

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

2101 L Street NW • Washington, DC 20037-1526

Tel (202) 785-9700 • Fax (202) 887-0689

Writer's Direct Dial: (202) 833-7025

E-Mail Address: McCombsH@dsmo.com

May 18, 2000

Magalie Román Salas, Secretary
Federal Communications Commission
FCC Portals II
445 12th Street, SW
Washington, DC 20554

Re: **KRCY(FM), Mojave, California**

Dear Ms. Salas:

Santa Monica Community College District, permittee of non-commercial educational FM broadcast station KCRY(FM) (formerly KCRI), Mojave, California, herewith tenders a Form 302-FM application for license to cover construction permit.

There is no filing fee because the station in question is non-commercial and educational.

Attached is a receipt copy of this filing. Please date stamp that copy and return it to the undersigned.

Should there be any questions with regard to this application, please contact Lew Paper of this Firm at 202-828-2265 and PaperL@dsmo.com, or the undersigned at 202-833-7025 and McCombsH@dsmo.com.

Sincerely yours,
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
Attorneys for
SANTA MONICA COMMUNITY COLLEGE DISTRICT

by: Harold K. McCombs
Harold K. McCombs, Jr.

Enclosures

cc: ✓ Mr. Steve Herbert
Lewis J. Paper, Esq.

FOR
FCC
USE
ONLY

FCC 302-FM

APPLICATION FOR FM BROADCAST STATION LICENSE

(Please read instructions before completing this form.)

FOR MASS MEDIA BUREAU USE ONLY

FILE NO.

Section I - GENERAL

1. APPLICANT NAME Santa Monica Community College District		
MAILING ADDRESS (Line 1) 1900 Pico Blvd		
MAILING ADDRESS (Line 2)		
CITY Santa Monica	STATE OR COUNTRY (if foreign) CA	ZIP CODE 90405
TELEPHONE NUMBER (include area code) 310-450-5183	CALL LETTERS KCRY	OTHER FCC IDENTIFIER (IF APPLICABLE) Facility Id. No. 59092
FOR MAILING THIS APPLICATION, SEE INSTRUCTIONS FOR SECTION I		
2. A. Is a fee submitted with this application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
B. If No, select the appropriate box to indicate reason for fee exemption (see 47 C.F.R. Section 1.1114)		
<input type="checkbox"/> Governmental Entity	<input checked="" type="checkbox"/> Noncommercial educational licensee	<input type="checkbox"/> Other (Please explain):

3. 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 the application in a civil or criminal proceeding, brought under the provisions of any law relating 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 concerning 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 the application or Section 1.65 information was filed, and the date of filing; and (ii) the disposition of the previously reported matter.

Exhibit No.

4. For permittees of commercial FM stations only:

Has permittee filed its Ownership Report (FCC Form 323) or ownership certification in accordance with 47 C.F.R. Section 73.3615(b). See Instructions.

Yes No
 Does Not Apply

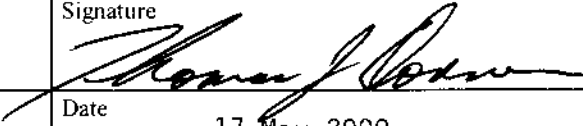
Section I - GENERAL INFORMATION (Page 2)

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum 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 47 U.S.C. Section 304.)

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

CERTIFICATIONS

5. 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. 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
6. 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 Thomas J. Donner	Signature 
Title Chief Business Officer	Date 17 May 2000

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

SECTION II - TECHNICAL DATA

1. This license application is for a: (check all that apply)

- Request for program test authority.
- Station on automatic program test authority.
- Commercial station.
- Noncommercial station.
- Directional antenna.
- Non-directional antenna.
- License to cover construction permit for an auxiliary facility.
- License to utilize former licensed main facility as an auxiliary facility.

SPECIAL OPERATING CONDITIONS MAY PROHIBIT AUTOMATIC PROGRAM TEST AUTHORITY.

2. Call Sign: KCRY 3. Frequency or channel: 88.1 Class: B1

4. Community of License:

City Mojave	State CA
-------------	----------

5. Select ONE that applies and enter the file number(s) on the appropriate line(s). This application:

- (a) covers a construction permit. Original file number: BPED-920305ME
as modified by: BMPED-9803181B
as extended by: BMPED-990204JB
as replaced by: _____

(b) modifies a license, file number: _____

6. Is this application being filed pursuant to MM Docket No. 88-375 (Class A Upgrade) or MM Docket 96-58? Yes No
See Instructions.

Exhibit No.

If Yes, attach a completed Supplement to Form 302-FM to this application.

IF YOU SELECTED 5(b), "MODIFIES A LICENSE," PROCEED TO ITEM 8.

7. Expiration date of construction permit:

Month Dec.	Day 21	Year 2000
------------	--------	-----------

THIS APPLICATION MUST BE ON FILE WITH THE COMMISSION BEFORE THE EXPIRATION DATE OF YOUR CONSTRUCTION PERMIT. SEE INSTRUCTIONS.

SECTION II - TECHNICAL DATA (Page 2)

8. Description of facilities authorized by the construction permit or license noted in item 5(a) or 5(b):

(a) Antenna coordinates: 35 ° 7 ' 20 " N. Lat. 118 ° 12 ' 25 " W. Lon.

	Horizontal		Vertical
(b) Effective radiated power:	<u>10.5</u>	kW	<u>10.5</u>
(c) Beam tilt effective radiated power (if applicable):	<u>DNA</u>	kW	<u>DNA</u>
(d) Radiation center above ground:	<u>67</u>	meters	<u>67</u>
(e) Radiation center above mean sea level:	<u>1113</u>	meters	<u>1113</u>
(f) Antenna height above average terrain:	<u>-29</u>	meters	<u>-29</u>
(g) Overall tower height above ground (including antenna, all other appurtenances, and lighting, if any):	<u>89</u>	meters	

9. Description of facilities as constructed:

(a) Antenna coordinates: 35 ° 7 ' 20 " N. Lat. 118 ° 12 ' 25 " W. Lon.

	Horizontal		Vertical
(b) Effective radiated power:	<u>10.5</u>	kW	<u>10.5</u>
(c) Beam tilt effective radiated power (if applicable):	<u>DNA</u>	kW	<u>DNA</u>
(d) Radiation center above ground:	<u>67</u>	meters	<u>67</u>
(e) Radiation center above mean sea level:	<u>1113</u>	meters	<u>1113</u>
(f) Antenna height above average terrain:	<u>-29</u>	meters	<u>-29</u>
(g) Overall tower height above ground (including antenna, all other appurtenances, and lighting, if any):	<u>89</u>	meters	

10. Are there any differences between the facilities described in Item 8 and those in Item 9?

Yes No

IF YES, YOU MAY NOT BE ABLE TO USE THIS FORM. SEE INSTRUCTIONS.

Attach an Exhibit explaining in detail how these differences occurred.

Exhibit No.

CONVERSION TO AND FROM METRIC:
METERS = 0.3048 × FEET

FEET = 3.281 × METERS

11. a. Is the antenna be mounted on an antenna structure which has been registered with the Commission?

Yes No

1017686

If Yes, provide the seven digit registration number and proceed to item 12.

b. Has the owner of the antenna structure filed an application for registration with the Commission?

Yes No

If yes, provide the date FCC Form 854 was filed and proceed to item 12.

c. Applicant certifies that antenna structure meets 6.10 meter (20 feet) exception rule and therefore does not require registration. In other words, the overall height of the entire structure is not more than 6.10 meters (20 feet) above the ground or the antenna does not extend more than 6.10 meters (20 feet) above a man-made structure (structure built for a purpose other than mounting an antenna, i.e., building, water tank, silo, fire tower, etc.).

Yes No

If yes, proceed to item 12.

d. Antenna structure is shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and is located in the congested area of a city, town or settlement where it is evident beyond all reasonable doubt that the structure is so shielded that it will not adversely affect safety in air navigation.

Yes No

If yes, submit as an Exhibit a detailed explanation and/or diagram to support your claim and proceed to item 12.

Exhibit No.

e. Antenna structure does not meet FAA notification criteria as defined under 47 C.F.R. Section 17.7 and therefore does not require registration.

Yes No

12. SPECIAL OPERATING CONDITIONS. Attach an Exhibit that demonstrates compliance with the special operating conditions, terms, and obligations described in the construction permit. See Instructions.

Exhibit No.

Does Not Apply

13. Antenna description:

Make ERI	Model Number LPX-4E	Number of Sections 4	Power Gain 2.1322
-------------	------------------------	-------------------------	----------------------

If the antenna utilizes beam tilt, null fill, reduced spacing (less than one wavelength) between bays or the antenna is directional or specialized, an exhibit must be attached. SEE INSTRUCTIONS.

Exhibit No.

CONVERSION TO AND FROM METRIC:
METERS = 0.3048 × FEET

FEET = 3.281 × METERS

14. Transmission line system description:

(a) Transmission Line(s):

Make	Model Number	Length in Meters	Efficiency
ANDREW	HJ7P-50A	76 meters	88.5 %
		meters	%

IF MORE SPACE IS NEEDED, PLEASE ATTACH EXHIBIT.

Exhibit No.

(b) Additional losses (Filters, Isocouplers, Multiplexers, etc.) in transmission line system:

Description	Loss in dB	Efficiency
2 SAMPLE SECTIONS (BIRD)	0.1 dB	97.7 %
COAXIAL SWITCH (MCI)	0.05 dB	98.9 %

IF MORE SPACE IS NEEDED, PLEASE ATTACH EXHIBIT.

Exhibit No.

(c) Total Efficiency of transmission line system: 85.5 %
5.8 kW

15. Transmitter power output (in kilowatts):

SEE INSTRUCTIONS TO CALCULATE TPO.

16. Operating constants:

(a) D.C. plate current in last radio stage (amperes): 202 A
 (b) Applied D.C. voltage in last radio stage (volts): 48 V
 (c) Efficiency of transmitter at operating power (percent): 60 %
 (d) RF transmission line meter reading (percent): 100 %

SEE INSTRUCTIONS TO CHECK OPERATING CONSTANTS.

17. Is the main studio located within the city of license or the predicted 3.16 mV/m (70 dBu) field strength contour of the main facility?

Yes No

If NO, attach an Exhibit pursuant to the Instructions.

Exhibit No.
2

18. Location of Main Studio: (P.O. BOXES ARE UNACCEPTABLE)

Street Address or Location Description		
1900 Pico Blvd		
City Santa Monica	County Los Angeles	State CA

CONVERSION TO AND FROM METRIC:
METERS = 0.3048 × FEET

FEET = 3.281 × METERS

19. Location(s) of Remote Control Point(s):

(a)	Street Address or Location Description 1900 Pico Blvd.		
	City Santa Monica	County Los Angeles	State CA

(b)	Street Address or Location Description		
	City	County	State

If there are additional remote control points, attach an Exhibit which describes their locations.

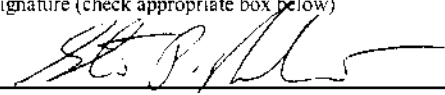
Exhibit No.

20. Location of Antenna Site:

Street Address or Location Description 20973 Sierra Song Road		
City Mojave	County KERN	State CA

21. CERTIFICATION OF PREPARER

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.

Name (please print or type) Steven P. Herbert	Signature (check appropriate box below) 
Address (include ZIP Code) 1900 Pico Blvd Santa Monica, CA 90405	Date 5/17/00
	Telephone No. (include Area Code) 310-450-5183

- | | |
|----------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Technical Director | <input type="checkbox"/> Registered Professional Engineer |
| <input checked="" type="checkbox"/> Chief Operator | <input type="checkbox"/> Technical Consultant |
| <input type="checkbox"/> Other (specify) | |

Exhibit 1
Application for FM Broadcast Station License
KCRY, BPED-920305

Three special operating conditions were placed on construction permit BMPED-980318IB. The following outlines the status of these conditions:

- 1) SMCCD is not aware of any difficulties experienced in the completion of the United States/Mexican notification procedures and nothing is required of SMCCD to satisfy this condition.
- 2) Waiver of 47 C.F.R Section 73.1125 is granted to allow operation of this facility as a satellite operation of KCRW, Santa Monica, California. In granting this waiver, Linda Blair wrote SMCCD counsel on August 28, 1998 granting its application and enumerated in her letter pledged steps SMCCD made to assure measures are taken to assure awareness of the satellite community's needs and interests. SMCCD believes two of these steps have been met; specifically the establishment of a toll free telephone number as 888-600-5279 and by making it's public inspection file available to the community via the internet. The URL is <http://fluke.kcrw.org/pif/index.html>. SMCCD has initiated steps necessary to fulfill its remaining pledges anticipating its completion by the end of the 2nd quarter of the year 2000.
- 3) Coordination has been made with the other user of the site to protect persons from radio frequency electromagnetic fields in excess of FCC guidelines. Signs have been posted on the doors to each building located at the site to "Call Before You Climb" containing instructions for personnel to call the station at its 24 hour phone number to reduce power prior to climbing the tower. Instructions have been sent to the site manager and discussions were held with the technician responsible for the site outlining these instructions.

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

AUG 28 1998

IN REPLY REFER TO
1800B3-ALM

Lewis J. Paper, Esquire
Dickstein Shapiro Morin & Oshinsky LLP
2101 L Street, NW
Washington, DC 20037-1526

Re: KCRI(FM), Mojave, California, BPED-980318IB

Dear Mr. Paper:

The staff has under consideration the application of Santa Monica Community College District ("SMCCD") to modify the facilities of noncommercial, educational FM station KCRI(FM) in Mojave, California (File No. BPED-980318IB). SMCCD application also requests a waiver of the Commission's main studio requirement, *see* 47 C.F.R. § 73.1125, in order to operate KCRI(FM) as a satellite of commonly owned NCE station KCRW-FM, Santa Monica, California.¹ For the reasons set forth below, we will waive 47 C.F.R. § 73.1125 and grant SMCCD's application for a construction permit.

Section 73.1125(a) requires each broadcast station to maintain a main studio within the station's principal community contour to ensure that the station will serve the needs and interests of the residents of its community of license. *Amendment of Sections 73.1125 and 73.1130*, 3 FCC Rcd 5024, 5027 (1988). However, under Section 73.1125(a)(4), the Commission will waive this requirement where "good cause" exists to do so and where the proposed studio location "would be consistent with the operation of the station in the public interest." Each waiver request by an NCE station seeking to operate as the satellite of another NCE station is considered on a case-by-case basis. The Commission has recognized the benefits of centralized operations for NCE stations, given their limited funding, and thus found good cause exists to waive the main studio location requirement where satellite operations are proposed. *Id.* A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 public interest standard. *Id.*

SMCCD's request is based on the economies of scale which would be realized by grant of its waiver. We agree and conclude that there is good cause to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. SMCCD proposes to operate the KCRI(FM), Mojave, California facility as a satellite station of KCRW-FM, Santa Monica, California, approximately 60 miles from Mojave. Where there is a great distance between parent and

¹A "satellite" station meets all of the Commission's technical rules; however, it originates no programming and instead rebroadcasts the parent station's programming. *See Amendment of Multiple Ownership Rules, Memorandum Opinion and Order*, 3 RR2d 1554, 1562 (1964).

satellite station, as here, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, SMCCD has pledged to: (1) conduct a formal ascertainment process each year to ensure that SMCCD is apprised of the needs of the Mojave community; (2) establish the capability to originate programming within Mojave; (3) employ a news stringer in Mojave to keep advised of events and issues in that community; (4) subscribe to periodicals published in the Mojave area; (5) use its daily program "Which Way LA" to air program material of particular interest to the Mojave community; (6) maintain a toll-free telephone number between Mojave and the KCRI(FM) main studio in Santa Monica; and (7) locate the KCRI(FM) public inspection file in Mojave. In these circumstances, we are persuaded that SMCCD will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Santa Monica Community College District to modify the facilities of KCRI(FM), Mojave, California and the request for a waiver of 47 C.F.R. § 73.1125 ARE HEREBY GRANTED.

Sincerely,



Linda Blair, Chief *for*
Audio Services Division
Mass Media Bureau

Federal Communications Commission
445 Twelfth Street SW
Washington, D.C. 20554

PUBLIC NOTICE



News media information 202 / 418-0500 Recorded listing of releases and texts 202 / 418-2222

5/25/2000

Broadcast Applications

REPORT NO. 24742

NATURE OF APPLICATION

CALL LETTERS APPLICANT AND LOCATION

STATE FILE NUMBER

FM STATION APPLICATIONS FOR LICENSE TO COVER ACCEPTED FOR FILING

Lic. to cover

NH BLH-20000516ABT

WPNH-FM 52127 NORTHEAST COMMUNICATIONS CORPORATION
100.1 MHZ NH, PLYMOUTH

CA BLED-20000518AAZ

KCRY 59092 SANTA MONICA COMMUNITY COLLEGE DISTRICT
88.1 MHZ CA, MOJAVE

Lic. to cover

DIGITAL TV APPLICATIONS FOR MINOR AMENDMENT TO A CONSTRUCTION PERMIT AMENDMENT RECEIVED

Engineering Amendment filed 05/01/2000

PA BPCDT-19990916AAG

WPMT 10213 TRIBUNE TELEVISION COMPANY
CHAN-47 PA, YORK

DTV MAXIMIZATION amendment filed 05/01/2000

ME 8PCDT-19991020ABD

WCSH 39664 PACIFIC AND SOUTHERN COMPANY, INC.
CHAN-44 ME, PORTLAND

DTV MAXIMIZATION amendment filed 04/28/2000

DC 8PCDT-19991020ABV

WDCA 51567 PARAMOUNT STATIONS GROUP OF WASHINGTON, INC.
CHAN-35 DC, WASHINGTON

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

2101 L Street NW • Washington, DC 20037-1526

Tel (202) 785-9700 • Fax (202) 887-0689

Writer's Direct Dial: (202) 833-7025

E-Mail Address: McCombsH@dsmo.com

May 17, 2000

Ms. Magalie Román Salas, Secretary
Federal Communications Commission
FCC Portals II
445 12th Street, SW
Washington, DC 20554

Re: KCRY(FM), Mojave, California

Dear Ms. Salas:

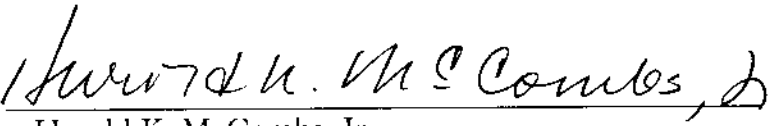
Santa Monica Community College District ("SMCCD"), permittee of non-commercial educational FM broadcast station KCRY(FM) [formerly KCRI], 88.1 MHz, Mojave, California, previously notified the Commission of the commencement of program tests.


Please be advised that due to circumstances beyond the control of SMCCD it had to cease and postpone commencement of those program tests.

We are advised that renewed program testing commenced on Friday, May 12, 2000. SMCCD anticipates filing the application for license by Monday, May 22, 2000.

Should there be any questions with regard to this notification, please contact Lew Paper of this Firm at 202-828-2265 and PaperL@dsmo.com, or the undersigned at 202-833-7025 and McCombsH@dsmo.com.

Sincerely yours,
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
Attorneys for
SANTA MONICA COMMUNITY COLLEGE DISTRICT

By: 
Harold K. McCombs, Jr.

cc:  Mr. Steve Herbert
John J. Davis, PE
Lewis J. Paper, Esq.