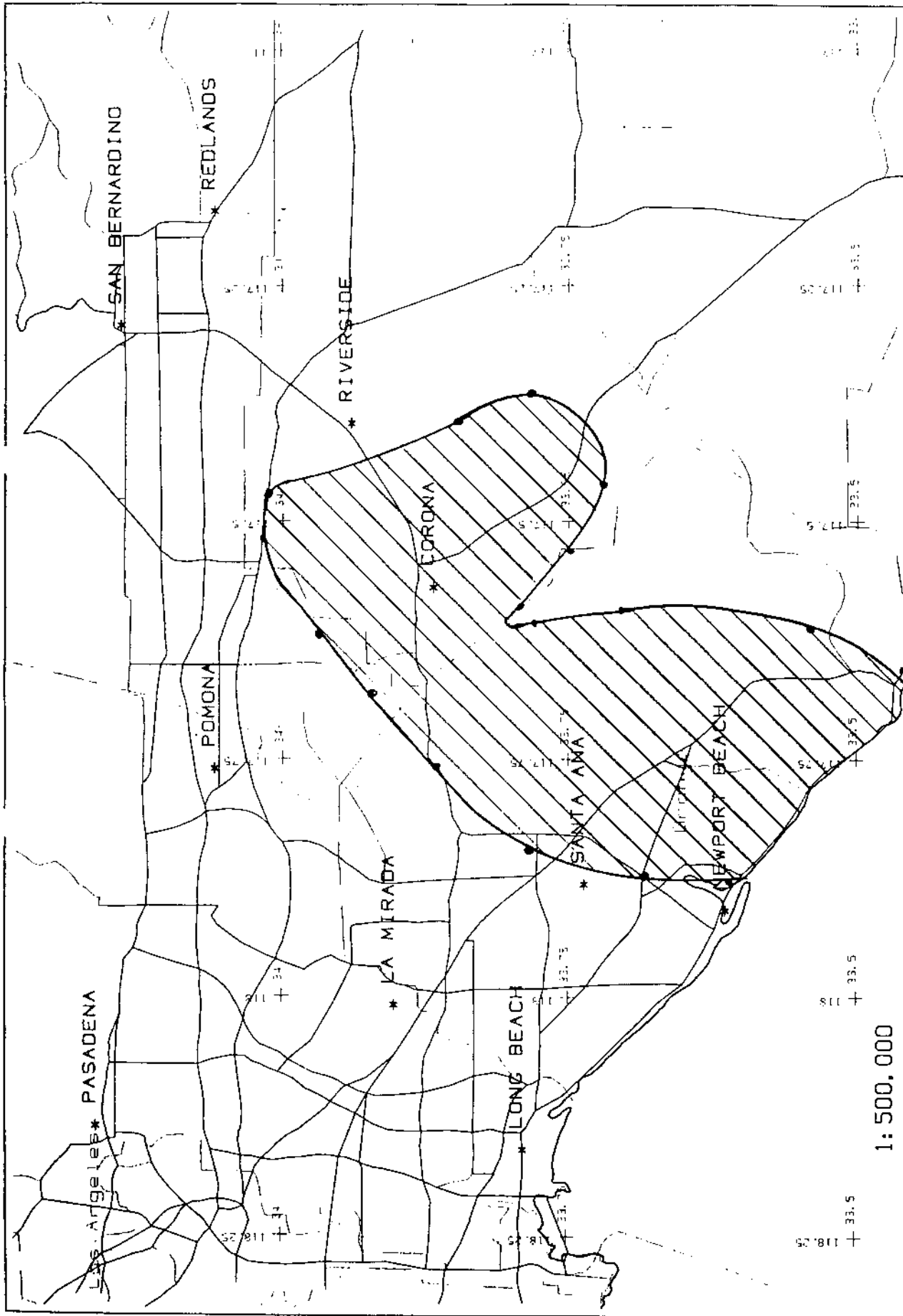
AFFIDAVIT

STATE OF CALIFORNIA)
) ss:
COUNTY OF LOS ANGELES)

JOHN J. DAVIS, does hereby swear that he is a consulting electronics engineer with offices in Sierra Madre, California; that he is a Registered Professional Engineer in the State of California; that his qualifications as an expert in radio engineering are a matter of record with the Federal Communications Commission; that the foregoing engineering statement was prepared by him or under his direction; and that the statements contained therein are true of his own knowledge and belief, and as to those statements prepared under his direction, he verily believes them to be true and correct.

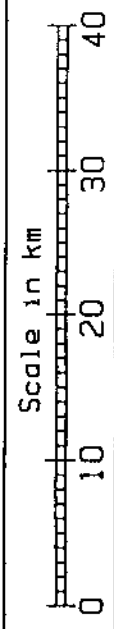
By  a-
John J. Davis

December 10, 1996



6 dB D/U INTERFERENCE AREA CAUSED BY
PROPOSED NEW SANTA ANA TRANSLATOR

FIGURE 1
SMCCD



1: 500,000

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of December, 1996, the foregoing
MOTION TO DISMISS OR, IN THE ALTERNATIVE, PETITION TO DENY
was sent via first class mail, postage prepaid to:

Philip C. Guthrie, President
The Association for Community
Education, Inc.
2301 Ponderosa Drive, Suite 28
Camarillo, CA 93010



Pamela M. DuBost

EXHIBIT 2

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. APPLICANT NAME (Last, First, Middle Initial) <p style="text-align: center;">The Association for Community Education, Inc.</p>												
MAILING ADDRESS (Line 1) (Maximum 35 characters) <p style="text-align: center;">2310 Ponderosa Drive, Suite 28</p>												
MAILING ADDRESS (Line 2) (Maximum 35 characters)												
CITY <p style="text-align: center;">Camarillo</p>	STATE OR COUNTRY (if foreign address) <p style="text-align: center;">CA</p>		ZIP CODE <p style="text-align: center;">93010</p>									
TELEPHONE NUMBER (include area code) <p style="text-align: center;">(805) 482-4797</p>		CALL LETTERS OR OTHER FCC IDENTIFIER (IF APPLICABLE)										
2. A. Is a fee submitted with this application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No												
B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1112).												
<input type="checkbox"/> Governmental Entity <input checked="" type="checkbox"/> Noncommercial educational licensee <input type="checkbox"/> Other (Please explain):												
C. If Yes, provide the following information:												
Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).												
(A)	(B)	(C)	FOR FCC USE ONLY									
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)										
<table border="1" style="width: 100%; height: 20px;"> <tr><td style="width: 33%;"></td><td style="width: 33%;"></td><td style="width: 33%;"></td></tr> </table>				<table border="1" style="width: 100%; height: 20px;"> <tr><td style="width: 25%;">0</td><td style="width: 25%;">0</td><td style="width: 25%;">0</td><td style="width: 25%;">1</td></tr> </table>	0	0	0	1	<table border="1" style="width: 100%; height: 20px;"> <tr><td style="width: 50%;">\$</td><td style="width: 50%;"></td></tr> </table>	\$		
0	0	0	1									
\$												

3. This application is for: (check one box):

FM Translator

FM Booster

A. Channel No.
211

B. Community of license:	
City	Santa Ana
State	CA

C. Check one of the following boxes:

- NEW station
- MODIFICATION of Construction Permit (CP)
(Check this box only if a license for this particular CP has not been granted)

File No. of Construction Permit: -----

MAJOR CHANGE in licensed facilities; call sign:-----

MINOR CHANGE in licensed facilities; call sign:-----

AMENDMENT of pending application

Application Reference No. ----- **BPET960910TB**

For amendments to a previously filed application, submit complete Form 349.

D. NATURE OF PROPOSED MODIFICATION, CHANGE OR AMENDMENT

- Change Frequency
- Relocate Station
- Change Antenna System
- Change Equipment
- Change Power
- Other (specify in an Exhibit)

Exhibit No.
N/A

4. (a) To the applicant's knowledge, is this application mutually exclusive with a renewal application? Yes No

(b) To the applicant's knowledge, is this application mutually exclusive with another application? Yes No

If the answer to question 4(a) or 4(b) is Yes, state the following information:

Call Letters or File No.	Community of License	
	City	State
(a)	N/A	
(b)		

Section II - ENGINEERING DATA AND ANTENNA AND SITE INFORMATION

1. Facilities requested:

(a)	Output Channel No. 211	Frequency 90.1 MHz	Proposed Community(ies) To Be Served	
			City Santa Ana	State CA

Primary Station (station to be rebroadcast)

(b)	Call Sign KMRO	City Camarillo	State CA	Output Channel No. 212	Frequency 90.3 MHz
-----	-------------------	-------------------	-------------	---------------------------	--------------------------

Intermediate translator station - if station is to operate via another translator station

(c)	Call Sign	City N/A	State
-----	-----------	-------------	-------

Alternative Signal Delivery

- (d) Satellite Feed Microwave Other Not Applicable

2. Proposed transmitting antenna location:

City Oak Flat, near Corona	State CA	County Orange
Address or other description of location: Oak Flat - KPLS AM Tower Site, 8.5 km Southwest of Corona, California		Geographical coordinates of transmitting antenna to nearest second (see Instructions) North Latitude West Longitude 33° 49' 42" 117° 38' 18"

Attach as an Exhibit a map or maps (such as the Geological Survey topographic quadrangle map) of the area of the proposed transmitting antenna location, showing thereon the following data:

Exhibit No. E2

- a. Scale in kilometers
- b. Proposed transmitting antenna location accurately plotted.

For applicants proposing changes that will result in change of coverage, include in this Exhibit the location of the proposed and existing transmitting antenna sites and the proposed and existing coverage contours. See 47 C.F.R. Section 74.1233(a).

3. Transmitter:	Make BEXT	Type No. LEX-25		Output Power P .004 kilowatts
4. Transmission Line:	ANDREW	LDF4-50A	Length 114.3 meters	Rated efficiency E for length given(decimal fraction) .571

5. Transmitting antenna Directional "Off-the-shelf" (Submit Manufacturer's patterns & tabulations) Directional Composite (Multiple Antennas) (Submit Manufacturer's patterns & tabulations) Non-directional

Manufacturer	SCALA	Model	CA5-150EB/CP	Description ^{1/}	2 Yagis "X"
Overall structure height above ground ^{2/}	93.0 meters	Elevation of Site ^{3/}	820.0 meters	Power Gain G ^{4/}	
				H	4.00

Effective radiated power (ERP)

(ERP=P x E x G) .010 kilowatts (H)
.010 kilowatts (V)

Height of antenna radiation center above ground level 90.0 meters (H)
90.0 meters (V)
 above mean sea level 910.0 meters (H)
910.0 meters (V)

1/ Give basic type using general descriptive terms such as half-wave dipole, "bow-tie" with screen, corner reflector, 10 element Yagi, 4 element in-phase array, two stacked 5 element Yagis, etc.

2/ Show height to topmost portion of structure in meters, including highest top mounted antenna and beacon, if any.

3/ Show the ground elevation above mean sea level in meters at the base of the transmitting antenna supporting structure.

4/ Use the multiplier in lobe of maximum radiation relative to a half wave dipole. Give the actual power gain toward the radio horizon.

6. Attach as an Exhibit a vertical plane sketch for the proposed total structure(s), including supporting structure(s), giving height of center of radiation above ground, overall height of structure above ground, including lighting beacon (if any) and height above mean sea level in meters for all significant features for BOTH RECEIVING AND TRANSMITTING ANTENNAS. Also indicate any horizontal separation between receiving and transmitting antennas.

Exhibit No.
E3

7. Will the proposed antenna supporting structure be shared with an AM radio station? Yes No

If Yes, list the call sign(s) and class of such station(s).

KPLS, Orange, CA Class B File # BL-911219AB

8. Is a directional antenna proposed? Yes No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Sections 73.316(c)(1)-(c)(3), including plot(s) and tabulations of the relative field. See Instructions for Section II - Engineering Data, paragraph (A).

Exhibit No.
E4

9. Are there any terrain features between the proposed transmitting site and the community to be served which would interfere with line-of-sight transmission to any part of the principal community? Yes No

If the answer is Yes, attach as an Exhibit a description of the extent of the area affected.

Exhibit No.
N/A

10. Supply terrain and coverage data (to be calculated in accordance with 47 C.F.R. Section 73.313).

Source of terrain data: (check only one box below)

Linearly interpolated 30-second database (Source

N.G.D.C. - TGP 0050

7.5 minute topographic map

Other (briefly summarize)

Radial bearing (degrees True) 1/		Average Elevation of Radial in meters (3 to 16 km) AMSL	Height of Radiation Center above average elevation of radial from 3 to 16 km (meters)	Predicted distance to the protected contours (0.5, 0.7 or 1.6 mV/m) 2/ (kilometers)
Booster	Translator			
0	0	See Exhibit E1, Page 3 -and- Exhibits E5 & E6		
45	30			
90	60			
135	90			
180	120			
225	150			
270	180			
315	210			
	240			
	270			
	300			
	330			

1/ Additional radial(s) and related information should be provided when necessary to show interference protection.

2/ Protected contours vary depending on the class of station involved. Commercial Class B FM stations - protected contour 0.5 mV/m; Commercial Class hi FM stations - protected contour 0.7 mV/m; all other classes of FM stations - protected contour 1 mV/m.

Based on the figures obtained from the above table, calculate the appropriate coverage contours of the translator station (see 47 C.F.R. Section 73.333) and answer questions 11 and 12.

11. Attach as an Exhibit a map (Sectional Aeronautical Chart or equivalent) that shows clearly, legibly and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
E5

(a) the proposed coverage contour; and

(b) the protected contour of the licensed primary station to be rebroadcast. (If the primary station is authorized with facilities in excess of those specified by 47 C.F.R. Section 73.211, see Note to 47 C.F.R. Section 74.1231(h).)

12. Based on the above, is the area to be served by the translator or booster station entirely within the primary station's protected contour?

Yes No

13. Is the applicant specifying a channel that is 53 or 54 channels removed from the channel of any FM radio broadcast station in the area of operations?

Yes No

If Yes, attach an Exhibit showing compliance with 47 C.F.R. Section 73.207.

Exhibit No.
N/A

(Translators will be treated as Class A stations provided, however, that translators operating with less than 100 watts ERP will be treated as Class D stations and will not be subject to I.F. frequency separation requirements. (See 47 C.F.R. Section 74.1204(g).)

14. Does the applicant 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? See 47 C.F.R. Section 74.1232(6).

Yes No

If Yes, submit an Exhibit, showing the technical need for the additional translator.

Exhibit No.
N/A

15. For non-commercial educational applicants intending to operate on reserved channels 201-220, will the proposed operation be within the threshold distance of a TV Channel 6 station as set forth by 47 C.F.R. Section 74.1205(4)?

Yes No

If Yes, submit an Exhibit showing compliance with paragraph (b), (c), or (d) of 47 C.F.R. Section 74.1205.

Exhibit No.
N/A

If applicant's compliance is based on 47 C.F.R. Section 74.1205(b), the applicant certifies that it has coordinated its antenna with the affected TV Channel 6 station.

Yes No

16. Has the FAA been notified of proposed construction?

Yes No

If Yes, give date and office where notice was filed:

N/A

17. Environmental Statement (see 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within 47 C.F.R. Section 1.1307, such that it may have a significant environmental impact, including exposure to workers or the general public, to harmful nonionizing radiation levels?

Yes No

If Yes, submit as an Exhibit an Environmental Assessment as required by 47 C.F.R. Section 1.1311. If No, explain briefly why not.

Exhibit No.
E7

18. Unattended operation:

Is unattended operation proposed?

Yes No

(a) If Yes, and this application is for authority to construct a new station or to make changes in the facilities of an authorized station which proposes unattended operation for the first time, the applicant certifies that it will comply with the requirements of 47 C.F.R. Section 74.1234 concerning unattended operation.

Yes No

(b) In the space below state the name, address and telephone number of a person or persons who may be contacted in an emergency to suspend operation of the translator should such action be deemed necessary by the Commission.

Name			Mark Pallock		
Address (street or other description)			701 North Brand Blvd., Suite 550		
City	Glendale	State	CA	Telephone No. (include area code)	(818) 956-5552

19. Has the applicant proposed to use equipment that is type accepted or notified in accordance with the provisions of 47 C.F.R. Parts 73 and 74?

Yes No

If No, and the equipment is to be notified or type accepted under 47 C.F.R. Section 74.1250(c), include the date the equipment was submitted to the FCC Laboratory for approval or the date the manufacturer commenced the notification process.

N/A

CERTIFICATION

I certify that I represent the applicant in the capacity indicated below and that I have examined the foregoing statement of technical information and that it is true to the best of my knowledge and belief.

Signature <i>Carl E. Gluck</i>	Typed or Printed Name Carl E. Gluck
Date <i>February 12, 1997</i>	Telephone No. (include area code) (805) 384-4502

- Technical Director
 Registered Professional Engineer
 Consulting Engineer
 Chief Operator
 Other (specify) **Technical Consultant**

Section III- LEGAL QUALIFICATIONS

NOTE: Applicants for new stations only:

1. Applicant is (check one of the following):

- Individual General Partnership Corporation
- Other Limited Partnership Unincorporated Association

If the applicant is a legal entity other than an individual, partnership, corporation or unincorporated association, describe in an Exhibit the nature of the applicant.

Exhibit No.
N/A

2. (a) Is the applicant for an FM translator station the licensee or permittee of the commercial primary station being rebroadcast or does the applicant or any parties to the application have any interest or connection with the commercial primary station being rebroadcast? See 47 C.F.R. Section 74.1232(d).

Yes No

N/A

Yes No

(b) If Yes, will the coverage contour of the translator station extend beyond the protected contour of the commercial primary station being rebroadcast? If YES, this application cannot be granted. See 47 C.F.R. Section 74.1232(d).

NOTE: Applicants who answer Yes to question (b) (and No to question (a)) are 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).

3. (a) Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments?

Yes No

(b) Will any funds, credit, or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

Yes No

If Yes, provide particulars as an Exhibit.

Exhibit No.
N/A

4. Has an adverse finding been made or an adverse final action been taken by any court or administrative body with respect to the applicant or parties to this application 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

If the answer is Yes, attach as an Exhibit a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers) and the disposition of the litigation. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 U.S.C. Section 1.65(c), 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) a description of the previously reported matter.

Exhibit No.
N/A

5. Has the applicant or any other party to this application had any interest in:

(a) a broadcast application which has been dismissed with prejudice by the Commission?

Yes No

(b) a broadcast application which has been denied by the Commission?

Yes No

(c) a broadcast station, the license for which has been revoked?

Yes No

(d) a broadcast application in any Commission proceeding which left unresolved character issues against the applicant?

Yes No

Exhibit No. N/A

If the answer to any of the Questions in 5 is Yes, state in an Exhibit the following:

- (i) Name of party having interest;
- (ii) Nature of interests or connection, giving dates;
- (iii) Call letters of stations or file number of application or docket number;
- (iv) Location.

Section IV-CERTIFICATIONS

NOTE: If this application is for a change in an operating facility, you DO NOT need to respond to Questions 1 and 2.

1. The applicant certifies that sufficient net liquid assets are on hand or are available from committed sources to construct and operate the requested facilities for three months without revenue. Yes No
2. The applicant certifies that (a) it has a reasonable assurance of a present firm intention for each agreement to furnish capital or purchase capital stock by parties to this application, each loan by banks, financial institutions or others and each purchase of equipment on credit; (b) it can and will meet all contractual requirements as to the collateral, guarantees, and capital investment; and (c) it has determined that a reasonable assurance exists that all identified financial sources (excluding banks, financial institutions and equipment manufacturers) have sufficient net liquid assets to meet these commitments. Yes No
3. 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 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
4. For applicants proposing translator rebroadcasts who 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

Primary station proposed to be rebroadcast:

Call Sign KMRO	City Camarillo	State CA	Channel No. 212
-------------------	-------------------	-------------	--------------------

5. The applicant certifies that it has contacted an authorized spokesperson for the owner of the rights to the proposed transmitter site, and has obtained reasonable assurance that the site will be available for its use if this application is granted. Yes No

That person can be contacted at the following address and telephone number:

Name Jim Glogowski		Mailing Address or Identification KPLS, 1592-1 N.Batavia	
City Orange	State CA	ZIP Code 92667	Telephone~ No. (include area code) (713) 961-5835

6. For new station and major change applications only, the applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580. Yes No
7. By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b). Yes No

THE ORIGINAL OF THIS APPLICATION FORM MUST BE SIGNED AND DATED BY THE APPLICANT. THE REQUIRED COPIES CAN BE CONFORMED. SEE 47 C.F.R. SECTION 73.3513.

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory powers of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

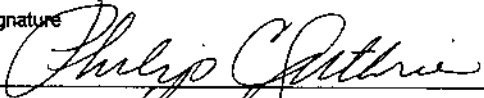
The APPLICANT acknowledges that all statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND 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).

8. 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.

Name of Applicant The Association for Community Education, Inc.	Signature 
Title President	Date 2/12/97

Carl E. Gluck

Professional Broadcast Engineer
4880 Santa Rosa Rd. Suite # 300
Camarillo, California 93012
(805) 384-0452

EXHIBIT #E1 ENGINEERING STATEMENT

FCC File # BPFT960910TB

Concerning the Amendment to the Application of
The Association for Community Education, Inc.
to construct a New FM Translator Station

FEBRUARY 1997

Channel 211D

10W DA V

**33 49 42 N. Lat.
117 38 18 W. Long.**

C.O.R. 910.0 M

This engineering statement supports the amendment to the application by the Association for Community Education, Inc., of Camarillo, California, to build a new FM radio translator at Santa Ana, California.

Purpose of Amendment:

This amendment is to relocate the proposed translator from Sierra Peak to Oak Flat. On February 5, 1997, after more than a month of appeals and requests for exception, the Association was told that its proposed transmitter site at Sierra Peak was unavailable because the United States Department of Agriculture Forest Service would not permit a broadcast transmitter at the proposed site - and because the Association had exhausted all of its appeals for an exception.

Prior to that time the Association believed the site was tenable, and that it would obtain permission from the USDA to operate there because, unlike most other broadcast transmitters, the proposed translator's transmitter had an output of only 3 watts and an ERP of 10 watts (at a site where two-way transmitters are permitted power levels up to 1000 watts ERP). In December the USDA notified the Association that it did not want a broadcast transmitter at Sierra Peak. The Association appealed this notification, and had a meeting with USDA representatives on January 24th. From that meeting the

Association was directed to make its appeal to yet another office, which it did. Finally, on February 5th in a 10 am telephone call the USDA denied the Association's appeal. However, during the appeal process the USDA did identify another site for the Association's proposed translator. This amendment contains engineering information showing the translator at this newly proposed site. This application is timely according to CFR 47 73.3566(a) which permits an amendment of the pending application within 30 days (before March 7th, 1997) of a substantial change which may be of a decisional significance in this proceeding.

Nature of Proposed Amendment:

Under the instant proposal, the type approved FM transmitter generates an output power of .004 kilowatts. The ½ inch Andrews LDF4 50 ohm transmission line has an efficiency for its length of 114.3 meters (375.0 feet) of 57.1 percent. The proposed SCALA CA5-150EB/CP circularly polarized directional yaggi array antenna has a power gain of 4.00 in both the vertical and horizontal planes. Therefore, a total of .010 kilowatts will be radiated from the antenna in a directional manner (circularly polarized).

Site Map:

Exhibit E2 is a full scale section of a 1:24,000 U.S. Geological Survey topographic quadrangle map (Black Star Canyon, California), showing the exact transmitter location.

Tower and Site:

Exhibit E3 is a vertical sketch showing the proposed yaggi array type transmit antenna mounted on the tower, and the Satellite dish receive antenna mounted on the ground below. The proposed site is at an AM Directional Antenna system, so the applicant anticipates satisfying the associated requirements of a proof of performance following installation of its equipment.

Antenna Exhibit:

Exhibit E4 contains a table showing distance to contour values for the directional antenna rotated 210 degrees true north at the power proposed and a polar plot of the antenna's pattern.

Coverage Map:

Exhibit E5, Page 1, is a map of primary station KMRO's 1 mV/m F(50/50) signal contour and the 1 mV/m F(50/50) contour of the proposed translator facility. This map was computer generated using U.S. Geological Survey Digital Line Graph data which was originally digitized from 1:2,000,000 scale maps. A total of 360 evenly spaced radials

Exhibit E1, Page 4

were used to plot the 60 dBu contour. The proposed translator's 1 mV/m contour is wholly outside of the primary station's 1 mV/m contour, at approximately 89 kilometers distance between the nearest points of the two contours.

Exhibit E5, Page 2, is a map of the proposed translator facility's 1 mV/m F(50/50) signal contour using a 1:250,000 scale.

A total of 12 evenly spaced radials were used to determine the translator's antenna height above average terrain. The N.G.D.C. 30 arc second database was employed to determine the radial elevations which were averaged using the required four-point interpolation method and then employed to project the distances to signal contours along the pertinent radials. A tabular listing of these contours can be found on page 3 of this exhibit (E1).

Allocation Study:

The proposed translator operates with only 10 watts ERP so i.f. relationships are not considered in accordance with 47 CFR 74.120(g).

The proposed translator will operate in the non-commercial part of the band, therefore allocation studies are included on a contour to contour basis for protected stations whose contours fall within 16 kilometers of the proposed translator. These include KSGN (Channel 209) Riverside; KCRW (Channel 210) Santa Monica; KSAK (Channel 211) Walnut; KBPK (Channel 211) Buena Park; KLRD (Channel 211) Yucaipa; and KPFK (Channel 214) Los Angeles, California. Exhibit E6, Pages 1 - 7, show allocation maps for each of these cases.

In the case of KSGN the proposed translator station will cause an interfering contour overlap that extends outward as much as 2.13 kilometers (in the main lobe at 210 degrees true north). The overlapping interference area is depicted in the allocation map Exhibit E6, pages 1 & 2, and page 2 is a close up of the 80 dBu F(50/10) interfering contour area. It has been determined that the area within the overlapping contours is completely uninhabited and is likely to remain that way (the area contains very rugged terrain on Forest Service Property). In addition, if this was not the case, a supplemental showing could be prepared which would show unusual terrain considerations which would mitigate interference to KSGN.

In the case of KPFK the proposed translator station will cause a tiny interfering contour overlap within 728 feet of the proposed translator site. The overlapping interference area is depicted in the allocation map, Exhibit E6, Page 3, and it has been determined (using 1990 Census Data and a computer plot) that there is no population in the overlap area.

No interfering overlap occurs in any of the other cases. The proposed relocation of the translator will move it 2.7 kilometers on a bearing of 153 degrees true north from the transmitter site which was originally proposed. This move is away from all of the significant cases in which the proposed interfering contours falls within 16 kilometers of a protected contour.

A careful examination of the proposed 1 mV/m contour (F(50/50)) to insure compliance with CFR47 74.1204(f) shows that less than 300 people reside within the contour's boundaries. The affected residences include only the very tiny area of Fremont Canyon, and the similarly small area of Rattlesnake Canyon. The terrain between protected radio stations and these areas prevents regular over the air reception of these stations in the proposed 1 mV/m contour area. The proposed 1 mV/m contour does not envelop any portion of Cowan Heights, Orange Park Acres, Lemon Heights, Santa Ana, Anaheim, Irvine, Orange, or any other sizable community. To make this point perfectly clear Exhibit E6 Page 8 is an Atlas type overlay, 1:150,000 scale, that shows the proposed 1 mV/m contour with relationship to the surrounding communities.

While it is extremely doubtful, it is possible that some listener of a protected station has a mailing address or resides within the proposed 1 mV/m contour, but not one who regularly uses the over the air signal of the same (many radio listeners use the over the air signals of stations they listen to at drive-time commute locations and do not listen at their home address). Therefore the instant amendment is in compliance with CFR 47 74.1204(f).

Thus, the proposed translator conforms to the rules for an FM Broadcast Translator station.

R.F. Hazard Compliance:

Exhibit E7 shows compliance with the Commission's R.F. radiation standards.

Qualifications:

Page 6 of this exhibit (E1) is a statement made by the preparer Carl Gluck attesting to his qualifications.

Declaration:

I, Carl E. Gluck, declare that I have been active in broadcast engineering for over 20 years;

That I have held a Federal Communications Commission First Class Radiotelephone License continually since 1978. In 1985 this license was reissued by the Commission as a lifetime General Radiotelephone License (No. PG-17-13354);

That I have held a Federal Communications Commission Extra Class Amateur Radio License continually since 1987 (call sign KE0GP);

That I am certified as a Professional Broadcast Engineer (#50261) by the Society of Broadcast Engineers, Indianapolis, Indiana. (Re-certified 7/95);

That I have been retained by the Association for Community Education, Inc., Camarillo, California, to prepare the engineering showings and the technical information contained in same. The facts stated within are true to the best of my knowledge;

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

Carl E. Gluck

Carl E. Gluck
Executed on February 12, 1997.

TERRAIN AND CONTOUR DATA
 SCALA CA5-150EB/CP ROTATED 210 DEGREES TRUE NORTH
 EXHIBIT E1 PAGE 3

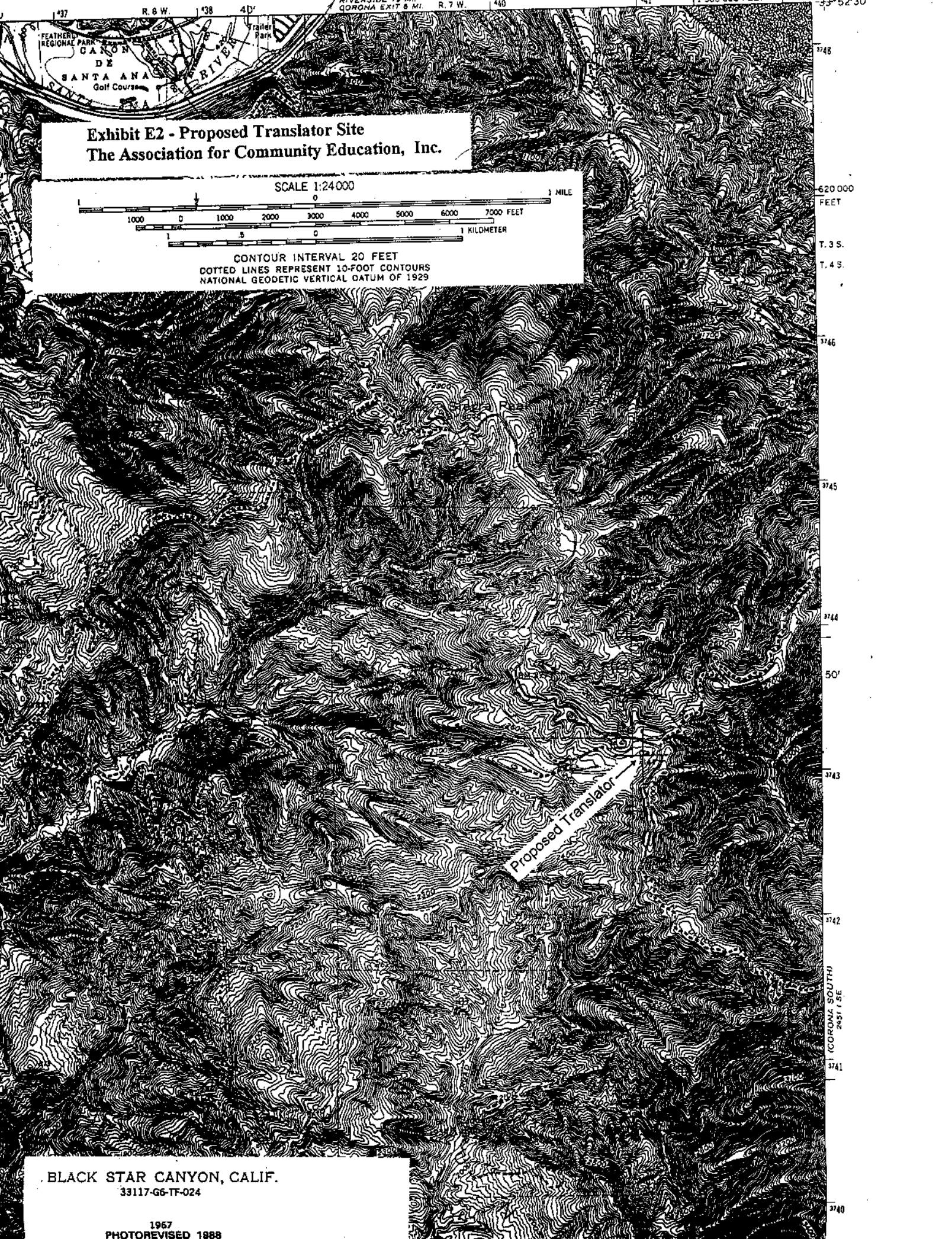
ERP = .01 kW
 FM - 2-6 Tables 30 Sec

Azimuth Deg T.	Ave. Elev. 3 to 16 km Meters AMSL	Effective Antenna Height Meters AAT	ERP (dBk)	F(50-50) Distance to 60 dBu Contour km
0	211.1	698.9	-37.393	2.8
30	214.7	695.3	-34.289	3.9
60	263.6	646.4	-37.393	2.8
90	361.7	548.3	-35.340	3.5
120	673.2	236.8	-36.082	2.8
150	953.3	-43.3	-34.425	4.2
180	519.5	390.5	-22.878	9.5
210	346.1	563.9	-20.000	13.2
240	297.5	612.5	-22.878	11.1
270	314.9	595.1	-34.425	3.8
300	236.5	673.5	-36.082	3.3
330	304.3	605.7	-35.340	3.5
Ave. = 391.4 M		518.6 M		

Antenna Radiation Center AMSL = 910.0 M

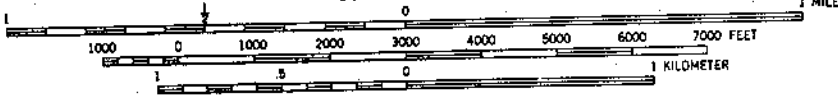
Geographic Coordinates:

North latitude: 33 49 42
 West longitude: 117 38 18



**Exhibit E2 - Proposed Translator Site
The Association for Community Education, Inc.**

SCALE 1:24,000



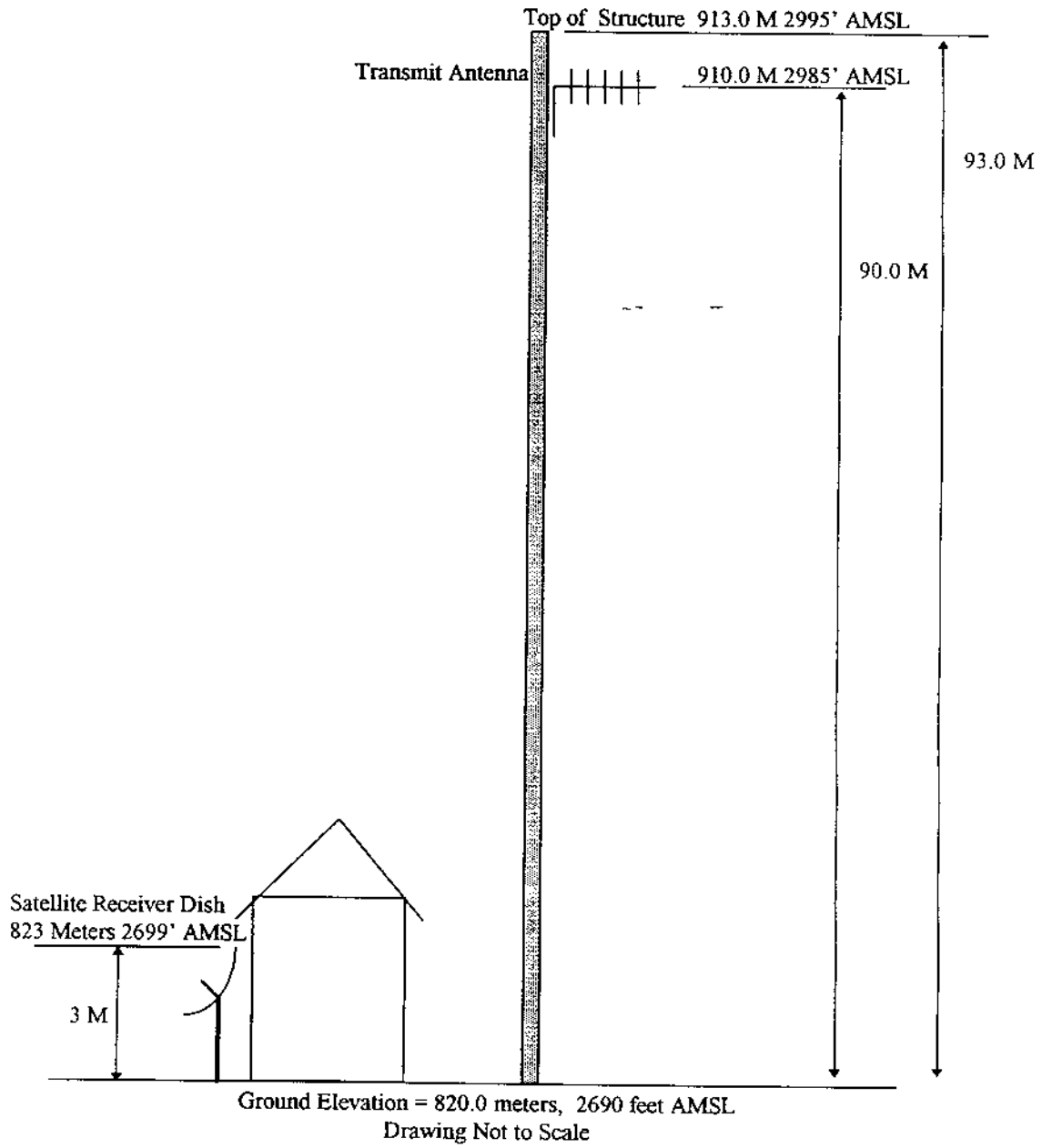
CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT 10-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

Proposed Translator

BLACK STAR CANYON, CALIF.
33117-G6-TF-024

1967
PHOTOREVISED 1988

Exhibit #E3 - Proposed Translator Tower Site Vertical Sketch
Santa Ana, CA. Translator - Community Association for Education, Inc.
Amendment to FCC File# BPFT960910TB

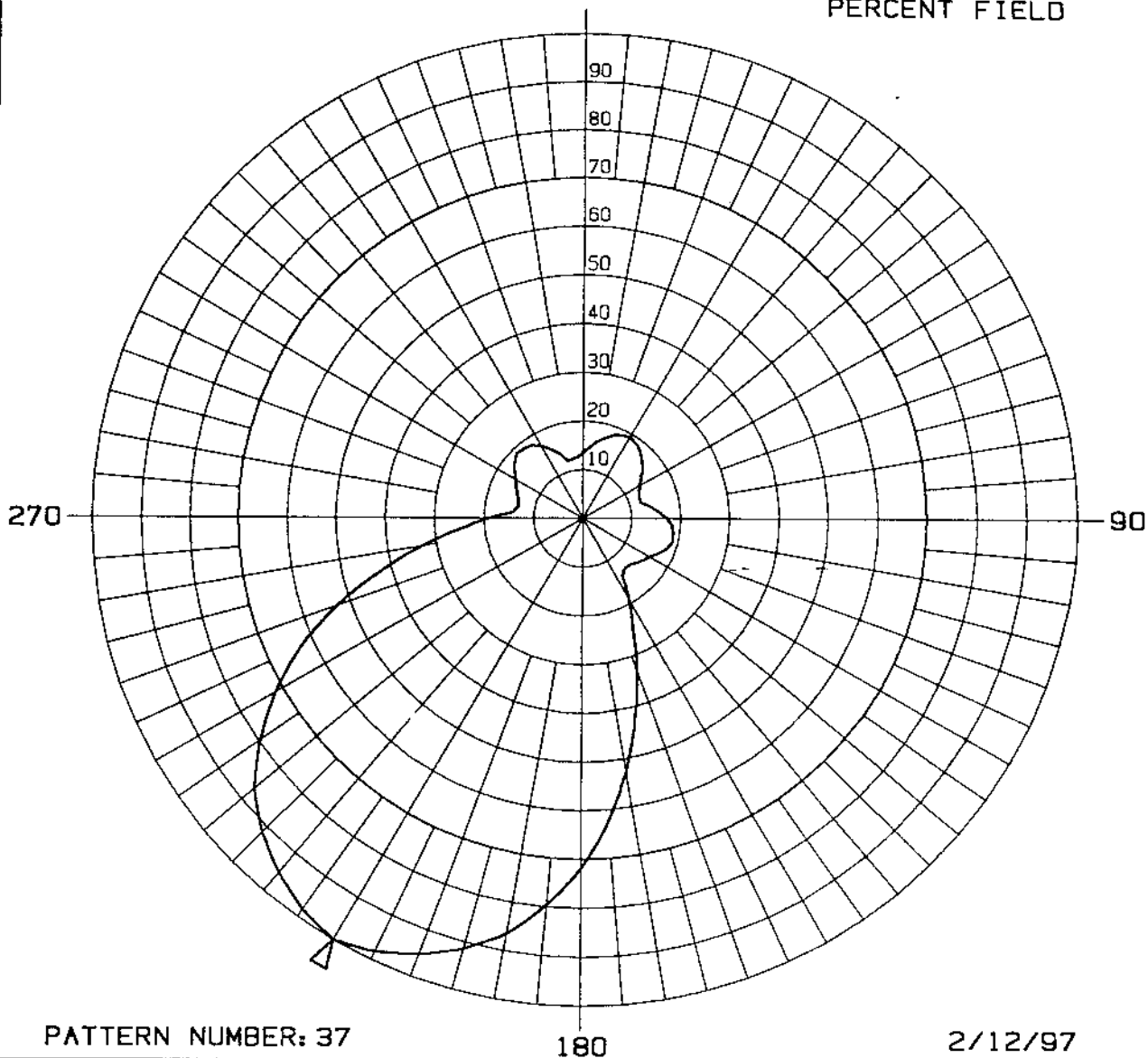


Oak Flat (8.5 km Southwest of Corona, CA.)

CIRCULAR POLARIZATION

TRUE NORTH

RELATIVE VOLTAGE
PERCENT FIELD



PATTERN NUMBER: 37

180

2/12/97

**Exhibit E4 Page 1 - Directional Antenna Pattern Plot
Proposed Santa Ana Translator - Amendment to BPFT960910TB
The Association for Community Education, Inc.**

**SCALA CA5-150EB/CP ROTATED 210 DEGREES TRUE NORTH
Tabulation Data on next Page**

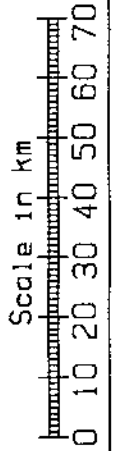
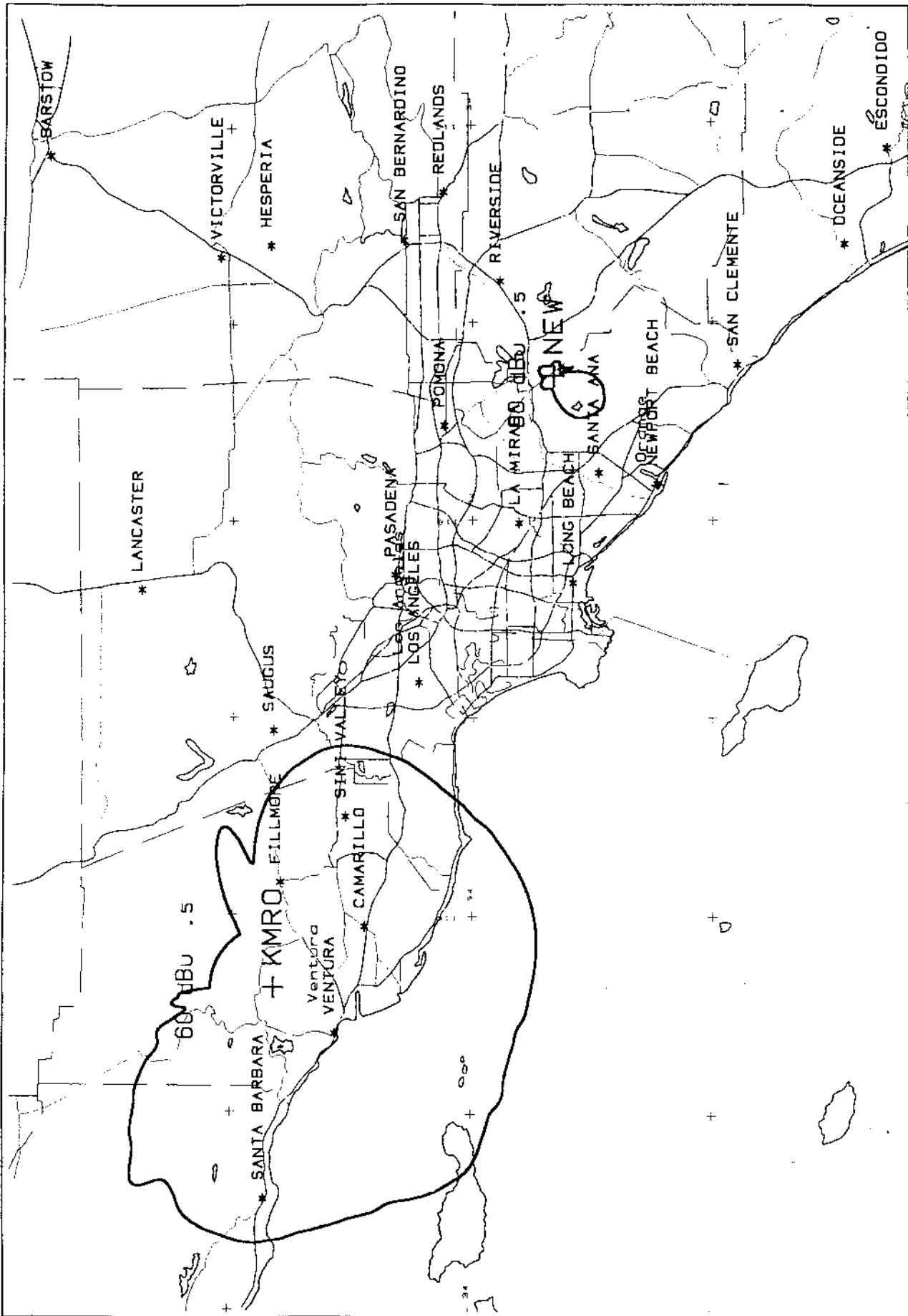
Predicted Signal Contours:

33 49 42 - DIRECTIONAL ANTENNA TABULATION
 117 38 18 - CA5-150EB/CP ROTATED 210 DEGREES TRUE

ERP = .01 kW, -20 dBk FM - 2-6 Tables 30 Sec

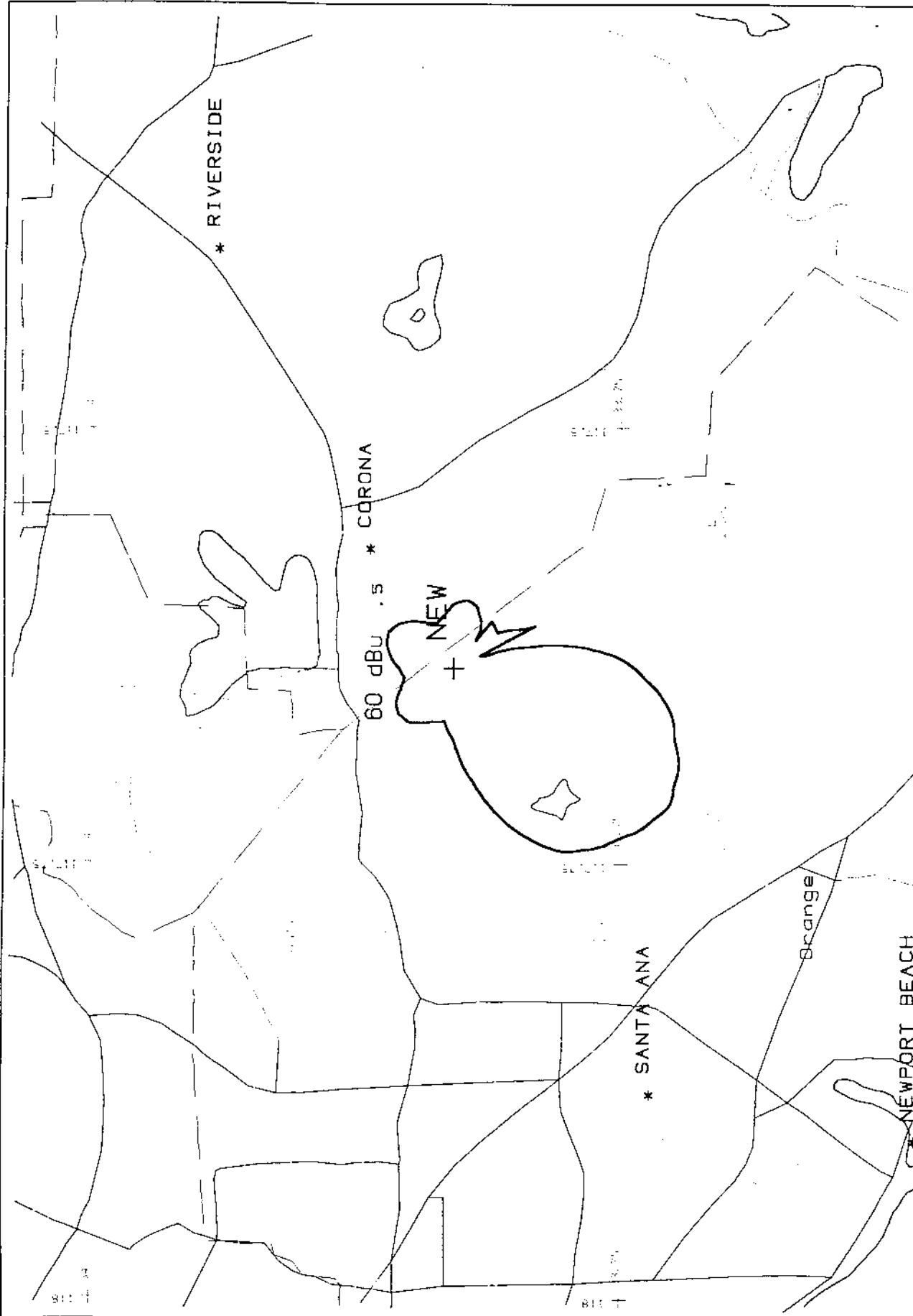
Radial	HAAT	kW	dBk	Field	60 dBu.5
0 Degr.	698.9M	0.000	-37.393	0.135	2.8
10 Degr.	696.3M	0.000	-35.918	0.160	3.3
20 Degr.	700.9M	0.000	-34.799	0.182	3.7
30 Degr.	695.3M	0.000	-34.289	0.193	3.9
40 Degr.	682.7M	0.000	-34.799	0.182	3.7
50 Degr.	646.0M	0.000	-35.918	0.160	3.3
60 Degr.	646.4M	0.000	-37.393	0.135	2.8
70 Degr.	594.2M	0.000	-38.202	0.123	2.6
80 Degr.	559.9M	0.000	-37.077	0.140	2.9
90 Degr.	548.3M	0.000	-35.340	0.171	3.5
100 Degr.	485.3M	0.000	-34.563	0.187	3.7
110 Degr.	391.7M	0.000	-34.846	0.181	3.5
120 Degr.	236.8M	0.000	-36.082	0.157	2.8
130 Degr.	-18.5M	0.000	-36.954	0.142	3.1
140 Degr.	-106.7M	0.000	-37.458	0.134	3.0
150 Degr.	-43.3M	0.000	-34.425	0.190	4.2
160 Degr.	92.6M	0.001	-29.656	0.329	3.1
170 Degr.	272.4M	0.003	-25.547	0.528	6.7
180 Degr.	390.5M	0.005	-22.878	0.718	9.5
190 Degr.	462.6M	0.007	-21.250	0.866	11.3
200 Degr.	518.5M	0.009	-20.427	0.952	12.4
210 Degr.	563.9M	0.010	-20.000	1.000	13.2
220 Degr.	576.1M	0.009	-20.427	0.952	13.0
230 Degr.	572.7M	0.007	-21.250	0.866	12.2
240 Degr.	612.5M	0.005	-22.878	0.718	11.1
250 Degr.	611.4M	0.003	-25.547	0.528	8.9
260 Degr.	613.2M	0.001	-29.656	0.329	6.2
270 Degr.	595.1M	0.000	-34.425	0.190	3.8
280 Degr.	644.0M	0.000	-37.458	0.134	2.8
290 Degr.	669.7M	0.000	-36.954	0.142	3.0
300 Degr.	673.5M	0.000	-36.082	0.157	3.3
310 Degr.	598.8M	0.000	-34.846	0.181	3.7
320 Degr.	543.9M	0.000	-34.563	0.187	3.7
330 Degr.	605.7M	0.000	-35.340	0.171	3.5
340 Degr.	630.7M	0.000	-37.077	0.140	2.9
350 Degr.	678.9M	0.000	-38.202	0.123	2.6

Ave. HAAT= 509.5M, Ant. COR= 910.0M AMSL



KMRO AND PROPOSED 1 MV/M CONTOURS
The Association for Community Education

EXHIBIT ES PAGE 1
CARL E. GLUCK - 02/97



Scale in km
 0 10 20

NEW 211 .01KW
 N. Lat. 33 49 42 W. Lng. 117 38 18

EXHIBIT E5 SHEET 2
 CARL E. GLUCK - 02/97

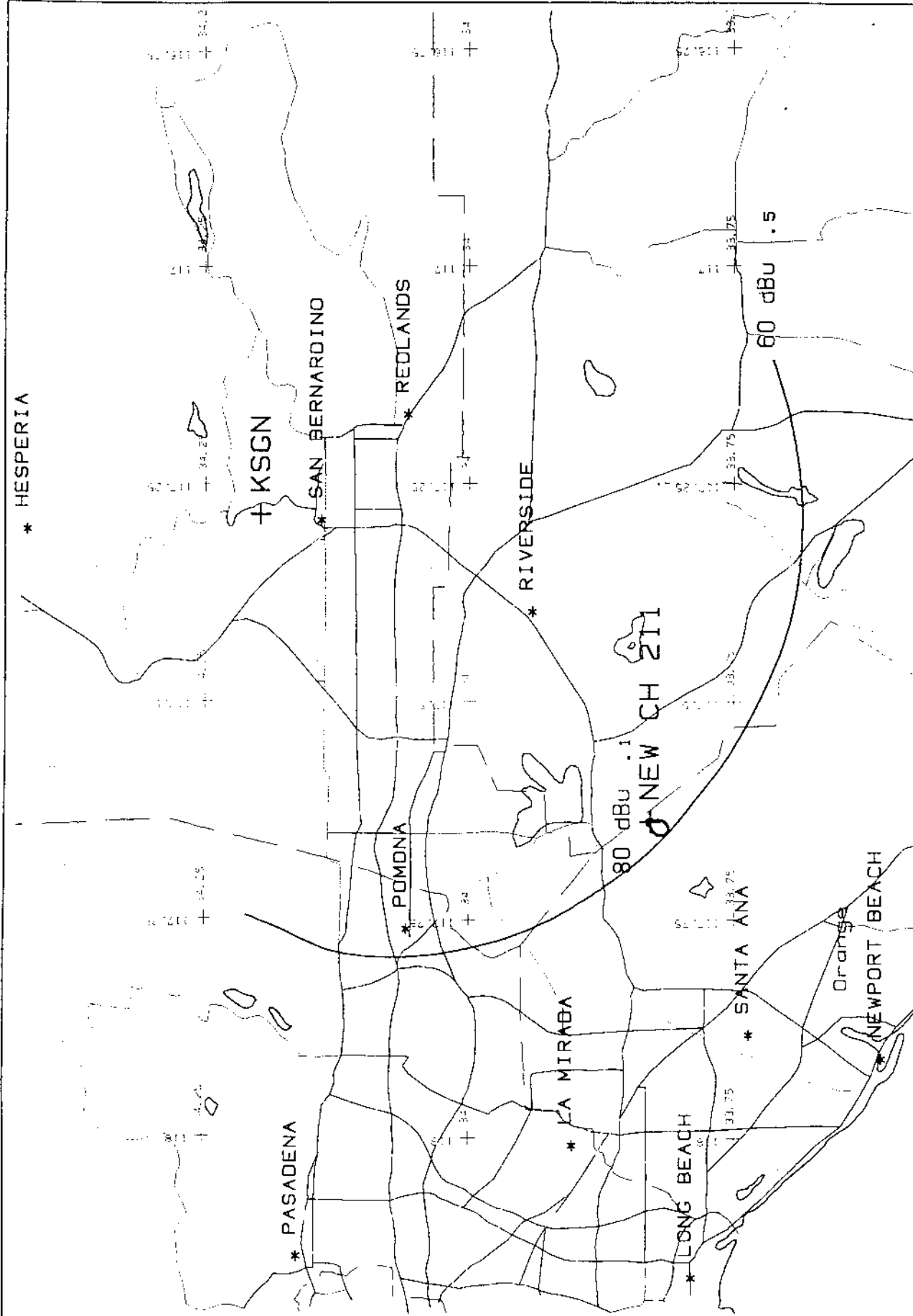
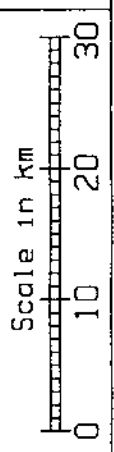
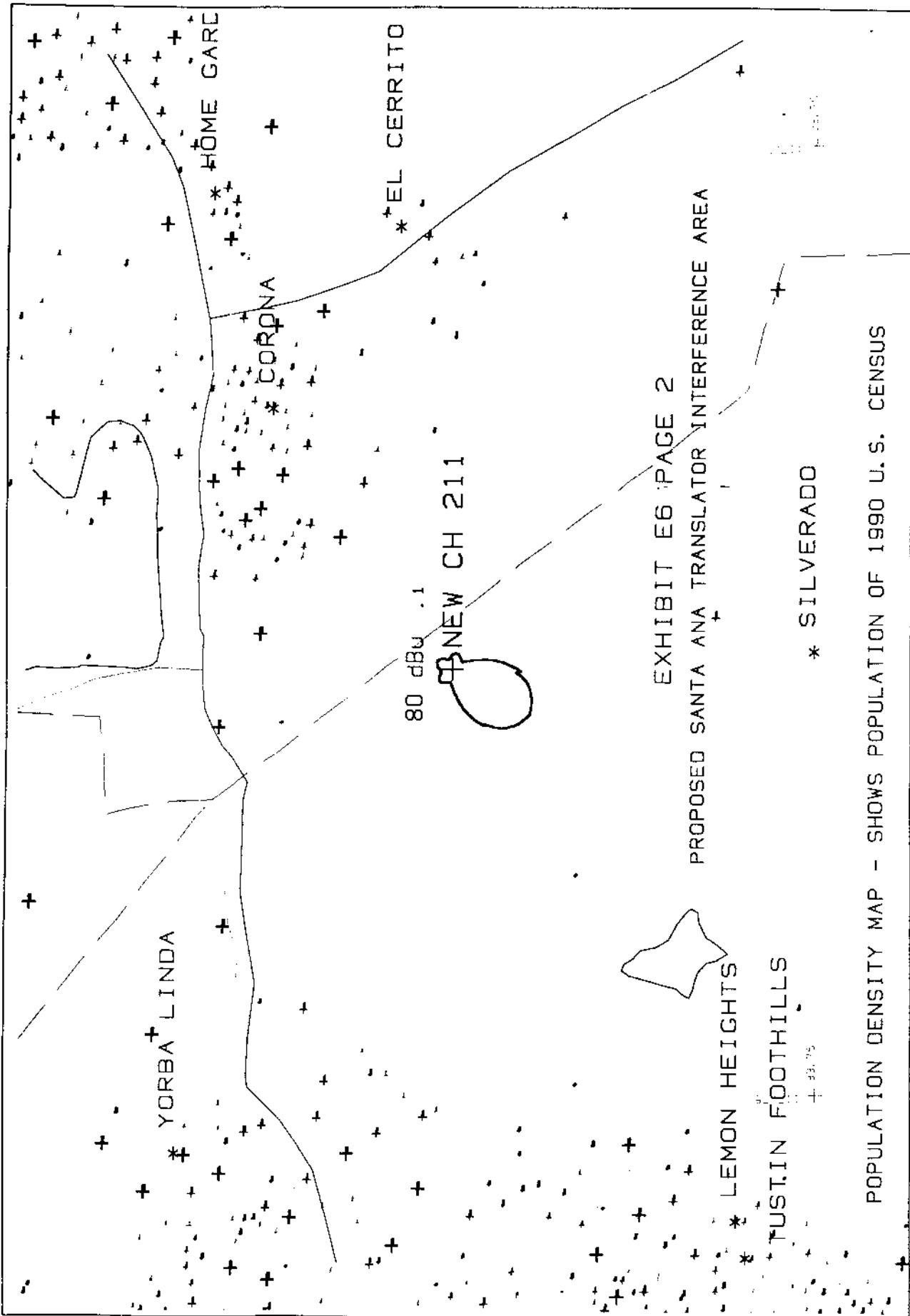


EXHIBIT E6 PAGE 1
 CARL E. GLUCK - 02/97

KSGN BLED890921KC 209A 3kW
 NEW 211D .01kW





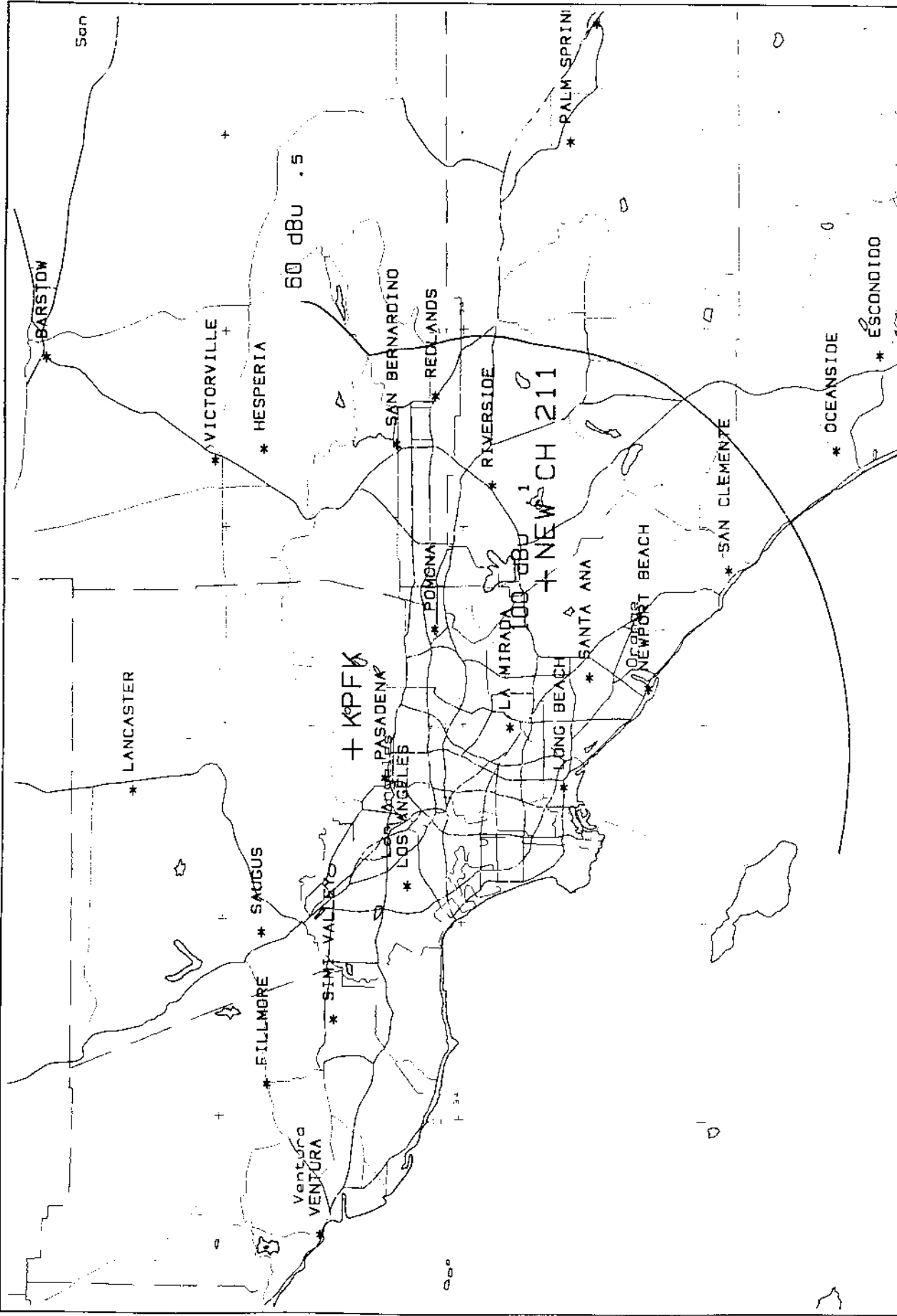
POPULATION DENSITY MAP - SHOWS POPULATION OF 1990 U.S. CENSUS

Scale in km

10

20

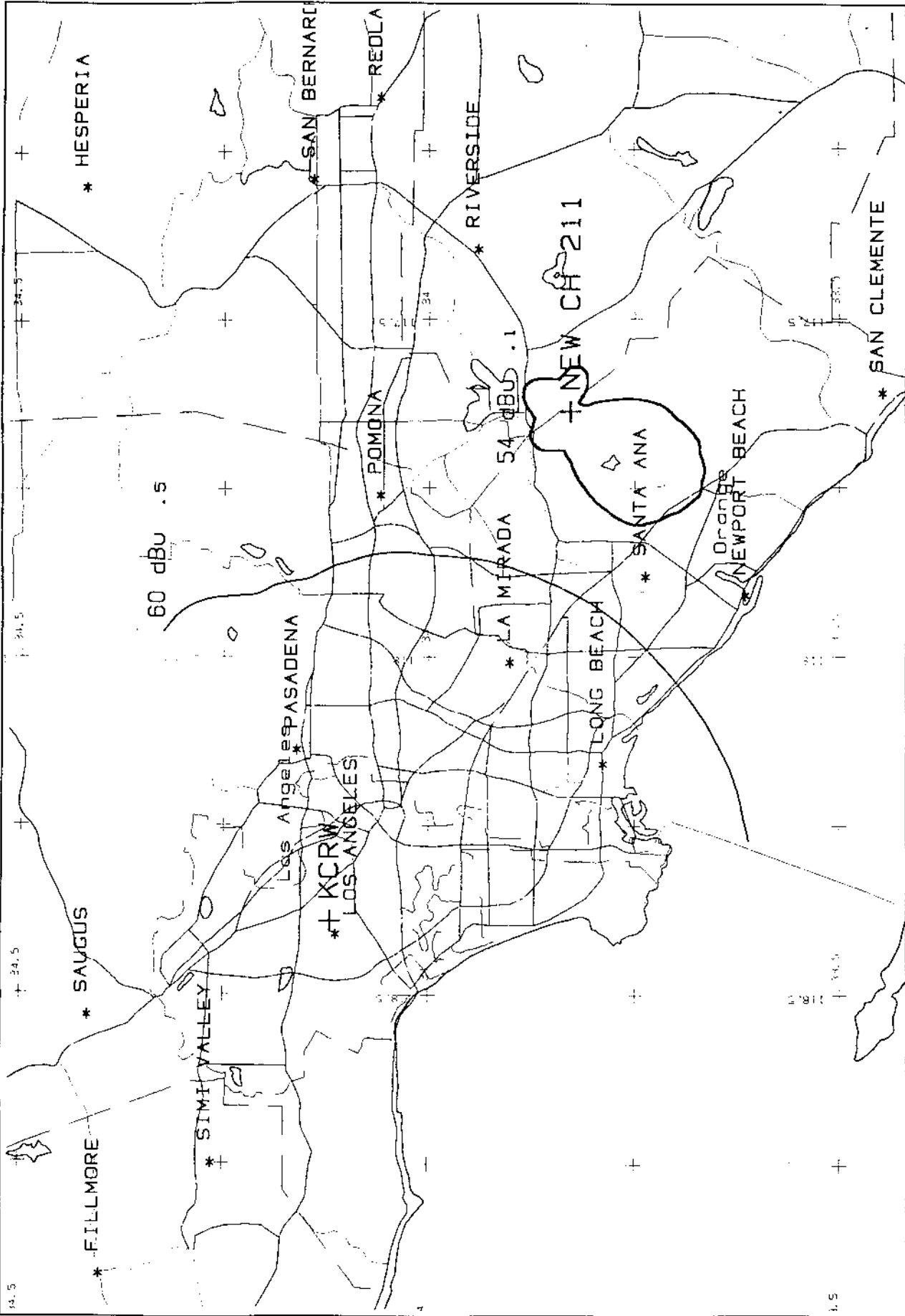
NEW 211A .01KW
A.C.E.



Scale in Km
 0 10 20 30 40 50 60 70

KPFFK	BLED830425AF	214B	110KW
NEW	211D	.01KW	

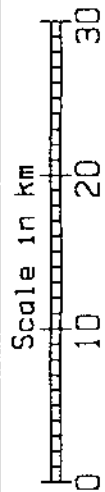
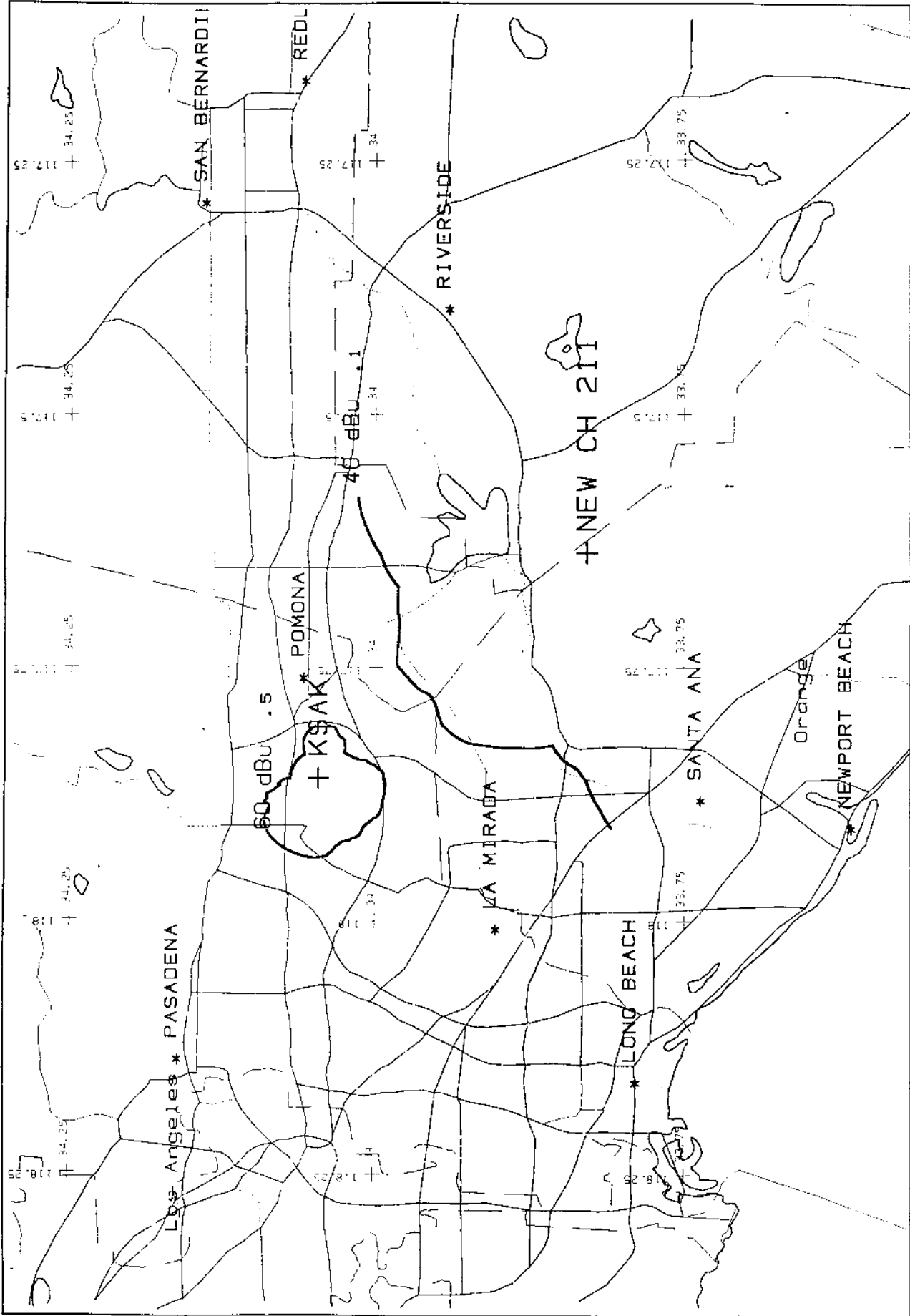
EXHIBIT E6 PAGE 3
 CARL E. GLUCK - 02/97



Scale in km
 0 10 20 30 40

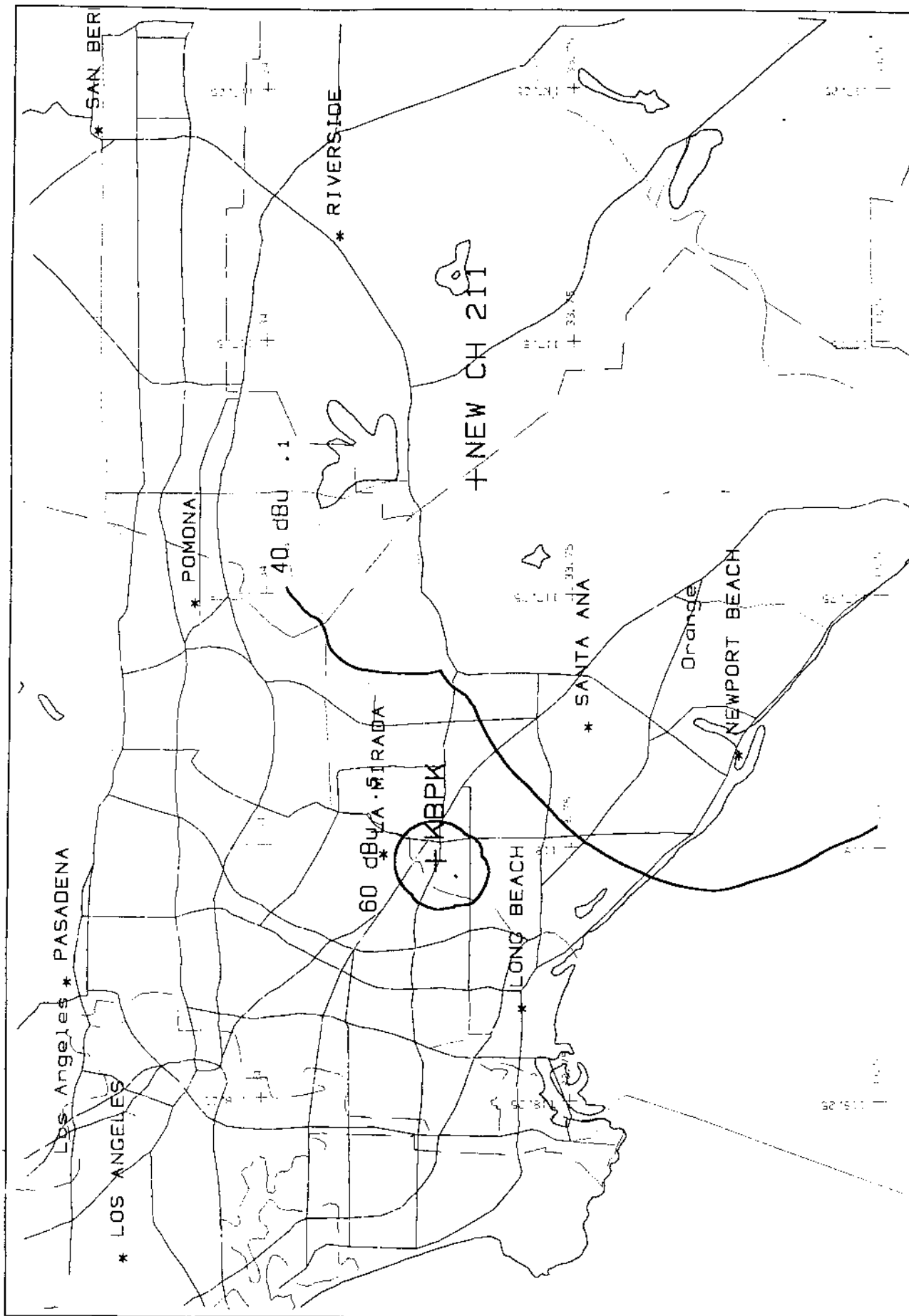
KCRW BLE0810325AF 210B 6.9kW
 NEW 211D .01kW

EXHIBIT E6 PAGE 4
 CARL E. GLUCK - 02/97

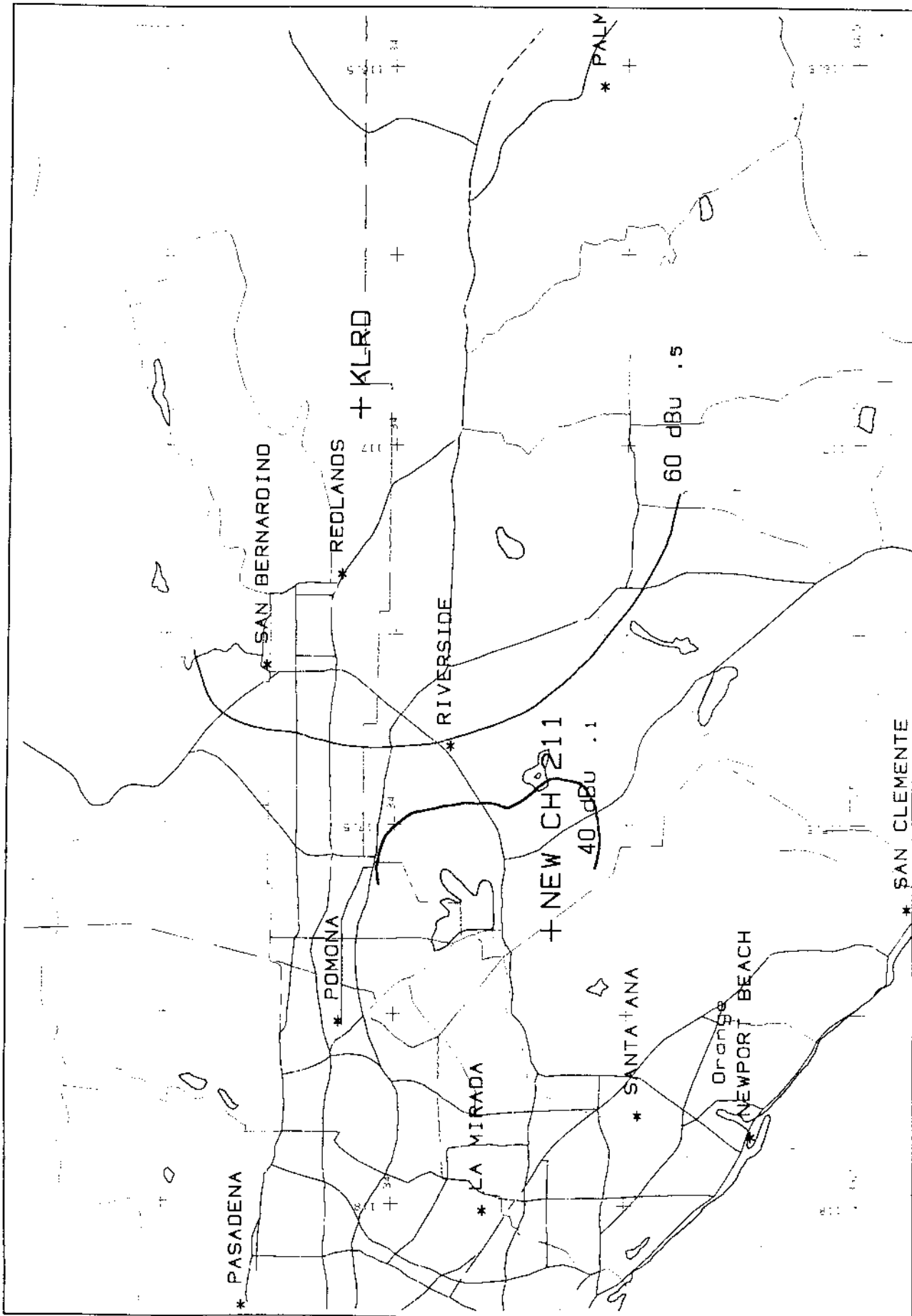


KSAK BLED890926KA 211D .004kW
NEW 211D .01kW

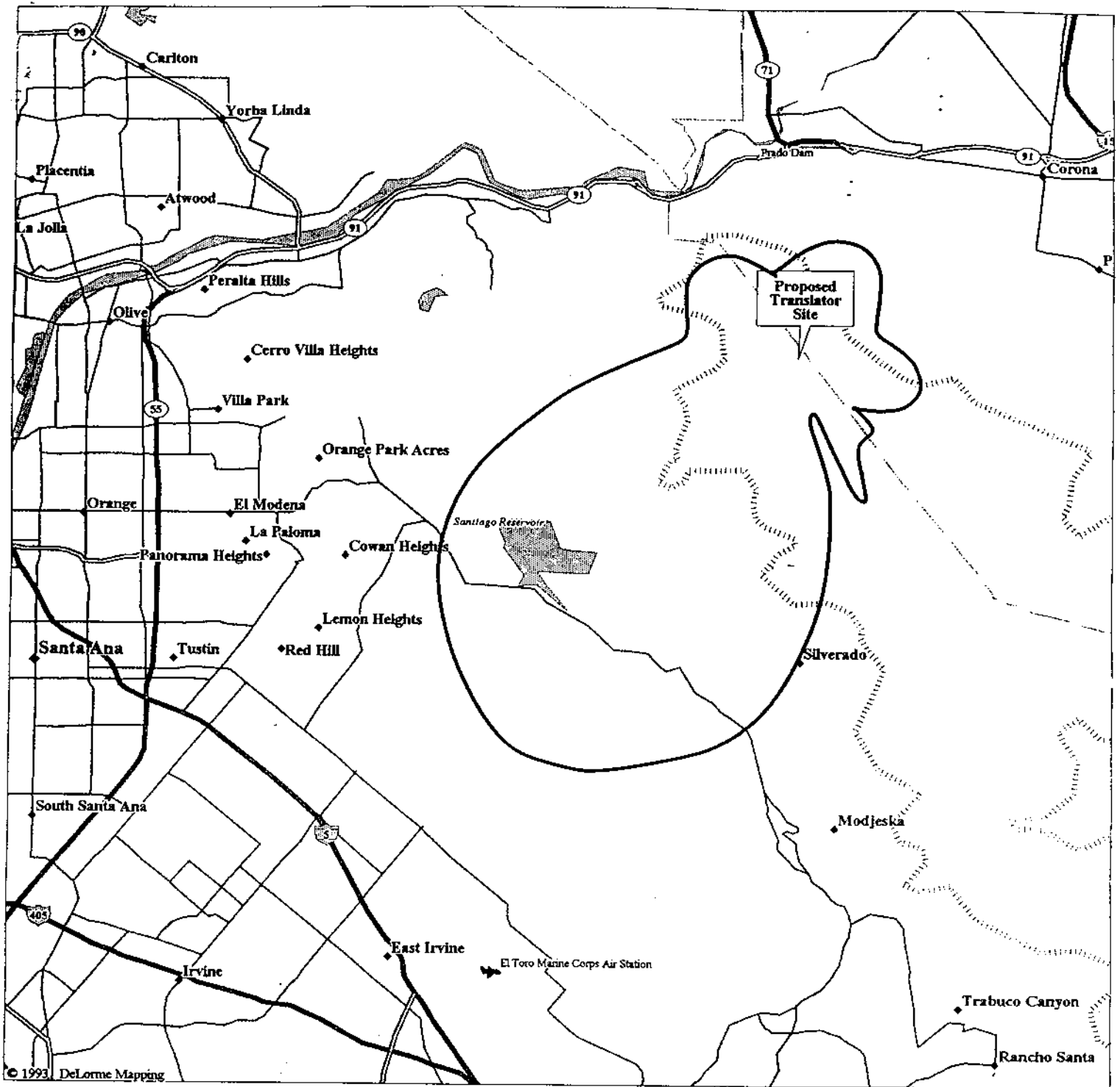
EXHIBIT E6 PAGE 5
CARL E. GLUCK - 02/97



Scale in km	KBPK	BLED1466	211D	.019kW	EXHIBIT E6 PAGE 6
0 10 20 30	NEW	211D	.01kW	CARL E. GLUCK - 02/97	



Scale in km 0 10 20 30 40	KLRD BLE0860804KB 211A .3KW	EXHIBIT E6 PAGE 7
	NEW 211D .01KW	CARL E. GLUCK - 02/97



© 1993 DeLorme Mapping

LEGEND

- ◆ Town, Small City
- County Boundary
- Population Center
- Major Street/Road
- Interstate Highway
- ▨ Open Water
- ||||| Contours

Scale 1:150,000 (at center)

2 Miles

5 KM

Mag 12.00

Tue Feb 11 20:24:08 1997

**EXHIBIT E6 PAGE 8
PROPOSED 1 MV/M CONTOUR
ON ATLAS TYPE MAP**

Exhibit E7 - R.F. Radiation Compliance Statement

By using the formulas expressed in OST Bulletin Number 65, October 1985, "Evaluating Compliance with F.C.C. Specified Guidelines for Human Exposure to Radio Frequency Radiation", published by the Commission's Office of Science and Technology, under worst case the proposed facility will generate at a point 1 meter away from the center of radiation a vertically polarized power density of 668 microwatts per square centimeter which is 67 percent of the A.N.S.I. standard for the frequency in use.

Reference Exhibit E3, the vertical sketch of the proposed antenna site. The antenna will be mounted such that its center of radiation is 90.0 meters above the ground. Assuming a 2 meter human height allowance, the proposed radiator will be 88.0 meters above the person's head. Consequently, the proposed installation will meet the A.N.S.I. guidelines for non-ionizing radiation.

In regard to protecting workers at the antenna site; should workers be required to work at the site within 1 meter of the radiator where exposure would result in a non-ionizing radiation level greater than the maximum A.N.S.I. standard, the applicant will cause the proposed FM translator antenna to cease radiating or will lower the power under the workers clear the area.

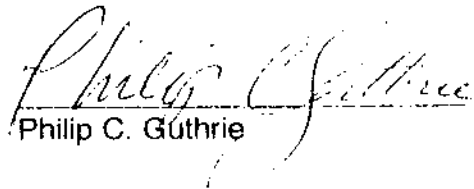
Carl E. Gluck

Carl E. Gluck

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Modification of FCC Form 349 application for Santa Ana (File No. BPFT-960910TB) was send by first class mail, this 12th day of February, 1997, to the following:

DICKSTEIN SHAPIRO MORIN 7 OSHINSKY LLP
2101 L Street, NW
Washington, DC 20037-1526


Philip C. Guthrie

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Modification of FCC Form 349 application for Santa Ana (File No. BPFT-960910TB) was send by first class mail, this 12th day of February, 1997, to the following:

BOOTH, FRERET, IMLAY & TEPPER, P.C.
1233 20th Street, NW
Suite 204
Washington, DC 20036


Philip C. Guthrie

EXHIBIT 3

ENGINEERING EXHIBIT

PETITION TO DENY
THE APPLICATION OF
ASSOCIATION FOR COMMUNITY EDUCATION, INC.
FOR A NEW FM TRANSLATOR STATION
TO SERVE
SANTA ANA, CALIFORNIA
CHANNEL 211, 90.1 MHz

FCC FILE NO. BPFT-970218TE

PREPARED FOR:

SANTA MONICA COMMUNITY COLLEGE DISTRICT
1900 PICO BOULEVARD
SANTA MONICA, CALIFORNIA 91405

APRIL 11, 1997

PREPARED BY:

JOHN J. DAVIS
CONSULTING ENGINEER
POST OFFICE BOX 128
SIERRA MADRE, CALIFORNIA 91025-0128
(818) 355-6909
FAX: (818) 355-4890

This Engineering Exhibit was prepared for SANTA MONICA COMMUNITY COLLEGE DISTRICT ("Santa Monica"), licensee of Non-Commercial Educational Station KCRW in Santa Monica, California, to support its petition to deny the major amendment of the Association for Community Education, Inc. ("Community") for construction permit for a new FM translator station to serve Santa Ana, California on Channel 211 (90.1 MHz) [FCC File No. BPFT-970218TE].

In December 1996, Santa Monica filed a Petition to Deny related to the original application for a new FM translator, filed by Community, to serve Santa Ana (FCC File No. BPFT-960910TB). In February 1997 Community filed a major amendment application where it requested a 2.7 km change to the southeast in the proposed transmitter location as a result of lack of availability of its original site.

Santa Monica wishes to renew its objections to Community's amended application as it does nothing to cure the underlining interference that will be caused to KCRW. A comparison of the 60 dBu contours from the original and amended sites (missing from Community's amended application) shows a contour shift to the south, with virtually the same coverage area (shifted to the south). The amended interference area to KCRW extends further into populated areas where KCRW listeners are known to reside. The technical arguments contained in Santa Monica's original Petition to Deny apply equally to Community's amended application.

On March 10, 1997, the writer drove through the canyon areas where Community asserts that KCRW cannot be received. It was found that KCRW can be received adequately throughout the area, which further reinforces Santa Monica's assertion that damaging interference to KCRW will result from the granting of Community's amended application.

In summary, Community's proposed FM translator, as amended, will cause interference to the regularly received signal of first adjacent channel station KCRW and, therefore, must be denied.

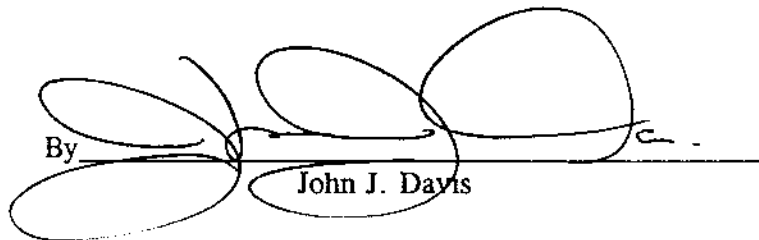
PETITION TO DENY
APPLICATION FOR A NEW FM TRANSLATOR TO SERVE SANTA ANA, CA
FILED BY ASSOCIATION FOR COMMUNITY EDUCATION, INC.

PREPARED FOR
SANTA MONICA COMMUNITY COLLEGE DISTRICT
1900 PICO BOULEVARD
SANTA MONICA, CALIFORNIA

AFFIDAVIT

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) ss:

JOHN J. DAVIS, does hereby swear that he is a consulting electronics engineer with offices in Sierra Madre, California; that he is a Registered Professional Engineer in the State of California; that his qualifications as an expert in radio engineering are a matter of record with the Federal Communications Commission; that the foregoing engineering statement was prepared by him or under his direction; and that the statements contained therein are true of his own knowledge and belief, and as to those statements prepared under his direction, he verily believes them to be true and correct.

By  _____
 John J. Davis

April 11, 1997