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BPED-1816

ROBERT JAY STEIN  
ATTORNEY AT LAW  
1717 N Street, N. W.,  
Washington, D. C.

August 16, 1974

Mr. Vincent Mullins, Secretary  
Federal Communications Commission  
Washington, D. C. 20554

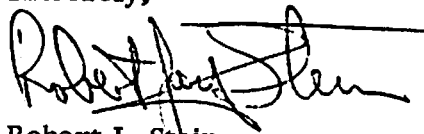
Dear Mr. Mullins,

On behalf of Back Porch Radio Broadcasting, Inc. (File No. BPED-1816) I am submitting herewith an original and three copies of an amended Form 340. This amendment is in response to the Broadcast Bureau's letter of July 25th (reference number 8832) and is intended to resolve the interference problems with WUWM cited therein.

No consideration has been promised or received in return for this amendment and Mr. O'Connor's affidavit to that affect is attached.

If there are any further questions, please let us know.

Sincerely,

  
Robert J. Stein

RJS/sgk

Martin I. Levy, Chief  
Broadcast Facilities Division  
Broadcast Bureau  
Federal Communications Commission  
Washington, D.C. 20554

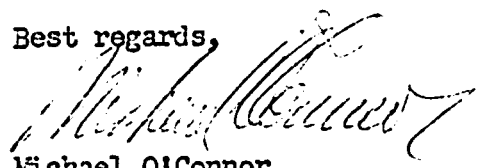
Dear Mr. Levy,

Thank you for your letter of July 25th (reference number 8832). Enclosed you will find amending pages to Back Porch Radio Broadcasting's application for a new FM station in Madison, Wisconsin (File No. BPED-1816). The amendment changes the specified transmitter power from three kilowatts to one kilowatt which will eliminate the interference conflict mentioned in your letter.

In talking to Dr. Hill of WUWM I discovered that he and his associates have been working for a very long time toward the power increase that they propose in BPED-1843 and that in addition, due to possible interference conflicts with a Milwaukee television station on channel 6, the WUWM application is rather complex. In view of those facts, I decided that the quickest and least complicated approach to the situation would be to amend the Back Porch Radio application in such a way that the WUWM application would not have to be changed in any way. With this in mind I instructed our consulting engineer to find an appropriate means to amend our application. This has been done and the result is the enclosed amendment. There should be no need for any changes in the WUWM application whatsoever.

I hope that this will serve to resolve the conflict and that processing of both applications can resume without any undue delay.

Best regards,

  
Michael O'Connor  
President  
Back Porch Radio Broadcasting  
RR 2, Midtown Road  
Madison, Wisconsin  
53711

8/7/74

cc Robert Stein  
Dr. Ruane B. Hill

UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION

APPLICATION FOR AUTHORITY TO CONSTRUCT OR MAKE CHANGES IN A  
NONCOMMERCIAL EDUCATIONAL TV, FM, OR STANDARD  
BROADCAST STATION

INSTRUCTIONS

A. This form is to be used only in applying for authority to construct a new noncommercial educational TV, FM, or Standard broadcast station or to make changes in an existing station. This form consists of this part, Section I, and the following sections:

- Section II, Legal Qualifications of Broadcast Applicant
- Section III, Financial Qualification of Broadcast Applicant
- Section IV, Statement of Program Service of Broadcast Applicant
- Section V-A, Standard Broadcast Engineering Data
- Section V-B, FM Broadcast Engineering Data
- Section V-C, Television Broadcast Engineering Data
- Section V-G, Antenna and Site Information

B. PREPARE THREE COPIES of this form and all exhibits. Sign one copy of Section I. Prepare one additional copy (a total of four) of Section V-G and associated exhibits. File all the above with the Federal Communications Commission, Washington, D. C. 20554.

C. Number exhibits serially in the space provided in the body of the form and list each exhibit in the space provided on page 2 of this Section. Show date of preparation of each exhibit, antenna pattern, and map, and show date when each photograph was taken.

D. The name of the applicant stated herein shall be the exact corporate name, if a corporation; if an unincorporated association, the exact name of the association; if a governmental or public educational agency, the exact name of such agency. The applicant must notify the Commission of any change of address.

E. Information called for by this application which is already on file with the Commission need not be refiled in this application provided (1) the information is now on file in another application or FCC form filed by or on behalf of this applicant; (2) the information is identified fully by reference to the file number (if any), the FCC form number and the filing date of the application or other form containing the information and the page or paragraph referred to, and (3) after making the reference, the applicant states: "No change since date of filing." Any such reference will be considered to incorporate into this application the application or other form referred to in its entirety. Do not incorporate by reference any material which is not to be open to the public.

F. This application shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; by a member who is an officer, if the applicant is an unincorporated association; by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction, if the applicant is an eligible government entity; or by the applicant's attorney in case of the applicant's physical disability or of his absence from the United States. The attorney shall, in the event he signs for the applicant, separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

G. Before filling out this application, the applicant should familiarize himself with the Communications Act of 1934, as amended, Parts 1,2,17, and 73 of the Commission's Rules and Regulations.

H. BE SURE ALL NECESSARY INFORMATION IS FURNISHED AND ALL PARAGRAPHS ARE FULLY ANSWERED. IF ANY PORTIONS OF THE APPLICATION ARE NOT APPLICABLE, SPECIFICALLY SO STATE. DEFECTIVE OR INCOMPLETE APPLICATIONS MAY BE RETURNED WITHOUT CONSIDERATION.

File No.

1. Name of applicant (See Instruction D)

Back Porch Radio Broadcasting, Inc.

Street Address

RR 2, Midtown Road

City

Madison

State

Wisconsin

ZIP CODE

53711

2. Name of person to whom communications should be sent, if different from item 1

Send carbon of all correspondence to  
Robert Stein

Street Address

1712 N Street NW

City

Washington, D.C.

State

ZIP CODE

20036

3. Purpose of application (check one)

New Station       Change existing station facilities

4. (a) Requested facilities

Type of station (as Standard, FM, Television)

Educational FM

Frequency

89.7 Mhz

Channel No.

209

Call sign

new

Effective radiated power in kilowatts, or power for standard broadcast stations

2.85 kw

Antenna height above average terrain in feet (FM and TV only)

149 feet

Location of main studio

State

Wisconsin

City

Madison

Location of transmitter

State

Wisconsin

County

Dane

City

Madison

Number and street (or other indication of location)

101 E. Mifflin Street

b. If this application is for changes in an existing authorization, complete Section I and any other sections necessary to show all substantial changes in information filed with the Commission in prior applications or reports. In the spaces below check Sections submitted herewith and as to Sections not submitted herewith refer to the prior application or report containing the requested information in accordance with Instruction E.

Section No.	Para. No.	Reference (file or Form No. and Date)
<input type="checkbox"/>	Section II	
<input type="checkbox"/>	Section III	
<input type="checkbox"/>	Section IV	
<input type="checkbox"/>	Section V-G	

Have there been any substantial changes in the information incorporated in this application by reference in this paragraph?

Yes  No

If "Yes," submit as Exhibit No. \_\_\_\_\_ full particulars.

Is this application filed for the purpose of impeding, obstructing or delaying determination on any other application with which it may be in conflict?

Yes  No

If "Yes," detail full particulars:

THE APPLICANT hereby waives any claim to the use of any particular frequency or of the ether as against the regulatory power 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).

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.

THE APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all the exhibits are a material part hereof and are incorporated herein as if set out in full in the application.

**CERTIFICATION**

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 7th day of August, 19 74.

(This Section should not be dated and signed until all Sections and Exhibits have been prepared and attached)

Back Porch Radio Broadcasting, Inc.  
(NAME OF APPLICANT)

By Michael Jensen  
(SIGNATURE)

WILLFUL FALSE STATEMENTS MADE ON THIS FORM  
ARE PUNISHABLE BY FINE AND IMPRISONMENT.  
U.S. CODE, TITLE 18, SECTION 1001.

Title President

If applicant is represented by legal or engineering counsel, state name and post office address: no change

**EXHIBITS furnished as required by this form:**

Exhibit No.	Section and Para. No. of Form	Name of officer or employee (1) by whom or (2) under whose direction exhibit was prepared (show which)	Official title
		<u>no change</u>	



NOTE: The information requested below in paragraphs 10, 11, 12, 13 and 14, need only be completed by those stations proposing to use transmitters with power ratings in excess of 10 watts.

**10. Proposed operation**

Transmitter power output in kilowatts  <b>one</b>	Power dissipation within transmission line in kilowatts  <b>0.050</b>
Antenna input power in kilowatts  <b>0.950</b>	Effective radiated power in kilowatts  <b>2.85</b>

**11. Modulation monitor**

Make  <b>Hewlett-Packard</b>	Type No.  <b>335-B</b>
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**12. Frequency monitor**

Make  <b>DNA</b>	Type No.
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**13a. On the topographic map required by Paragraph 8, show drawn thereon the following data:**

- (1) Transmitter location and call letters of all known radio stations (except amateur) and the location of established commercial and government receiving stations within 2 miles of the proposed transmitter location;
- (2) Character of the area within 2 miles of proposed transmitter location, suitably designated as to residential, business, industrial, and rural nature;
- (3) At least eight radials each extending to a distance of ten or more miles from the proposed transmitter location.

**b. Attach as Exhibit No. 14 profile graphs for the radials in (a) (3) above. Each graph shall show the elevation of the antenna radiation center. Identify each graph by its bearing from the proposed transmitter location. Direction true north shall be zero azimuth and angles measured clockwise. Show source of topographical data on each. Show scale of miles.**

**14. From the profile graphs in 13(b), for the eight mile distance between two and ten miles from the proposed transmitter location, and in accordance with the procedure prescribed in the FM Technical Standards, supply the following tabulation of data: (If proposed location is adjacent to the sea coast or the Great Lakes omit from this tabulation all radials which lie over water substantially the entire distance between two miles from the proposed transmitter location and the predicted 50 microvolt per meter contour.)**

Radial bearing (degrees true)	Average elevation of radial (2-10 mi.) in feet above mean sea level	Height in feet of antenna radiation center above average elevation of radial (2-10-mi.)	Free space field intensity in millivolts per meter at 1 mile	Predicted distance in miles to the 50 microvolt contour	Predicted distance in miles to the 100 microvolt contour
0	902	162	10.3	16	41.4
45	898	166	10.4	16	41.5
90	896	168	10.5	16	41.5
135	850	214	12.0	18.5	42.5
180	900	164	10.4	16	41.5
225	977	87	8.3	12.5	37.0
270	976	88	8.3	12.5	37.0
315	917	147	9.5	15.5	41.0
		149			

Antenna height above average terrain (Average of above listed heights) 149 feet. The free space field intensity is 2.32 mv/m at 1 mile at 2.85 kw ERP.

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.

Date August 7, 1974

Signature [Signature]  
(check appropriate box below)

Technical Director       Chief Operator  
 Registered Professional Engineer  
 Consulting Engineer

I, Michael O'Connor, President of Back Porch Radio Broadcasting, Inc., do hereby certify that the attached amendment to our application for a new non-commercial FM station in Madison, Wisconsin (FCC file number BPED-1816) has been submitted without consideration promised or received, directly or indirectly.

*Michael O'Connor*

Date

*8/18/74*

Michael O'Connor

STATE OF WISCONSIN )  
COUNTY OF DANE } SS.

Personally came before me on this 8 day of August A.D. 1974 the above named Michael O'Connor to known to be the person who executed the foregoing instrument, and acknowledged the same.

(notary seal)

*Susan J. Barney*  
Notary Public

Susan J. Barney  
Notary Public - Dane Co., Wis.  
Notary Expires 3, 1975