

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

In re Application of)
)
THE ASSOCIATION FOR) File No. BMPFT-980916TA
COMMUNITY EDUCATION, INC.)
)
For Modification of Construction Permit)
For New FM Translator Station on)
Channel 211 at Santa Ana, CA)

To: Chief, Audio Services Division
Mass Media Bureau

INFORMAL OBJECTION

Santa Monica Community College District (“SMCCD”), acting pursuant to Section 73.3587 of the Commission’s rules, hereby informally objects to the grant of the application of The Association for Community Education, Inc. (“ACE”) for modification of its construction permit (BPFT-970218TE) for a new FM translator station to serve Santa Ana, California. The application cannot be granted under Section 74.1204(f) of the Commission’s rules because ACE’s proposed operation would be likely to interfere with the off-air reception of KCRW(FM), Santa Monica, California. In support of that conclusion, the following is stated:

1. SMCCD holds the license for KCRW(FM), Santa Monica, California, a non-commercial educational FM radio station which operates on Channel 210 (89.9 MHz) – the first adjacent channel to ACE’s proposed operation.

2. Section 74.1204(f) of the Commission's rules 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 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.

3. In applying Section 74.1204(f), the Commission has made it clear that it "will not grant 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 FM Commission's Rules Concerning Translator Stations, 5 FCC Rcd 7212, 7230 (1990). The Mass Media Bureau ("Bureau") recently interpreted that principle, in dismissing an FM translator application filed by SMCCD, to require a petitioner to show, if there is no prohibited contour overlap, that "(a) the petitioner's signal reaches an area to be served by the translator and (b) the petitioner demonstrates through evidence that it has listeners in the area of alleged interference." If such a showing is made, then the Bureau will dismiss the translator application as unacceptable for filing.

Letter from Daniel J. Fontaine, Supervisory Engineer, Audio Services Division, to Jacob S. Farber, Esq. And Donald E. Martin, Esq., Ref. No. 1800B4 (Temecula, CA) (MMB Sep. 21, 1998). A copy of the foregoing decision is annexed hereto as Exhibit 1. The Bureau earlier applied the foregoing standard in sustaining an objection by SMCCD to a new FM translator on a first adjacent channel in Laguna Beach, California, which was also outside

the KCRW 1 mV/m contour. The Bureau dismissed the application because “it stands unrefuted on the record that first adjacent Station KCRW(FM) has listeners in Laguna Beach” and thus “the proposed translator would cause interference to the signal of Station KCRW(FM) in the Laguna Beach area.” *Letter from Larry D. Eads, Chief, Audio Services Division, to John P. Marcom and Santa Monica Community College District*, Ref. No. 8930-MER (MMB Apr. 29, 1992). A copy of that latter decision is annexed hereto as Exhibit 2.

4. On December 31, 1996, SMCCD filed its Motion To Dismiss Or, In The Alternative, Petition To Deny (“Motion”) against ACE’s initial application for a construction permit for a new FM translator station on Channel 211 to serve Santa Ana, California (File No. BPFT-970218TE). SMCCD demonstrated that ACE’s proposed translator station on a first adjacent channel would cause interference to a substantial number of KCRW listeners. To support its Motion, SMCCD’s consulting engineer, John J. Davis, calculated and graphically depicted the interference area from the proposed FM translator station and documented that KCRW has listeners in that interference area.

5. However, on August 26, 1998, the Bureau denied SMCCD’s Motion. *Letter of Daniel Fontaine, Supervisory Engineer, Audio Services Division, to The Association for Community Education, Inc., Lewis J. Paper, Esq. and Christopher D. Imlay*, Ref. No. 1800B3 (MMB Aug. 26, 1998) (“*Denial*”). On September 28, 1998, SMCCD filed a Petition for Reconsideration (“Petition”) of the *Denial*. That Petition is still pending, and the grant of the ACE’s initial application is not yet final.

6. In the meantime, on September 16, 1998, ACE tendered the captioned application for modification of the construction permit, and on October 13, 1998, ACE

amended the captioned application.¹ The September 16 application states that “a different tower site has become available . . . that is more economical and even better suited to the proposed translator.” ACE Application, Exhibit #E1, Engineering Statement at 1. Both ACE’s President and Technical Consultant certified the FCC Form 349 application on August 11, 1998, *before* the Bureau released its *Denial* on August 26, 1998. The October 13, 1998, amendment states that ACE had “miscalculated the proposed gain area” and that the September 16 application was a major change. Therefore, ACE stated that it was filing the amendment “to change the antenna system and change the transmitter power in the proposed application to make the underlying application a **MINOR CHANGE**.” ACE Amendment, Exhibit #E1 Engineering Statement at 1.

7. There is objective evidence, demonstrated in the Engineering Statement of John J. Davis, PE. annexed hereto as Exhibit 3, that “the proposed modification of the K211KD translator places the entire 60 dBu coverage contour over an unpopulated area in the Cleveland National Forest.” Engineering Statement at 1. The proposed modification will not provide predicted 60 dBu service to anyone, calling “into question whether this translator is an efficient use of valuable spectrum space.” *Id.* at n.1. Obviously, if there are no persons *inside* the predicted 60 dBu contour, ACE must intend to provide service *outside* the predicted 60 dBu contour, albeit with weaker signal strength. It also means

¹ ACE did not serve SMCCD with either the September 16, 1998, application or the October 13, 1998, amendment, in violation of the Commission’s rules. The captioned application is part of a continuing restricted proceeding, and ACE may not make any unauthorized *ex parte* presentations to the Commission or its staff concerning the captioned application as amended.

that the Commission must consider interference occurring outside the predicted 60 dBu contour, because that is the only area where ACE could possibly provide service.

8. Relying on Section 73.213 of the Commission's rules and other Commission actions that he cites, Mr. Davis has defined and identified a first adjacent channel interference area, which he has depicted in Figure 1 of his Engineering Exhibit. This interference area was plotted on a ZIP code map, and the impacted ZIP codes were compared to the KCRW subscriber database. This cross-reference revealed 393 subscribers located within these impacted ZIP codes. It is common knowledge and experience that only a small percentage of the audience of a non-commercial educational FM station supports the station through subscription contributions. Therefore, it can be assumed that the actual number of KCRW listeners who would experience interference is far greater than 393.

9. As a sampling of KCRW listenership in this interference area, SMCCD also annexes hereto as Exhibit 4 letters from 28 persons residing in impacted ZIP codes located wholly within the interference area. These persons state that they listen to KCRW. SMCCD also documented in its September 25, 1998, Petition For Reconsideration that several of its significant underwriters are located in the interference area, and in Santa Ana in particular. Petition For Reconsideration at 6.

10. Accordingly, SMCCD has not only shown that the KCRW signal reaches an area to be served by ACE's translator station (as modified), but also that SMCCD has listeners in the interference area. Therefore, under the standard articulated by the Bureau, the ACE application should be dismissed as unacceptable for filing.

WHEREFORE, in view of the foregoing and the entire record herein, it is respectfully requested that the Chief dismiss or deny the ACE application.

Respectfully submitted,

DICKSTEIN SHAPIRO MORIN
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Attorneys for Santa Monica Community
College District

By: Harold K. McCombs
Lewis J. Paper
Harold K. McCombs, Jr.

EXHIBIT 1

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET NW
WASHINGTON DC 20554

MASS MEDIA BUREAU
AUDIO SERVICES DIVISION
TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
HOME PAGE: WWW.FCC.GOV/MMB/ASD/

PROCESSING ENGINEER: HSING LIU
TELEPHONE: (202) 418-2740
FACSIMILE: (202) 418-1410
MAIL STOP: 1800B3
INTERNET ADDRESS: HLIU@FCC.GOV

SEP 21 1998

Jacob S. Farber, Esq.
Dickstein Shapiro Morin & Oshinsky
2101 L Street, N.W.
Washington, DC 20037

Donald E. Martin, P.C.
P. O. Box 19351
Washington, DC 20036

Re: New(FM); Temecula, CA
Santa Monica Community College
District ("SMCC")
BPFT-960925TF

Dear Counsel:

The staff has under consideration (1) the above-captioned application filed by SMCC to serve Temecula, CA; (2) the petition to deny dated June 6, 1997 and the supplement to petition to deny dated June 16, 1997, filed on behalf of the Good News Radio ("GNR"), licensee of FM station KSGN(FM), Riverside, CA; (3) the opposition to petition to deny dated July 29, 1997 filed on behalf of SMCC; and (4) the reply to opposition to deny dated August 29, 1997 filed on behalf of GNR. For the reason stated below, we grant the petition to deny and dismiss the application.

Violation of 47 CFR § 74.1204(f)

GNR alleges that the proposed translator is in violation of 47 CFR § 74.1204(f) and should be denied. Applications for FM translator stations will not be accepted if the predicted 1 mV/m field strength contour of the proposed translator 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 and that grant of the authorization will result in interference to the reception of such signal. See 47 CFR § 74.1204(f). There are three distinct ways for the petitioner to demonstrate prohibited, theoretical interference under § 74.1204.¹ A petitioner must show: (1) that there is prohibited contour overlap; (2) that there

¹ The burden is on the petitioner to show that the proposed facility fails to comply with the rule. See *Report and Order in the matter of Amendment of Part 74 of the Commission's Rules Concerning FM Translator Station*, 5 FCC Rcd 7212 (1990), *modified*, 6 FCC Rcd 2334 (1991),

is no contour overlap, but (a) the petitioner's signal reaches an area to be served by the translator and (b) the petitioner demonstrates through convincing evidence that it has listeners in the area of alleged interference; or (3) that there is no prohibited contour overlap but the translator's 1 mV/m contour overlays the petitioner's city of license. GNR has met the second showing by demonstrating that KSGN's signal reaches listeners within the proposed translator's service area, and that there is a likelihood that the proposed translator will cause interference to KSGN's signal in this area.² Therefore, the application is in violation of § 74.1204(f) and will be dismissed.

Conclusion

In light of the above, the petition to deny filed on behalf of GNR IS HEREBY GRANTED. Application BPFT-960925TF is unacceptable for filing pursuant to 47 CFR § 73.3566(a) and IS HEREBY DISMISSED. These actions are taken pursuant to 47 CFR § 0.283.

Sincerely,



Daneil J. Fontaine
Supervisory Engineer
Audio Services Division
Mass Media Bureau

recon. denied, 8 FCC Rcd 5093 (1993).

² In support of the petition to deny, GNR has provided the Commission with letters from KSGN listeners in Temecula, CA. Our study reveals that the community of Temecula, CA is within the proposed translator's 1 mV/m contour.

EXHIBIT 2

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

For
Public File

29 APR 1992

IN REPLY REFER TO

8930-MER

John P. Marcom
226 Forest Avenue
Laguna Beach, California 92651

Santa Monica Community College District
Ruth Hirschman, General Manager
Station KCRW(FM)
1900 Pico Boulevard
Santa Monica, California 90405

In re: FM Translator Station (New)
File No. BPFT-880323TB
89.7 MHz, Channel 209
Laguna Beach, California

Dear Applicant and Petitioner:

This letter concerns the above-referenced application for a new noncommercial FM translator station filed by John Marcom (Marcom) to serve Laguna Beach, California and the petition to deny filed by the Santa Monica Community College District, licensee of noncommercial educational Station KCRW(FM), Santa Monica, California (Santa Monica or KCRW). For the reasons presented below, the application will be dismissed and the petition to deny will be granted.

Santa Monica alleges that operation of the proposed translator on Channel 209 (89.7 MHz) would cause interference to the reception of Station KCRW(FM) which operates on first adjacent Channel 210 (89.9 MHz). Petitioner asserts that KCRW(FM) is "an award winning National Public Radio Member Station [received] by a large number of persons (in excess of 150 listener/members and the non-member audience at least 10 times as great) in the area the translator proposes to serve." Based on its records, Santa Monica alleges that there are 147 individuals in Laguna Beach and 89 individuals in the "surrounding postal areas" who have donated money to KCRW(FM) or have contacted the station. On June 29, 1988, Marcom filed a request to hold the application in abeyance for sixty (60) days pending submission of an amended engineering proposal. To date, the Commission has not received this amended engineering proposal. Additionally, Marcom has not responded to KCRW's allegations concerning interference. It is noted that a certificate of service is attached to the petition to deny.

On June 1, 1991, the new FM translator rules became effective. See Report and Order, In the Matter of Amendment of Part 74 of the Commission's Rules Concerning FM Translator Stations, 5 FCC Rcd 7212 (1990) ("Report and Order"), modified, 6 FCC Rcd 2334 (1991). A new section has been added that defines the protection criteria for FM broadcast stations and FM translator stations. This new Section (Section 74.1204) is based on predicted energy contour overlap criteria essentially identical to those set out in Section 73.509 of the Rules,

except that commercial Class B and B1 stations will be protected to their 0.5 mV/m and 0.7 mV/m contours, respectively. All other stations are protected to their 1 mV/m contours.

As previously stated, Station KCRW(FM) operates on Channel 210 (89.9 MHz), and the proposed translator would operate on Channel 209 (89.7 MHz). The stations are, therefore, first adjacent and, pursuant to Section 74.1204(a)(3), the 1 mV/m (60 dBu) and the 0.5 mV/m (54 dBu) contours for Station KCRW(FM) and the translator, respectively, are relevant. Our staff engineering study shows that the site to site distance between the two facilities would be 85.3 kilometers. The 1 mV/m protected contour from Station KCRW(FM) in the direction of the translator station (319° true) extends for a distance of 47.8 kilometers. The 0.5 mV/m (interfering) contour from the translator extends for a distance of 5.4 kilometers. There is, thus, a separation of 32.1 kilometers between these contours,¹ and the proposal conforms with the protection criteria of Section 74.1204(a)(3).

The rule is not a strict go/no-go rule, however. Instead, the Commission recognized that mechanical application of the contour overlap method of predicting interference could lead to the rejection of some applications that would not cause interference, while at the same time strict compliance might also result in the acceptance of some applications that would cause interference. The Commission, therefore, provided for "population and terrain exceptions" and stated that "special circumstances" would be taken into account when they were brought to the attention of the processing staff. More specifically, the Commission stated at paragraph 128 of the Report and Order:

[A]n FM translator applicant may demonstrate that, despite predicted contour-overlap, interference will not in fact occur due to such factors as absence of population in the overlap area or mountainous terrain. By the same token, ... we will not grant 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.

Revised Section 74.1204(f) of the Rules reflects the concerns expressed in the Report and Order, providing in particular that:

An application for an FM translator station will not be accepted


¹ This figure is obtained by subtracting the distance from the two stations to their relevant contours (47.8 km + 5.4 km) from the distance between the stations (85.3 km).

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.

Here the proposed translator would be located in the city of Laguna Beach and it stands unrefuted on the record that first adjacent Station KCRW(FM) has listeners in Laguna Beach. We conclude, therefore, that the proposed translator station would cause interference to the signal of Station KCRW(FM) in the Laguna Beach area. Since the application does not conform to Section 74.1204(f) of the Commission's Rules, it will be dismissed.

Accordingly, for the reasons set forth above and pursuant to Section 0.283 of the Commission's Rules, the petition to deny filed by the Santa Monica Community College District IS GRANTED and the above-referenced application filed by John P. Marcom (BPFT-880323TB) IS DISMISSED as patently defective.

Sincerely,



Larry B. Eads, Chief
Audio Services Division
Mass Media Bureau

MERindal:cj/asb/asd/mmb
typed: 4-24-92

claudett/wp/ marcom6

EXHIBIT 3

ENGINEERING EXHIBIT

INFORMAL OBJECTIONS
TO THE APPLICATION OF
ASSOCIATION FOR COMMUNITY EDUCATION, INC.
FOR A MODIFICATION OF CONSTRUCTION PERMIT
FOR FM TRANSLATOR STATION K211KD
SANTA ANA, CALIFORNIA
CHANNEL 211, 90.1 MHz

FCC FILE NO. BMPFT-981013TQ

PREPARED FOR:

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

OCTOBER 28, 1998

PREPARED BY:

JOHN J. DAVIS
CONSULTING ENGINEER
POST OFFICE BOX 128
SIERRA MADRE, CALIFORNIA 91025-0128
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1.0 INTRODUCTION:

This Engineering Exhibit was prepared for SANTA MONICA COMMUNITY COLLEGE DISTRICT ("SMCCD"), licensee of Non-Commercial Educational Station KCRW in Santa Monica, California, to support its informal objections to the application of the Association for Community Education, Inc. ("ACE") for modification of construction permit [FCC File No. BMPFT-980916TA] for FM translator station K211KD to serve Santa Ana, California on Channel 211D (90.1 MHz).

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

2.0 K211KD MODIFIED COVERAGE:

The proposed modification of the K211KD translator places the entire 60 dBu coverage contour over an unpopulated area in the Cleveland National Forest. The area to be served by the translator is Santa Ana, California which is well beyond the 60 dBu contour¹. Because Santa Ana is located *outside* the translator's predicted 60 dBu contour, ACE must intend to provide service *outside* of its predicted 60 dBu contour. Therefore, interference occurring outside the translator's 60 dBu contour should also be considered. It is inappropriate, under these circumstances, to rely strictly upon §74.1204(f) which limits the analysis of interference potential to the predicted 60 dBu contour of the modified translator.

¹ This calls into question whether this translator is an efficient use of valuable spectrum space when there are no people living within the translator's coverage area, especially when interference will be caused to full service station KCRW.

3.0 INTERFERENCE CONSIDERATIONS:

It is especially important when dealing with translator-to-full service station interference to consider the actual interference that will be caused to the full service station's off-the-air signal in the vicinity of the translator's operation but not necessarily within the translator's 60 dBu contour. The Commission has established certain procedures in other Audio Service situations that are appropriate to use here to determine what the predicted interference will be to first adjacent channel station KCRW. Specifically, would be the use of *interference area* methodology, which for a first adjacent channel station is defined, as follows:

"First-adjacent channel interference is predicted to exist at all locations where the undesired (interfering translator station) F(50,10) field strength exceeds a value 6 dB below the desired (service) F(50,50) field strength of the full service station being considered (e.g., where the full service field strength is 57 dBu, the interfering field strength must be 51 dBu or more for predicted interference to exist)."

The fact that the Commission has not incorporated this accepted methodology into the FM Translator Rules does not invalidate the concept. In its proceedings dealing with *Grand-fathered Shorted-Spaced FM Stations* (FCC R & O 97-276, adopted August 4, 1997), the Commission specifically requires that interference be determined by defining a first adjacent channel *interference area* in language similar to the definition given above. In hearing cases, such as in *On The Beach Broadcasting*², it has been the Commission's position that interference for co-channel and first adjacent channel stations shall be defined by this ratio method. In these referenced cases, this methodology has been upheld. There is a good reason this is

² *On The Beach Broadcasting* (BPH-850712UP) and *Portola Broadcasting Corporation* (BPH-850712VJ) see 7 FCC Rcd 1346-1349 ¶¶ 2-7.

so. This method is the most accurate theoretical tool the Commission has for defining where interference is likely to occur. SMCCD requests that proper consideration be given to the interference ratio methodology in the evaluation of the potential for interference in this case.

3.1 Interference Area: Figure 1 shows the area where predicted interference from the modified translator to the received signal of KCRW is likely to exist. Only the effect of the main lobe of radiation is being considered. While the modified antenna array being proposed by ACE has three significant side lobes, these side lobes fall mostly in unpopulated areas, or areas that are shielded to the KCRW signal, and, as such, should not be a source of interference to KCRW.

Profile graphs were drawn from the KCRW transmitter site to the interference area to show that there are no obstructions that would reduce the KCRW signal strength in the interference area. The zip code areas which are transversed, by the radial in question, within the interference area are also listed. The zip codes are in sequence starting at the western edge of the interference area (closest to KCRW) and ending at the eastern edge. These profile graphs are presented as Figure 2 through Figure 6.

- Figure 2: Terrain Profile from KCRW transmitter site to interference area along 115° radial. This is the profile to the northern edge of the interference area, which is at a distance of 75.6 km. Zip Code: 92676.
- Figure 3: Terrain Profile from KCRW transmitter site to interference area along 120° radial. The interference area starts at 65.2 km and continues to 76.4 km along this radial. Zip Codes: 92869, 92667, 92676.
- Figure 4: Terrain Profile from KCRW transmitter site to interference area along 125° radial. The interference area starts at 61.5 km and continues to 74.8 km along this radial. Zip Codes: 92867, 92869, 92705, 92602.

Figure 5: Terrain Profile from KCRW transmitter site to interference area along 130° radial. The interference area starts at 60.0 km and continues to 72.7 km along this radial. Zip Codes: 92706, 92701, 92705, 92780, 92606, 92604, 92620.

Figure 6: Terrain Profile from KCRW transmitter site to interference area along 134.5° radial. This is the profile to the southern edge of the interference area, which is at a distance of 67.1 km. Zip Code: 92614.

4.0 LISTENERSHIP WITHIN INTERFERENCE AREA:

The interference area was also plotted on a zip code map of Orange County and those zip codes were compared to the KCRW subscriber database. The zip codes found to be either totally or partially within the interference area, along with the results of the KCRW subscriber database search, are shown below:

<u>ZIP CODE</u>	<u>%³</u>	<u>KCRW SUBSCRIBERS</u>
92604	53.3	41
92606	100.0	36
92614	55.6	27
92620	25.0	16
92667	44.7	5
92676	16.0	3
92701	100.0	13
92703	17.6	1
92705	100.0	95
92706	38.6	14
92707	64.0	10
92780	100.0	38
92782	100.0	25
92861	10.0	1
92866	87.5	21
92867	17.5	4
92868	6.3	1
92869	100.0	<u>42</u>
TOTAL:		393

³ Percentage of the zip code within the interference area. Subscriber database listing adjusted to this percentage.

Attached, as Exhibit A of this exhibit, are several letters from listeners that reside within the zip codes listed above and attest to the fact that they regularly listen to KCRW in their homes and/or offices. This is only a sampling of letters that could be supplied. Additional letters are available upon request.

It is well known that not everyone who listens to an NCE-FM station financially supports that station. The Corporation for Public Broadcasting, National Public Radio, SMCCD and other NCE-FM stations have done enough surveys to know that only about one-in-ten listeners actually support a station. Therefore, the KCRW subscriber database can be multiplied by ten to get an approximation of the actual listeners to the station. If this is done the number of listeners within the interference area would be 3,930 persons.

5.0 HIGH ELEVATION SITE CONSIDERATIONS:

ACE plans to operate its modified translator from a high elevation site with an ERP of four watts and an antenna height above mean sea level of 1,183 meters (3,881 feet) and an HAAT of 722 meters. Section 74.1235(b)(1) of the FM Translator Rules establishes a height vs. power relationship so as to maintain approximately the same coverage contour distance (7.3 km) for various antenna heights. However, this table stops at 141 meters HAAT. If this table were extrapolated past 141 meters to 722 meters (the modified translator's HAAT) it would be found that the ERP would only be 1.5 watts. Conversely, if an ERP of four watts at 722 meters HAAT⁴ were extrapolated to 32 meters HAAT the resultant ERP would be 1.1 kW. Since the issue here is the potential for interference, these

⁴ Four watts at 722 meters HAAT results in a 60 dBu coverage contour of 10.7 km.

height vs. power equivalencies are very important to consider. An equivalent ERP of 1.1 kW is hardly insignificant.

6.0 SUMMARY:

SMCCD has shown that interference to the regularly received off-the-air reception of the KCRW signal will be subject to damaging interference from the modified ACE translator within the 6 dB interference area caused by the modified translator. SMCCD has also shown that it has 393 subscribers, with an approximate total listenership of 3,930 persons, who regularly listen to KCRW and reside within the interference area. The Commission does not have the resources to deal with actual after-grant interference complaints. In such cases, the Commission has relied upon the parties involved to resolve the interference. This has proved in most cases to be ineffective. The parties have different agendas. There is nothing that ACE will be able to do to eliminate the interference so the only solution will be the cessation of operation. While this process is going on there could be months or even years before action would be taken to require K211KD to be turned off. This is unacceptable when it comes to the protection of a full service station from interference from a secondary service FM translator. Based upon the above, SMCCD respectfully requests that the proposed modification to the construction permit of K211KD be denied.

INFORMAL OBJECTIONS TO THE APPLICATION FOR MODIFICATION OF
CONSTRUCTION PERMIT, BMPFT-981013TQ, FOR FM TRANSLATOR
STATION K211KD, SANTA ANA, CA
FILED BY ASSOCIATION FOR COMMUNITY EDUCATION, INC.

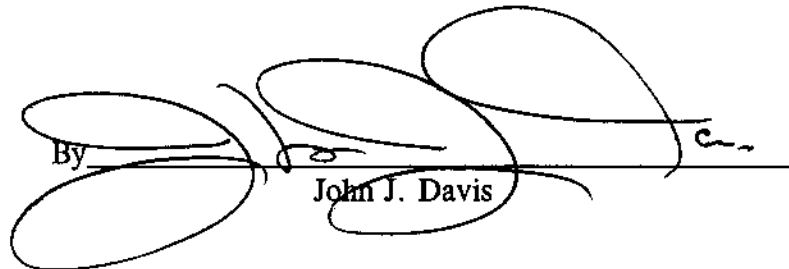
PREPARED FOR
SANTA MONICA COMMUNITY COLLEGE DISTRICT
1900 PICO BOULEVARD
SANTA MONICA, CALIFORNIA

7.0

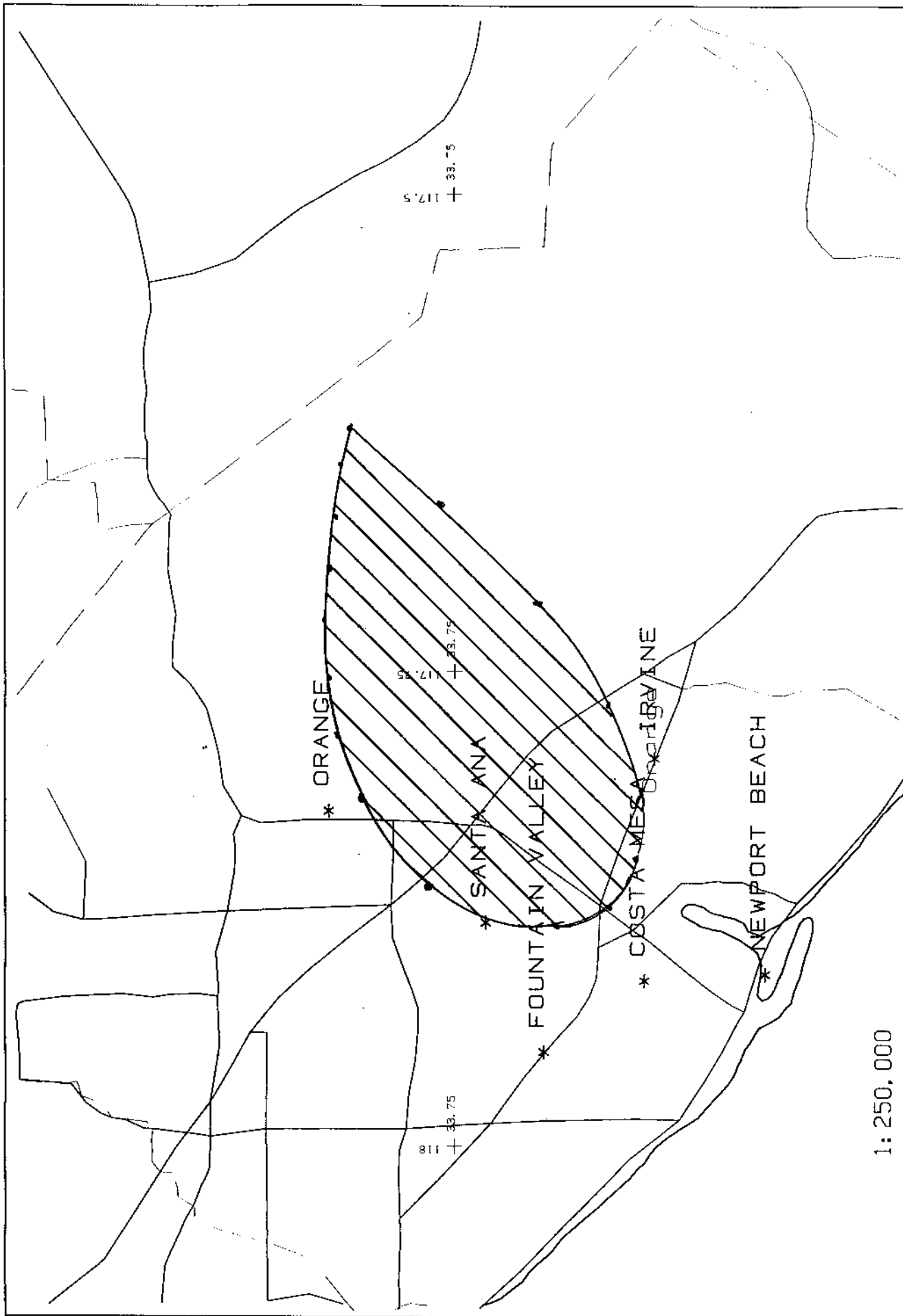
AFFIDAVIT

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

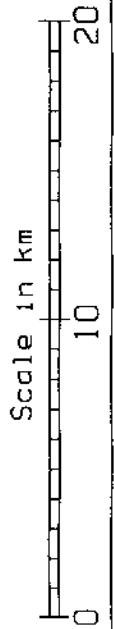
JOHN J. DAVIS, does hereby swear that he is a consulting electronics engineer with offices in Sierra Madre, California; that he is a Registered Professional Engineer in the State of California; that his qualifications as an expert in radio engineering are a matter of record with the Federal Communications 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

October 28, 1998



1:250,000



6 dB INTERFERENCE AREA CAUSED BY THE
K211KD FM TRANSLATOR, SANTA ANA, CA

SMCCD
FIGURE 1

TERRAIN PROFILE AT 115 DEGREES T.

FIGURE 2



Xmtr. AMSL = 537 Distance in km Rcvr. AMSL = 0
Xmtr. AG = 149.3 K = 1.33 Rcvr. AG = -767.6
Transmitter Site coordinates N. Lat. = 34 07 08 W. Lng. = 118 23 30

TERRAIN PROFILE AT 120 DEGREES T.

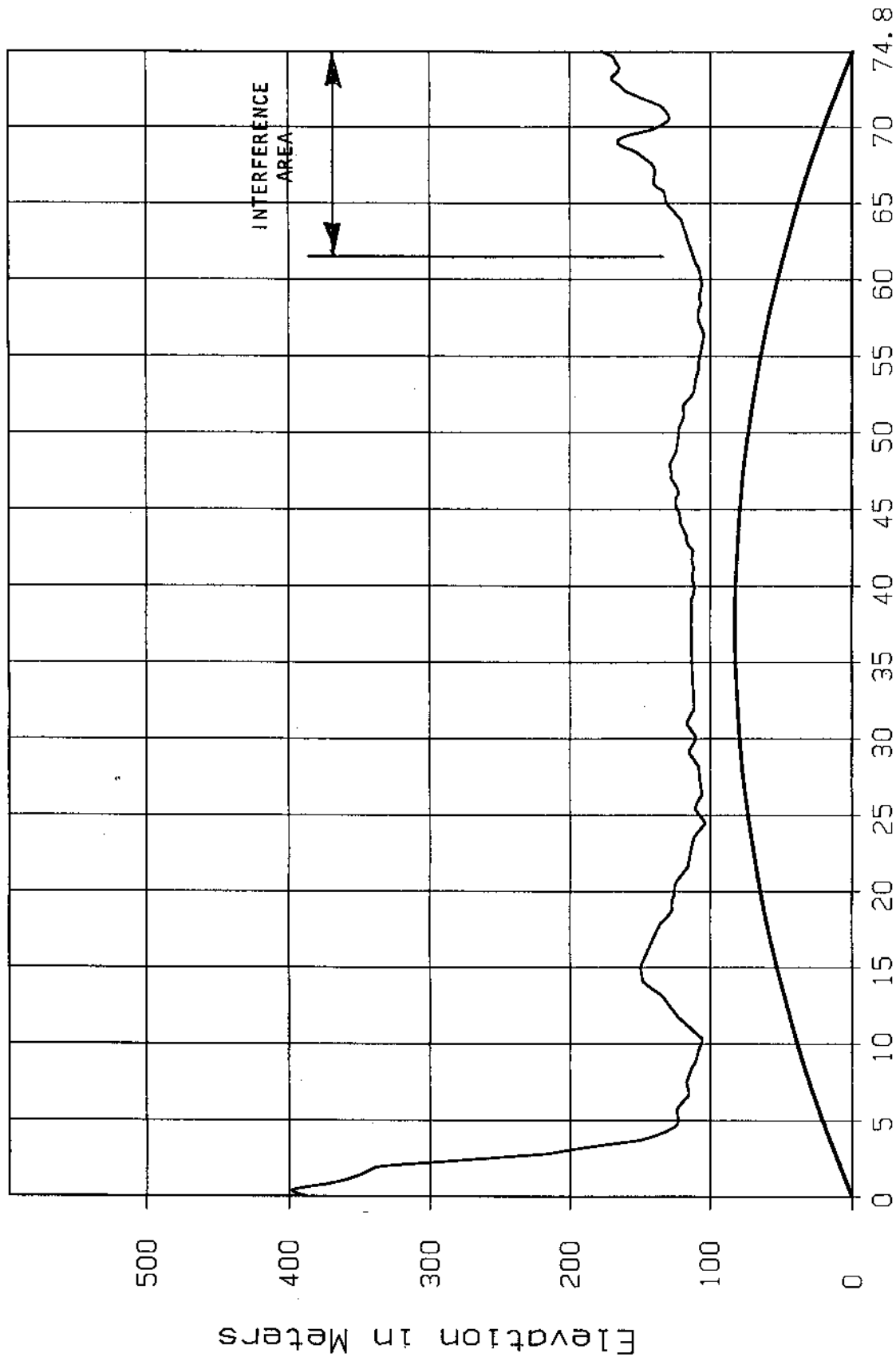
FIGURE 3



Xmtr. AMSL = 537M Distance in km Rcvr. AMSL = 379.9M
Xmtr. AG = 149.3M K = 1.33 Rcvr. AG = -767.6M
Transmitter Site coordinates N. Lat. = 34 07 08 W. Lng. = 118 23 30

TERRAIN PROFILE AT 125 DEGREES T.

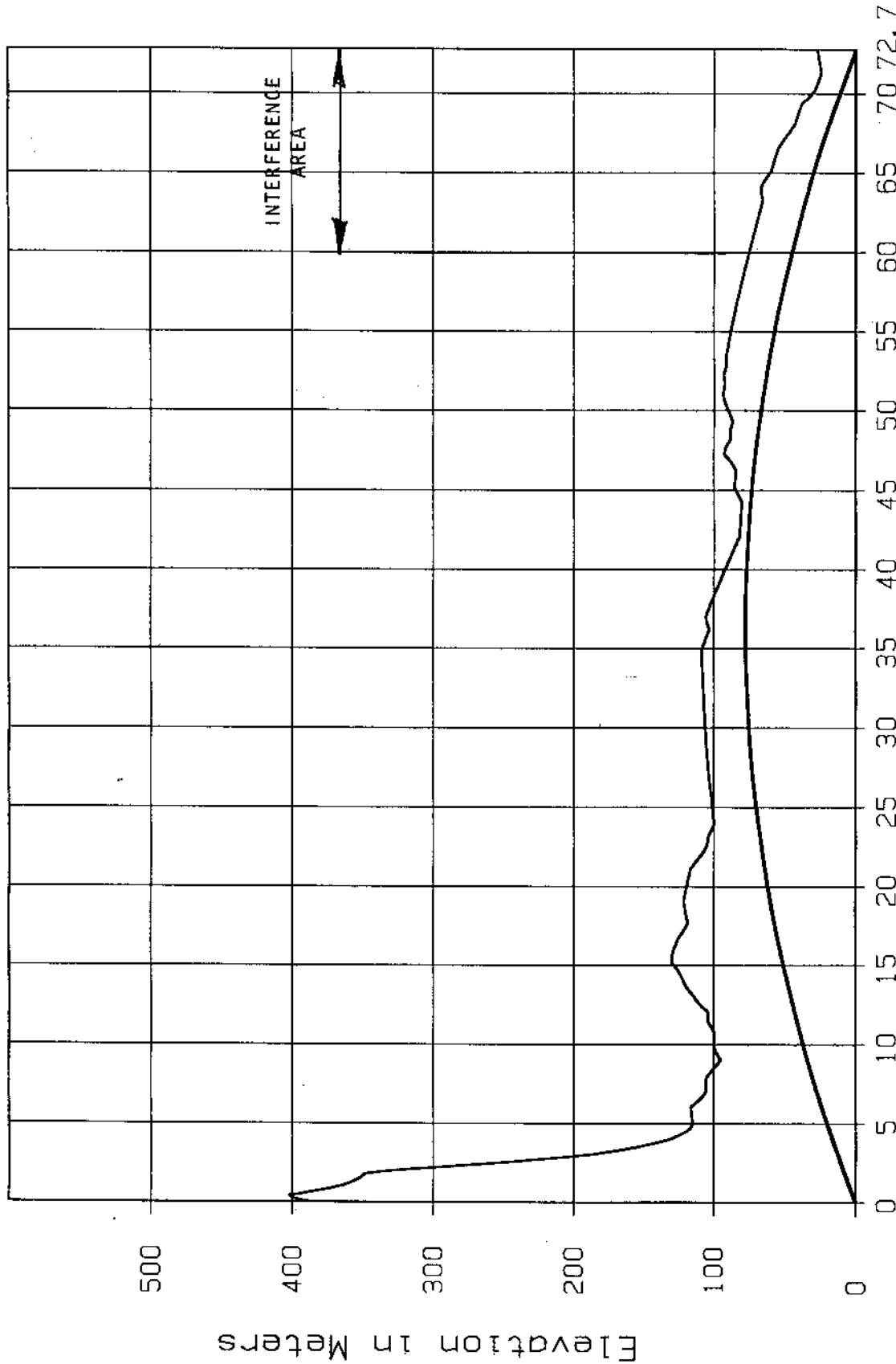
FIGURE 4



Xmtr. AMSL = 537M Distance in km Rcvr. AMSL = 379.9M
Xmtr. AG = 149.3M K = 1.33 Rcvr. AG = -767.6M
Transmitter Site coordinates N. Lat. = 34 07 08 W. Lng. = 118 23 30

TERRAIN PROFILE AT 130 DEGREES T.

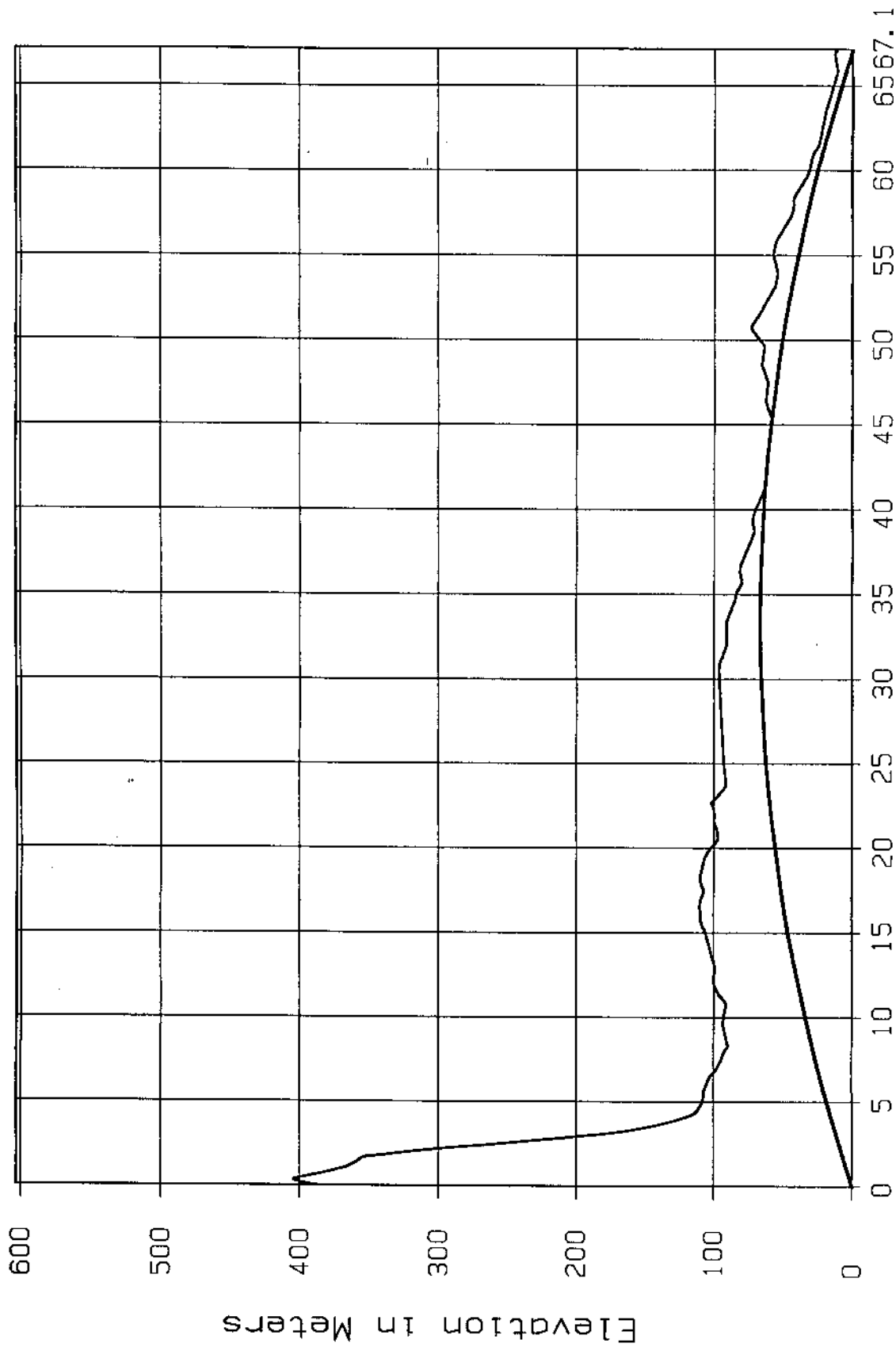
FIGURE 5



Xmtr. AMSL = 537M Distance in km Rcvr. AMSL = 379.9M
Xmtr. AG = 149.3M K = 1.33 Rcvr. AG = -767.6M
Transmitter Site coordinates N. Lat. = 34 07 08 W. Lng. = 118 23 30

TERRAIN PROFILE AT 134.5 DEGREES T.

FIGURE 6



Xmtr. AMSL = 537M Distance in km Rcvr. AMSL = 379.9M
Xmtr. AG = 149.3M K = 1.33 Rcvr. AG = -767.6M
Transmitter Site coordinates N. Lat. = 34 07 08 W. Lng. = 118 23 30

EXHIBIT 4

IRVINE 92606

BRENDA L. AGREN
LAW CORPORATION
20 CORPORATE PARK, SUITE 225
IRVINE, CALIFORNIA 92606-5103
(949) 660-9595
FAX (949) 660-9133

July 22, 1998

Steve Herbert, Chief Engineer
KCRW
1900 Pico Blvd
Santa Monica, CA 90405

Dear Mr. Herbert:

I am a subscriber to KCRW and have listened to this station for approximately ten years. I listen to this station at home a minimum of ten hours per week.

Very truly yours,



BRENDA L. AGREN
Attorney at Law

BLA:sc

X-Sender: Steve.Herbert@mail.kcrw.org
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)
Date: Mon, 20 Jul 1998 15:39:57 -0700
To: costa@kcrw.org
From: RICK DEREVAN <rderevan@swlaw.com> (by way of Steve Herbert <steve.herbert@kcrw.org>)
Subject: Calvary Chapel interference

Steve,

I am a long-time KCRW listener and member residing in Irvine, California, where I also work. I listen to KCRW everyday in Orange County, mostly in the Irvine-Costa Mesa area. I am unalterably opposed to the application of Calvary Chapel to put a 250 watt transmitter in Costa Mesa for frequency 89.7 if it will in any way interfere with my ability to receive KCRW in Orange County.

Please let me know if there is anything else I can do to help KCRW oppose this application.

Rick Derevan
5 Cipriani
Irvine, CA 92606
949.253.2716 (w)
949.651.6220 (h)

X-Sender: Steve.Herbert@mail.kcrw.org
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)
Date: Mon, 20 Jul 1998 14:02:51 -0700
To: costa@kcrw.org
From: <Marronnaka@aol.com> (by way of Steve Herbert <steve.herbert@kcrw.org>)
Subject: KCRW supporter

I've been a KCRW subscriber since moving back to California late last year. I listen to KCRW at home and in my car daily, some 15-20 hours/week. I enjoy and prefer listening to KCRW. I subscribed after settling into my new home to show my support for what it has to offer. I hope to be able to continue to listen from my Irvine community.

Nancy Marron
3502 Eboe Street
Irvine, CA 92606

Steven O'Toole, 02:36 PM 7/18/199, FCC Objection

X-Sender: steve.herbert@kcrwnt.kcrw.org
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)
Date: Sat, 18 Jul 1998 14:36:13 -0700
To: costa@kcrw.org
From: Steven O'Toole <steven@o21.com> (by way of Steve Herbert <steve.herbert@kcrw.org>)
Subject: FCC Objection

Dear Steve Herbert:

I am responding to your letter of July 20, 1998 about the threat to my reception of KCRW. I prefer to send this by email, but if it helps, I can send you a printed copy. Also let me know if there's anything else I can do to help.

To The FCC:

Please reject the application by Calvary Chapel of Twin Falls, Idaho for a translator in Costa Mesa at 89.7 FM. I would consider it a disaster if my reception of KCRW 89.9 were interfered with.

I have been a loyal listener to KCRW since 1986. When I moved away from Southern California for a few years, KCRW was one of the things I missed most. When I got an opportunity to move back, KCRW's signal reception was one of the determining factors in my choice of communities.

I am a subscriber, a supporter, and an advocate of the station. I work at my home in Irvine, just a few miles from Costa Mesa. My radio is turned on and tuned to KCRW for at least six and as much as twelve hours per day - easily sixty hours per week.

For me, the best part of KCRW is the amazing selection of eclectic music. There is no other source of such diverse, interesting, and stimulating music in Orange County. Please don't take this away from us!

I would be extremely upset if I were to lose my reception of KCRW. Please reject this application.

Sincerely,

Steven O'Toole
21 Calavera
Irvine, CA 92606
949-857-5421

John Simon
3541 Marin Drive
Irvine CA 92606
(714) 544-2161

KCRW
1900 Pico Blvd.
Santa Monica CA 90405

July 20, 1998

Dear Friends,

When I found out that Calvary Chapel of Twin Falls has applied to the FCC for a 250 watt translator in Costa Mesa that would interfere with my reception of KCRW I was pissed-off.

I've lived in Orange County for 30 years.

I've listened to KCRW for over a decade.

I listen to KCRW at home.

I listen to it at work.

I listen to it in my car.

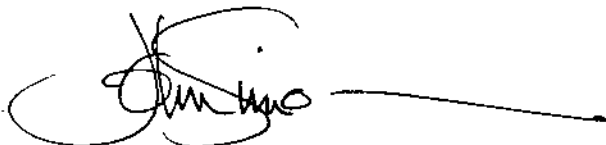
I change the station in my friends cars to listen to it.

I learn more on KCRW than on any other broadcast source.

It is simply the best radio station on earth.

Please. There are far too many religious radio broadcasts that beam into Orange County. As a KCRW subscriber, as a Christian, as a father, as a taxpayer, as a musician, as someone who simply doesn't want one more good thing stripped away, I need KCRW.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Simon', with a long horizontal line extending to the right.

John Simon

X-Sender: steve.herbert@kcrwnt.kcrw.org
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)
Date: Mon, 27 Jul 1998 18:29:12 -0700
To: costa@kcrw.org
From: Lovick Thomas <fastsabre@pol.net> (by way of Steve Herbert <steve.herbert@kcrw.org>)
Subject: Proposed 250 watt translator in Costa Mesa

26 July 1998

Steve Herbert, Chief Engineer
KCRW
1900 Pico Boulevard
Santa Monica, California 90405

Re: proposed 250 watt translator to serve Costa Mesa

Dear Mr. Herbert,

I am writing to object to the proposed placement of a 250 watt translator at 89.7 to serve Costa Mesa. I live in Irvine, CA, a nearby community, and am afraid that such a station would interfere with my home reception. I listen to KCRW at 89.9 both at home and when I commute to work. My wife and I each listen to KCRW for approximately 10 hours each week. As members of KCRW since 1989, we object to the proposed translator believing that it will interfere with our reception. I ask that you oppose the proposed placement of this translator. Thank you for your consideration.

Sincerely,

Lovick Thomas and Elisabeth Sykes

14 Del Ventura
Irvine, CA 92606-8827

e-mail: fastsabre@pol.net

Joel I. Usansky

18 Santa Victoria Aisle • Irvine • California • 92606 • (949) 857-8356

Steve Herbert
Chief Engineer
KCRW
1900 Pico Blvd
Santa Monica, CA 90405

7/25/98

re. My objection to the new translator at 89.7 FM in Costa Mesa

Dear Mr. Herbert,

I recently heard about the application to place a new translator at 89.7 FM in Costa Mesa. I want to let you know that I believe that this could easily adversely affect my reception of KCRW at 89.9 FM. I am an avid listener, both at home and at work (in Irvine). My reception at work is sometimes marginal because I ^{work} in a large building and face towards the south. Therefore *I strongly object to this new radio station* because it is so close in frequency and in distance.

I am a member of KCRW and have been ever since I moved to California in 1991. Please pass this message onto the FCC as soon as possible. Thank you.

Yours sincerely,

Joel I. Usansky

IRVINE 92701

LARRY KIRSCHENBAUM

ATTORNEY AT LAW

615 CIVIC CENTER DRIVE WEST
SUITE 230
SANTA ANA, CALIFORNIA 92701
TELEPHONE (714) 835-0600

July 20, 1998

KCRW
1900 Pico Blvd.
Santa Monica, Ca. 90405

RE: CALVARY CHAPEL OF TWIN FALLS, IDAHO APPLICAITON (89.7)

Dear Ladies and Gentlemen:

I have no quarrel with Calvary Chapel regards their religious position, in fact my youngest daughter was baptised by Calvary Chapel of Costa Mesa, Ca.

However, if there is to be a potential of interference with KCRW (89.9) which would disrupt my ability to listen to your station, I must cast my vote against Calvary Chapel.

I have been listening to 89.9 Santa Monica Community College, KCRW, ever since I commenced living in the Costa Mesa/Newport Beach area and established my office here in Santa Ana. This goes back to the 1970's, and my home, office and autos all are tuned to KCRW and listened to by me, my wife and my household as well as my office personnel for a total of about 48 hours a week.

Please call on me if any further information is needed regards KCRW.

Sincerely,


LARRY KIRSCHENBAUM

LK/sr

IRVINE 92705

BYRON J. BAHR
2106 E. Plumwood Lane
Santa Ana, California 92705

July 30, 1998

Steve Herbert, Chief Engineer
KCRW
1900 Pico Blvd.
Santa Monica, CA 90405

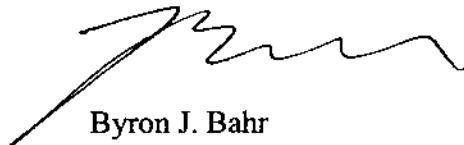
Dear Mr. Herbert:

I have been a subscriber to KCRW for approximately three to four years. For the past eight to nine years I have listened to KCRW at home for approximately 1 ½ hours per day.

I appreciate your efforts to ensure that I will continue to be able to receive KCRW without interference. The area of "the dial" around 89.9 already seems fairly crowded.

Once again, thank you for your efforts.

Sincerely,



Byron J. Bahr

BJB/pc



Note Pads Inc.

July 22, 1998

Steve Herbert
Chief Engineer
KCRW
1900 Pico Blvd.
Santa Monica, CA 90405

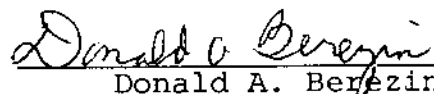
Dear Steve,

Even though I am a recent supporter of KCRW, I have been an avid listener for as long as I can remember. I live in Irvine, and make deliveries for my company all over Orange Co. KCRW is a very important part of my business day.

I especially enjoy the approach that National Public Radio takes with the news on Morning Edition. The Morning Becomes Eclectic provides my music during the day. In the afternoon there's All Things Considered, and again that wonderful in-depth approach to the news.

I would find it very difficult to operate if KCRW were to be interfered with by any station, but especially a religious one. I shudder at the thought of listening to Left Right and Center and upon turning a corner begin listening to someone singing the praises of the Lord, especially if he sounded like Bob Scheer. That experience alone could cause my weakened heart to stop.

I know I make light of the situation, but KCRW is such a unique radio station, even among the NPR broadcasters, that another station interfering with it would substantially dim a very bright light in my life.



Donald A. Berezin
President
Note Pads Inc.

X-Sender: steve.herbert@kcrwnt.kcrw.org
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)
Date: Sat, 25 Jul 1998 07:46:37 -0700
To: costa@kcrw.org
From: BRIGITTE FRANKEL@HP-USA-om33.om.hp.com (by way of Steve Herbert
<steve.herbert@kcrw.org>)
Subject: Calvary Interference w/address

Dear Mr. Herbert,

> Thank you very much for alerting me to the potential
interference in Orange County's reception of KCRW. I have been an
avid listener of KCRW since my arrival in Southern California 9 years
ago, and have supported the station (been a subscriber) on a regular
basis for 8 years. Whether in my car or in my home, I listen to KCRW
for 2-4 hours every weekday, and at least one hour on weekends. The
thought of not being able to listen to KCRW when at home in the future
causes mixed emotions: anger and sadness. KCRW is the only source of
news, both local and national, that provides in-depth, thoughtful
analysis rather than sound bites. In addition to Morning Edition and
All Things Considered, which I listen to every day, I also regularly
tune in to Which Way LA, Marketplace, The World, Fresh Air, Morning
Becomes Eclectic, and the five-minute pieces from Edward Goldman and
Sandra Sing-Lo.

>

I am a real fan of your station. Please let me know if there is
anything else I can do to ensure that I can continue to enjoy
listening to KCRW in the future!!

Regards,
Brigitte Leopold Frankel

1562 Kensing Ln.
Santa Ana, CA 92705

brigitte_frankel@hp.com

13351 Wheeler Pl.
San Jose, CA 92705
27 July '98

Dear Mr. Herbert,

There is no doubt that the
250 watt translator to be considered
for Casta Mesa would
seriously affect my reception
of KCRW at 89.9. KCRW
is a big part of my life in the
car and at home. I listen to
Harry Shearn on my way to
church in Casta Mesa. He
certainly makes the drive more
enjoyable on the 55 as everyone
goes to Newport Beach, your wonderful
programming, especially the dramas
and Garrison Keillor, and the CAR
TALK boys are essential to my
good health. Keep up the good
work.
Marion Galien

X-Sender: Steve.Herbert@mail.kcrw.org
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)
Date: Wed, 22 Jul 1998 11:53:53 -0700
To: costa@kcrw.org
From: "Patti & Dean Gascoigne" <pattitypes@email.msn.com> (by way of Steve Herbert
<steve.herbert@kcrw.org>)
Subject: TRANSLATOR

Steve,

Put my name on record as strongly opposing Calvary Chapel's application for a translator at 89.7 fm in Costa Mesa. I live in Santa Ana and have been a subscriber to KCRW and a loyal listener of National Public Radio (as KCRW) for many years. I would without question be very upset to hear any incursion into your airspace!!

You may count on me as a volunteer to help with this effort .

Respectfully,
Dean A. Gascoigne
2118 North Williams Street
Santa Ana, CA. 92705-7841
714 836-5368

*Allen & Lori Gradous
2525 Brynwood Street
Santa Ana, California 92705*

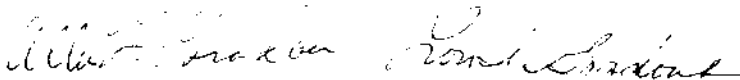
July 20, 1998

Steve Herbert, Chief Engineer
KCRW
1900 Pico Blvd.
Santa Monica, California 80405

RE: KCRW Listener Response

We are listeners and subscribers to KCRW at 89.9 FM and we are very concerned that the introduction of a translator for another station at 89.7 FM in Costa Mesa will interfere with our reception of KCRW. We listen to KCRW at our home in Santa Ana every weekend morning and on our morning and evening commutes between Santa Ana and jobs in Irvine and Fullerton. We estimate that we listen to the station approximately 15-20 hours each week. We have been subscribers to KCRW for several years and would hate to lose access to our favorite radio station.

Sincerely,



Allen F. Gradous and Lori I. Gradous

July 24, 1998

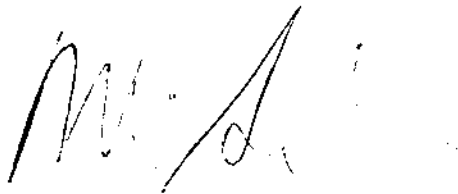
Steve Herbert
Chief Engineer
KCRW
1900 Pico Blvd.
Santa Monica, Calif. 90405

Steve:

As a regular KCRW listener, i object to the interference threatened by plans of Calvary Chapel of Twin Falls, Idaho, to install a 250-watt translator at 89.7FM to serve Costa Mesa.

I've been a KCRW listener for the four years I've lived in Southern California, and I've been a subscriber for about 6 months. I listen to "Morning Edition" at home nearly every day and "All Things Considered" during my drive time nearly every other day. At home at night, I listen to the late-night music nearly every night.

I strenuously oppose this threatened interference.

A handwritten signature in black ink, appearing to read "Michael Grundmann". The signature is written in a cursive style with a large initial "M" and "G".

Michael Grundmann
1119 Aspen St.
Santa Ana, Calif. 92705-6702

(714) 542-1134

Robert M. Hardy

July 22, 1998

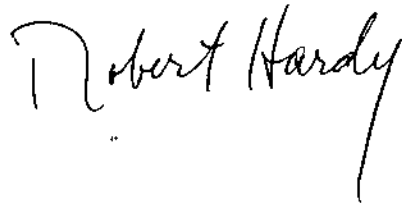
Steve Herbert, Chief Engineer
KCRW
1900 Pico Blvd.
Santa Monica, CA 90405

Dear Steve:

Learning that there is the possibility of a new FM radio station signal which could interfere with KCRW reception here in Orange County is very disturbing. Living at a distance from the transmission point, many stations from the L.A. Basin do not come in clear. My proximity to the planned new station suggests the possibility of interference with KCRW reception. With the new station being so close on the dial to KCRW, I fear my ability to receive this station would be greatly diminished.

I am a subscribing member and have listened to KCRW for 18 years. I have learned to rely upon its newsworthy information for at least 20 hours per week of home use.

Sincerely,

A handwritten signature in cursive script that reads "Robert Hardy". The signature is written in black ink and is positioned below the word "Sincerely,".

20 July 1998

Dear Steve Herbert, KCRW Chief Engineer,

I am much disturbed to receive your letter informing us of the application by Calvary Chapel of Twin Falls, Idaho to put a translator at 89.7 FM to serve Costa Mesa. This would essentially block our reception of KCRW here in Orange County. We would like to add our voice to yours in protest of this move.

My husband introduced me to your station almost ten years ago. I don't know how long before that he had been listening, but we are now avid NPR listeners and also appreciate the music variety. I have been a subscriber since I have been at home raising my children – almost eight years now. I listen to KCRW about 15 - 20 hours a week, and my husband listens perhaps 20 more hours. We would miss KCRW. We don't need another station here in Orange County.

Please fight this translator. We don't want it!

Thank you and Good Luck,

Diane M. Lissner

Diane (and Dean) Lissner

17912 Romeille Ave
Santa Ana, CA 92705

July 30, 1998

Mr. Steve Herbert
Chief Engineer
KCRW
1900 Pico Blvd.
Santa Monica, California 90405

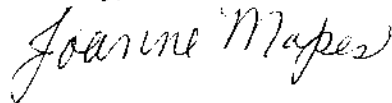
Dear Mr. Herbert:

I received your letter telling me that the reception of your radio station may be interfered with in the future.

I am writing to let you know that I listen to KCRW every day and would be very upset not to be able to hear this programming. This kind of programming is not available on other stations.

I hope I will be able to continue listening to KCRW and the reception will be clear.

Sincerely,

A handwritten signature in cursive script that reads "Joanne Mapes".

Joanne Mapes
2101 Ponderosa, Apt. 2A
Santa Ana, California 92705



Bara Salmon
2424 N Tustin Ave. #08
Santa Ana, CA 92705-1622

7/20/98

Steve Herbert, Chief Engineer
KCRW
1900 Pico Blvd.
Santa Monica, CA 90405

Dear Mr. Herbert,

Upon your request I'm confirming
of having been a loyal subscriber
to KCRW for several years.

I've been listening daily to the
morning edition of NPR news, before
going to work. Occasionally, when at
home, I listen to the evening news. I love
the radio theatre on Sundays as well.
I hope this information is useful.

Sincerely,
Bara Salmon

Frances P. Tschirgi
1841 Whitestone Terrace
Santa Ana, CA 92705

July 22, 1998

Steve Herbert, Chief Engineer
KCRW
1900 Pico Blvd.
Santa Monica, CA 90405

Dear Sir,

My husband and I are members,
strong supporters and listeners to
KCRW, and have been for several years.

At an age when vision becomes
less acute, listening to news on radio
becomes more important. We listen
nearly every day to Morning Edition
and often to All Things Considered,
and value the information contained
therein.

Please prevent the installa-
tion of any translator which could
interfere with our reception of KCRW.

Thank you,

Frances P. Tschirgi

VILORIA CONSTRUCTION INC.
1538 Brookhollow Suite C Santa Ana, Ca. 92705
(714) 966-2940 (Fax) 966-2936
B659115

7/22/98

DEAR STEVE HERBERT, CHIEF ENGINEER
KCRW
1900 PICO BLVD.
SANTA MONICA, CA. 90405

I HAVE BEEN A KCRW SUBSCRIBER FOR A FEW YEARS NOW. I PROBABLY AVERAGE
THREE TO FOUR HOURS A DAY LISTENING TO YOUR STATION. MOST OF MY BUSINESS IS
IN RANGE OF YOUR STATION, AND I LISTEN OFF AND ON ALL DAY LONG AS I TRAVEL
FROM JOB TO JOB. I AM ALWAYS DISAPPOINTED WHEN I REACH SOUTH ORANGE COUNTY
AND I LOOSE RECEPTION JUST WHEN I GET INTERESTED IN ONE OF YOUR PROGRAMS. I
WOULD BE EXTREMELY DISPLEASED IF A NEW STATION WOULD MAKE IT EVEN HARDER
TO RECEIVE YOUR SIGNAL.

SINCERELY,



BEN VILORIA

IRVINE 92780

X-Sender: Steve.Herbert@mail.kcrw.org
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)
Date: Thu, 23 Jul 1998 10:57:11 -0700
To: costa@kcrw.org
From: Julie Chay <jchay@worldnet.att.net> (by way of Steve Herbert
<steve.herbert@kcrw.org>)
Subject: translator (with street address)

Julie Chay
14431 Oxford Avenue
Tustin, CA 92780
Phone: 714/730-6486 Fax: 714/730-3570
email jchay@worldnet.att.net

July 22, 1998

Steve Herbert
Chief Engineer
KCRW

Dear Mr. Herbert,

As I write this note at my home computer, I am listening to Marketplace.
This is a habit I indulge as often as possible as I work in my home
office. Morning Becomes Eclectic and Which Way LA are also my regular
companions.

I object very strongly to any proposed translator that would interfere
with reception of KCRW anywhere in southern California, but especially
here in Orange County. There is no station like KCRW, even among public
radio stations in the area.

I have been listening to KCRW since 1981, shortly after I moved to
Orange County. I have been a subscriber almost as long. KCRW is
definitely one of the highlights of living in southern California. I
don't know what my 84-year-old mom would do without KCRW to listen to
on her visits here. She needs audio accompaniment to complete her daily
crossword puzzle!

My conservative estimate of 2.5 hours of listening per day over the last
17 years amounts to over 15 thousand hours of enjoyment!

I hope you are successful in blocking the approval of the translator to
serve Costa Mesa. Let me know if there's more I can do to help.

Sincerely,
Julie Chay

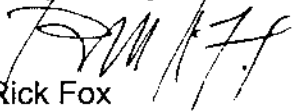
July 21, 1998

Steve Herbert, Chief Engineer
KCRW
1900 Pico Blvd.
Santa Monica, CA 90405

Mr Herbert:

My wife and I have been avid KCRW 89.9FM listeners for about the last seven years, and regular subscribers for the past three years. We listen to the station at home about an hour each night, after we get home from work where the station is on for better than half of the workday. Both our home and our office are located in Tustin and we are deeply concerned that our reception of KCRW will be severely impacted by the proposed 89.7FM translator intended to serve the nearby community of Costa Mesa. We have always enjoyed listening to the station, and would seriously regret any adverse impact on our ability to receive your signal.

Respectfully submitted,


Rick Fox

Rick & Carol Fox
170 North A Street
Tustin, California 92780



KCRW
1900 Pico Blvd
Santa Monica, CA 90405

Attn: Steve Herbert





PERMLIGHT, INC.



PERMLIGHT, INC.

Ben B. George
Chairman of the Board

420 W. Sixth Street, Tustin, CA 92780

PHONE: (714) 508-0729

PHONE: (714) 508-0729

(800) 286-4017

(800) 286-4017

FAX: (714) 508-0920

FAX: (714) 508-0920

420 W. Sixth Street, Tustin, CA 92780

July 29, 1998

Dear Mr. Herbert:

Thank you very much for your letter requesting assistance with your objection to a transmitter in Costa Mesa broadcasting on 89.7 MHz.

It is not easy to receive a strong KCRD signal in Orange County. In areas of great interference we already pick up a broken signal, even occasional "garbage" from other channels.

Both Public Broadcasting Channels are subject to occasional break up or at least "chop" in central O.C. ^{Costa Mesa, Tustin, Irvine, etc.}

I've long felt that a market the size of Orange County deserves strong PBS signals. Incidentally we have several strong religious signals in O.C.!

an enthusiastic subscriber

Ben George

X-Sender: Steve.Herbert@mail.kcrw.org
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)
Date: Wed, 22 Jul 1998 11:27:25 -0700
To: costa@kcrw.org
From: Stanley Miller <stanmill@earthlink.net> (by way of Steve Herbert
<steve.herbert@kcrw.org>)
Subject: Retransmittal of e-mail re Calvary Chapel Translator

As listeners to KCRW both at home and on the road since our arrival in California many years ago, we would strongly object to to the installation of the Calvary Chapel translator if there is even the remotest possibility that it would interfere with KCRW's signal.

Hilda and Stan Miller
17401 Village Drive
Tustin, California 92780

>>
>>
>>



July 24, 1998

Steve Herbert
KCRW 89.9 FM
1900 Pico Blvd.
Santa Monica, CA 90405

Dear Steve,

I appreciate the news coverage that National Public Radio and KCRW provide. It is so nice to tune into KCRW and learn what is actually occurring **W O R L D W I D E** rather than the fluff local LA television is providing. It truly troubles me that the only place I can hear about what is truly news worthy seems to be on 89.9. I have been a KCRW listener and supporter for over 7 years, first in Irvine now in Tustin, California.

I too am a born again Christian and have listened to both KCRW and 98.7FM from my North Tustin home in the past. I must admit that I still listen to KCRW from home, at least 45 minutes per day. Currently, I listen to breaking news and in depth exploration of current events on **MORNING EDITION** (which is followed by NPR's news at 9am). I also listen to **ALL THINGS CONSIDERED** both on my drive home and when I am at home in Tustin. I also particularly benefited from **WHICH WAY LA's** analysis of all the propositions we were to vote on in the last election.

I like the **MORNING BECOMES ECLECTIC** show as well. I do not agree with all of KCRW's opinions, but simply avoid what I disagree with by not tuning in at different hours.

While I appreciate what Calvary Church, Costa Mesa does through their broadcasts. I feel that their broadcast signal is strong enough and would feel a real personal sense of loss if my reception of KCRW 98.9 FM was diminished or lost.

Sincerely,

Carla F. Schmissrauter
1322 Deborah Dr
Tustin, CA 92780-2413

IRVINE 92782

X-Sender: Steve.Herbert@mail.kcrw.org
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)
Date: Thu, 23 Jul 1998 10:59:36 -0700
To: costa@kcrw.org
From: "Vertrees, Chuck" <VERTREESC@questdiagnostics.com> (by way of Steve Herbert <steve.herbert@kcrw.org>)
Subject: Translator Interference

Dear Mr. Herbert:

I received your letter dated July 20th informing me of the recent FCC application for a translator at 89.7 FM. I am also concerned about potential interference.

I listen to KCRW at 89.9 FM about four to five hours each weekend at my home in Tustin 92782, or in my car in the immediate area. My home reception is already marginal (no stereo separation) while vehicle reception is just adequate (occasional separation dropouts). I would strongly oppose anything which would have an adverse impact on my ability to receive KCRW in this area.

In addition to my home reception, I also listen to KCRW at 89.9 FM another eight to 10 hours per week while commuting to and from work in San Juan Capistrano. There are sections of my commute in south Orange county where KCRW fades out completely and is over-ridden by some other transmitter. Again, I would strongly oppose anything which would have an adverse impact on my ability to receive KCRW in this area. Indeed, I also object to the interference that is already occurring.

I am a current and past subscriber to KCRW, at times at the Angel level. I have been listening to KCRW for approximately 13 years, primarily in the central and southern Orange county areas. No other station provides the combination or quality of programming available from KCRW. Anything which will diminish my ability to receive the station will be strongly opposed.

If I can provide you with any further information or support, please do not hesitate to contact me.

Sincerely,

/s/

Charles W. Vertrees
2131 Vallejo Drive
Tustin, CA 92782-8618
714-731-1568 H
949-728-4575 W

X-Sender: Steve.Herbert@mail.kcrw.org
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)
Date: Thu, 30 Jul 1998 09:43:23 -0700
To: costa@kcrw.org
From: "Vertrees, Chuck" <VERTREESC@questdiagnostics.com> (by way of Steve Herbert <steve.herbert@kcrw.org>)
Subject: FW: Translator Interference

I am aware of a recent problem with our email system. This may have not been delivered, so I am re-sending. If I can be of any further help, please let me know. ChuckV.

-----Original Message-----

From: Vertrees, Chuck
Sent: Thursday, July 23, 1998 7:38 AM
To: 'steve.herbert@kcrw.org'
Subject: Translator Interference

Dear Mr. Herbert:

I received your letter dated July 20th informing me of the recent FCC application for a translator at 89.7 FM. I am also concerned about potential interference.

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If I can provide you with any further information or support, please do not hesitate to contact me.

Sincerely,

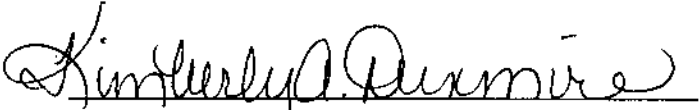
/s/

Charles W. Vertrees
2131 Vallejo Drive
Tustin, CA 92782-8618
714-731-1568 H
949-728-4575 W

CERTIFICATE OF SERVICE

I, Kimberly A. Dunmire, hereby certify that on November 2, 1998, a copy of the foregoing "Informal Objection" was delivered by First Class Mail, Postage Prepaid, to the following person:

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



Kimberly A. Dunmire