

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) 955-6631

E-Mail Address: KerstingA@dsmo.com

February 26, 2004

By Hand Delivery

Marlene H. Dortch
Secretary
Federal Communications Commission
c/o 236 Massachusetts Avenue, N.E.
Suite 110
Washington, D.C. 20002

Re: Application for a new FM Translator Station
Faith Pleases God Church Corp.
Mission Viejo, California (Facility ID No. 122346)
(File No. BNPFT-20000128AAP)

Dear Ms. Dortch:

Transmitted herewith on behalf of Santa Monica Community College District are an original and four copies of a "Supplement to Informal Objection" filed in connection with the above-referenced application for a new FM translator to operate on Channel 210 at Mission Viejo, California (File No. BNPFT-20000128AA).

Should any questions arise concerning this matter, please communicate directly with the undersigned.

Very truly yours,

DICKSTEIN SHAPIRO MORIN
& OSHINSKY LLP

Attorneys for
Santa Monica Community College District

By: 
Andrew S. Kersting

Enclosure

cc: Certificate of Service (w/ encl.) (by hand)

1177 Avenue of the Americas • New York, NY 10036-2714

Tel (212) 835-1400 • Fax (212) 997-9880

www.DicksteinShapiro.com

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

In re Application of)
FAITH PLEASES GOD CHURCH CORP.) File No. BNPFT-20000128AAP
For a New FM Translator to Operate) Facility ID No. 122346
on Channel 210 at Mission Viejo, California)
To: Chief, Audio Division
Media Bureau

SUPPLEMENT TO
INFORMAL OBJECTION

Santa Monica Community College District (“SMCCD”), acting pursuant to Section 73.3587 of the Commission’s rules, 47 C.F.R. §73.3587, hereby supplements its pending Informal Objection filed June 17, 2002, in order to respond to an amendment filed December 22, 2003, to the above-captioned application filed January 28, 2000 (the “Application”) by Faith Pleases God Church Corp. (“Church Corp.”) for a new FM translator (the “Translator”) to operate on Channel 210 at Mission Viejo, California.

I. Introduction.

SMCCD is the licensee of radio station KCRW(FM), Santa Monica, California, which operates on Channel 210B with an effective radiated power (“ERP”) of 6.9 kW at an antenna height of 338 meters above average terrain. *See* File No. BLED-19810325AF. The Translator’s proposed transmitter site is located at 28000 Marguerite Parkway in Mission Viejo, which is approximately 92.3 kilometers (57.4 miles) from KCRW’s licensed transmitter site.

On December 22, 2003, Church Corp. amended its Application for the new Translator to (i) reduce its proposed antenna height by 29 meters; (ii) reduce its proposed ERP to 0.05 kW, and (iii) modify its directional antenna pattern to propose the use of an “off-the-shelf” directional antenna. *See* Application at 4. As demonstrated herein, the Translator’s proposed operation would cause interference to the direct reception of KCRW’s off-air signal outside its predicted service contour. The new Translator also would cause interference to the off-air reception of KCRW’s signal within the Translator’s proposed 1 mV/m contour in violation of Section 74.1204(f) of the Commission’s rules. 47 C.F.R. §74.1204(f). Therefore, Church Corp.’s Application should be dismissed or denied.

II. There is a Substantial Question Whether Church Corp. Has Reasonable Assurance of Site Availability.

Appended hereto as Exhibit A is the antenna structure registration (“ASR”) for the Translator’s proposed transmitter site. The ASR was updated on January 6, 2004 to reflect that the tower structure which previously existed at 28000 Marguerite Parkway in Mission Viejo has been dismantled. Due to the limited revenues that typically are generated by an FM translator station, it is doubtful that a non-profit entity such as Church Corp. would expend the funds necessary to construct its own new tower at the site specified in its Application. Moreover, Church Corp. has not submitted a further amendment to specify an alternative transmitter site. The dismantling of the tower at 28000 Marguerite Parkway raises a substantial question concerning whether Church Corp. has reasonable assurance of site availability. Therefore, the Commission should require Church Corp. to demonstrate that it has the requisite reasonable assurance for the use of its proposed transmitter site and, if so, whether it intends to construct its own tower at that location. *See In the Matter of 1998 Biennial Regulatory Review – Streamlining of Mass Media Applications, Rules, and Processes; Policies and Rules Regarding*

Minority and Female Ownership Of Mass Media Facilities, 13 FCC Rcd 23056, 23121 (1998), citing, *inter alia*, *William F. and Anne K. Wallace*, 49 FCC 2d 1424, 1427 (Rev. Bd. 1989).

III. The Translator Would Cause Prohibited Interference to KCRW.

A. Interference Outside KCRW's Predicted Service Contour. A signal field strength of 34 dBu (50 μ V/m) generally is sufficient to provide a listenable signal in the absence of interference. See Attached Engineering Statement of John J. Davis at 2 (appended hereto as Exhibit B). Based upon the interference criteria contained in Section 74.1204(a) of the Commission's rules, co-channel interference is deemed to exist where the desired signal does not exceed an undesired signal by at least 20 dB. See 47 C.F.R. §74.1204(a).

In this case, KCRW has 622 listeners who reside within 11 zip codes in Mission Viejo and the immediately surrounding area, including 133 listeners who reside within the two zip codes which comprise the city of Mission Viejo.¹ See Exhibit B at 2-3. KCRW places a minimum signal field strength of 46.6 dBu in the two zip codes which comprise Mission Viejo. The proposed Translator would have a signal strength of 39.6 dBu in those same zip codes. See Exhibit B, Table A. Thus, Church Corp.'s proposed Translator would cause prohibited interference to those KCRW listeners who live in Mission Viejo because KCRW's signal field strength would exceed that of the proposed Translator by only 7 dB, which is substantially less than the 20 dB cushion necessary to avoid interference. In the area comprised of the other nine (9) zip codes immediately surrounding Mission Viejo, the signal field strength of the proposed Translator would range from 19.8 dB below to 17.6 dB above KCRW's signal strength. See Exhibit B at 2-3, and Table A. Therefore, the proposed Translator would cause interference to

¹ The residence addresses of KCRW's listeners have been obtained from the station's current subscriber database. See Exhibit C at 1.

all 622 KCRW listeners who reside within the 11 zip codes which cover Mission Viejo and the immediately surrounding area.

B. Interference Within the Translator's 60 dBu Contour. Section 74.1204(f) of the Commission's rules provides 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 . . . *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 . . . station, . . .* and grant of the authorization will result in interference to the reception of such signal.

47 C.F.R. §74.1204(f) (emphasis added).

Figure 1 to Exhibit B contains a map depicting the Translator's proposed 60 dBu service contour which has been plotted on a series of pages from a zip code street map for Orange County, California. Figure 1 also reflects the residence addresses of those KCRW listeners who reside within zip codes which are encompassed by the Translator's 60 dBu contour. *See* Exhibit B at 5-6, Figure 1, and Table B. As demonstrated therein, there are a total of 49 KCRW listeners who reside within the Translator's proposed 60 dBu contour. *Id.*

In order to confirm that KCRW provides a listenable, off-the-air signal at the residence address of each KCRW listener who resides within the Translator's proposed 60 dBu contour, KCRW's Chief Engineer, Steven P. Herbert, took field strength measurements at 46 of the 49 residence addresses reflected in the attached contour map on January 24-25, 2004.² Mr. Herbert found that, at 34 of the listeners' residences, KCRW's signal field strength equaled or exceeded 34 dBu either in horizontal or vertical polarization, or both. He also verified that

² Mr. Herbert was not able to take field strength measurements at all 49 residence addresses because he was unable to locate one residence and two others were within a gated community. *See* Exhibit C at 2. As indicated in Exhibit C, the names of the KCRW listeners have been omitted and their specific street addresses have been rounded to the nearest block in an effort to respect their privacy.

KCRW provided a listenable signal at each of these locations by listening to a car radio and found that KCRW's signal was of sufficient quality that he considered it to be "reliable." See Exhibit C at 2 and Appendix thereto. At an additional 12 listener residences, Mr. Herbert found that KCRW's signal field strength was less than 34 dBu. Nevertheless, he determined that KCRW provided a listenable signal at each of those residences as well because he was able to receive the station's signal on a car stereo. *Id.*

As demonstrated above, KCRW has listeners within the Translator's proposed 60 dBu contour and there is a substantial likelihood that the proposed Translator would cause interference to KCRW's regularly-used, off-the-air signal within that area. The co-channel interference that would result from the proposed Translator is the most serious form of interference because there are no methods (*e.g.*, filters, traps, etc.) that can be used to prevent the interference. If the Translator were permitted to commence operation, the only means of eliminating the interference would be for Church Corp. to find an alternative channel. Therefore, Church Corp.'s Application should be dismissed or denied. See *Amendment of Part 74 of the Commission's Rules Concerning FM Translator Stations*, 5 FCC Rcd 7212, 7230 (1990), *modified*, 6 FCC Rcd 2334 (1991), *recon. denied*, 8 FCC Rcd 5093 (1993); *Cf. Calvary Chapel of Twin Falls, Inc.*, 13 FCC Rcd 25286 (MMB 1998) (petitioner was required to demonstrate that its full-power FM station had listeners within the translator's 1 mV/m contour and that the proposed translator was likely to cause interference).

WHEREFORE, in light of the foregoing, SMCCD respectfully requests that Church Corp.'s Application for a new FM translator to operate on Channel 210 at Mission Viejo, California be dismissed or denied.

Respectfully submitted,

Dickstein Shapiro Morin & Oshinsky LLP
2101 L Street, N.W.
Washington, DC 20037-1526
(202) 955-6631

Attorneys for
SANTA MONICA COMMUNITY
COLLEGE DISTRICT

By: 
Andrew S. Kersting

Antenna Structure Registration



Antenna Structure Registration

[FCC](#) > [WTB](#) > [ASR](#) > [Online Systems](#) > [Registration 1018349](#)

[FCC Site Map](#)

ASR Registration Search

Registration 1018349

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Registration Detail

Reg Number	1018349	Status	Dismantled
File Number	A0359435	Constructed	03/25/1996
FAA Study	97-AWP-0689-OE	EMI	No
FAA Issue Date	03/25/1997	NEPA	No

Antenna Structure

Structure Type TOWER - Free standing or Guyed Structure used for Communications Purposes

Location (in NAD83 Coordinates - [Convert to NAD27](#))

Lat/Long 33-33-10.0 N 117-39-42.0 W 28000 MARGUERITE PARKWAY

City, State MISSION VIEJO , CA

Center of
AM Array

Heights (meters)

Elevation of Site Above Mean Sea Level	Overall Height Above Ground (AGL)
120.4	82.8
Overall Height Above Mean Sea Level	Overall Height Above Ground w/o Appurtenances
203.2	77.1

Painting and Lighting Specifications

FAA Chapters 3, 4, 5, 13

Paint and Light in Accordance with FAA Circular Number 70/7460-1J

Owner & Contact Information

FRN 0001834696 Licensee ID L00049695

Owner

COX COMMUNICATIONS INC
1400 LAKE HEARN DRIVE
ATLANTA , GA 30319

P: (404)843-5523
E:

Contact

P:
E:

Last Action Status

Status	Dismantled	Received	01/06/2004
Purpose	Dismantle	Entered	01/06/2004
Mode	Interactive		

Related Applications

01/06/2004 [A0359435](#) - Dismantle (DI)
04/09/1997 [A0021996](#) - New (NE)

Comments**Comments**

None

Automated Letters

None

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By Registration Number

EXHIBIT B

Engineering Exhibit

ENGINEERING EXHIBIT

INFORMAL OBJECTIONS
TO THE APPLICATION OF
FAITH PLEASES GOD CHURCH CORP.
FOR A MINOR AMENDMENT TO THE PENDING
APPLICATION FOR NEW FM TRANSLATOR STATION
MISSION VIEJO, CALIFORNIA
CHANNEL 210, 89.9 MHz

FCC FILE NO. BNPFT-20000128AAP
AS AMENDED ON DECEMBER 22, 2003

PREPARED FOR:

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

FEBRUARY 14, 2004

PREPARED BY:

JOHN J. DAVIS
CONSULTING ENGINEER
POST OFFICE BOX 128
SIERRA MADRE, CALIFORNIA 91025-0128
(626) 355-6909
FAX: (626) 355-4890
E-mail: JohnJDavis@adelphia.com

1.0 INTRODUCTION:

This Engineering Exhibit was prepared for SANTA MONICA COMMUNITY COLLEGE DISTRICT ("SMCCD"), licensee of Non-Commercial Educational FM (NCE-FM) Station KCRW in Santa Monica, California, to support its Informal Objections to the latest amendment to the application of the Faith Pleases God Church Corp. (Faith) for a new FM translator station to serve Mission Viejo, California [FCC File No. BNPFT-20000128AAP, amended on December 22, 2003].

While this latest amendment corrects the fatal flaw of not conforming to Section 74.1235(b)(1) of the previously amended application, the latest amended application does nothing to correct interference that will be caused to the signal of KCRW, which operates on co-channel 210B (89.9 MHz), which is regularly received by hundreds of KCRW subscribers which reside in the area where damaging interference will be shown to exist. There is also a site availability problem with the application, in that the tower site has been dismantled.

2.0 TRANSLATOR SITE AVAILABILITY:

Faith's application specifies a tower site belonging to Cox Communications located at 28000 Marguerite Parkway in Mission Viejo (FCC ASR Registration Number 1018349). However, this tower was dismantled several years ago. Cox Communication recently realized that they failed to notify the Commission that the tower no longer exists, and has filed an application to show that the tower has been dismantled¹. Since Faith no longer has a site for its proposed translator, its application should be dismissed.

¹ Reference FCC Antenna Structure Registration File Number A0359435.

3.0 INTERFERENCE BEYOND THE KCRW 60 dBu PROTECTED CONTOUR

At Faith's current translator site in Mission Viejo, the KCRW signal strength is 44.8 dBu. Absent of any interference, a signal strength of this level is certainly listenable². For the purposes of this exhibit, a signal level of 34 dBu (50 μ V/m) will be considered the limit of reception. Based upon the Commission's interference criterion, co-channel interference will exist if the undesired signal is not at least 20 dBu below the desired signal level.

Based upon this criterion, a study was made of Mission Viejo, and the immediate surrounding communities, to determine the KCRW received signal strength and the proposed translator received signal strength in these communities. In those areas where the KCRW signal strength and the proposed translator signal strength differed by less than 20 dB, interference was determined to exist. A search of the KCRW subscriber database was made to determine how many subscribers resided in Mission Viejo and the surrounding communities. Table A lists the communities near the proposed translator. The geographic coordinates listed are in the approximate center of each zip code, and the signal strength for KCRW, and the proposed translator, were determined for that location. Only those communities where there would be damaging interference to the off-the-air reception of KCRW were included.

In Mission Viejo (Zip codes 92691 & 92692) alone there are 133 current KCRW subscribers, and throughout Mission Viejo the ratio between the proposed translator signal strength and the KCRW signal strength is -7 dB or greater. In the nine other zip codes surrounding Mission Viejo, the undesired signal strength of the proposed translator varied from

² Generally, absent interference, signal levels as low as 34 dBu can be received and provide a listenable signal.

-19.8 dB to + 17.6 dB, and thus will cause damaging interference to the off-the-air reception to KCRW.

KCRW has 622 subscribers residing in the eleven zip code areas in, and around, Mission Viejo which have the potential to receive interference from the amended translator. Since the geographic coordinates used for this study were at the center of the zip code and the exact location of the 622 subscribers was not determined, it could be argued that some of these subscribers may not receive the KCRW signal. The Commission cannot take the position that Faith will have to correct any interference once it commences operation, as nothing can be done to eliminate the interference except for Faith to find another channel. It should be kept in mind that co-channel interference is the most serious form of interference, as there are no methods which can be utilized, such as the use of filters or cavities, that will prevent the interference.

TABLE A

INTERFERENCE TO KCRW BY ZIP CODE

ZIP CODE	COMMUNITY	GEOGRAPHIC COORDINATES	KCRW SIGNAL LEVEL F(50,50) (dBu)	FX SIGNAL LEVEL F(50,10) (dBu)	D/U LEVEL (dB)	CURRENT KCRW SUBSCRIBERS
92610	Foothill Ranch	33-41-11 117-39-44	48.5	30.0	-18.5	19
92629	Dana Point	33-28-37 117-41-46	43.4	42.8	-0.6	31
92630	Lake Forest	33-38-56 117-41-06	48.4	29.7	-18.7	70
92653	Laguna Hills	33-35-32 117-41-54	47.2	31.8	-15.4	77
92656	Aliso Viejo	33-34-54 117-43-21	47.7	27.9	-19.8	60
92675	San Juan Capistrano	33-30-14 117-39-51	43.3	43.8	+0.5	30
92677	Laguna Niguel	33-32-37 117-41-30	47.2	64.8	+17.6	100
92679	Trabuco Canyon	33-35-22 117-36-32	44.1	54.9	+10.8	46
92688	Rancho Santa Margarita	33-39-00 117-34-55	44.7	41.2	-3.5	56
92691	Mission Viejo	33-35-53 117-40-31	46.6	39.6	-7.0	63
92692	Mission Viejo	33-35-53 117-40-31	46.6	39.6	-7.0	70
	TOTAL:					622

NOTES:

1. Geographic coordinates are at the approximate center of the zip code region.
2. If the difference between the KCRW signal level and the translator signal level is -20 dB or greater, interference can be considered to exist.

4.0 SECTION 74.1204(f) CONSIDERATIONS:

Section 74.1204(f) of the Commission's Rules states:

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

The original application and the proposed amendment would violate these provisions:

- The amended application's 1 mV/m (60 dBu) contour encloses a populated area.
- The amended application's 60 dBu contour encloses an area where significant, documented listenership to KCRW currently exists.

Based upon the above, the amended application violates the provisions of Section 74.1204(f).

The amended translator's 60 dBu contour was plotted on a series of pages from the Zip Code Street Guide for Orange County, California, of The Thomas Guide®, a publication of Thomas Brothers Maps, Inc. Using the current KCRW subscriber database for those zip codes located within the amended translator's 60 dBu contour, each KCRW subscriber was located on the Zip Code Street Guide, and if their address fell within the contour, it was so marked on the

map. The results are shown below in Table B, where each subscriber is described by block number only². That particular block is identified on Figure 1, the Zip Code/Contour map.

A summary of Table B shows that there are the following number of KCRW subscribers residing within the amended translator's 60 dBu contour:

<u>ZIP CODE</u>	<u>SUBSCRIBERS</u>
92677	28
92688	3
92691	9
92692	<u>9</u>
TOTAL:	49

² To protect the KCRW subscriber's privacy, their names and exact addresses were omitted from Table B. This information will be provided to the Commission upon request.

TABLE B

KCRW SUBSCRIBERS RESIDING WITHIN THE AMENDED
TRANSLATOR'S 60 dBu FIELD STRENGTH CONTOUR

<u>ZIP CODE</u>	<u>KCRW SUBSCRIBER'S</u>		<u>MAP ID#</u>
	<u>ID#</u>	<u>ADDRESS</u>	
<u>92677</u>	022051	28800 Aloma Avenue	16
	126058	28200 Rancho de Linda	18
	134045	25200 Adelanto Dr.	17
	153071	25700 Del Norte	19
	171729	28700 Rancho Grande	18
	221184	24800 Laguna Vista	20
	227721	24800 Via Lagunaria	21
	229408	29800 Weatherwood	22
	258839	25100 Via Bajo Cerro	23
	261615	28400 Las Cabos	24
	286291	28400 Las Arubas	25
	288465	25600 La Cima	26
	291105	28700 Via Pasatiempo	27
	292637	28400 Del Mar	28
	296609	29100 Mira Vista	29
	298349	28500 Rancho del Sol	30
	298601	28900 Niguel Vista	31
	299989	24700 Queen's Court	32
	300350	28200 Crown Valley Pkwy	33
	300467	25400 Via Estudio	34
	300978	24700 Castle Hill	35
	301061	25500 Rue Terrase	36
	301246	25200 Via Lido	37
	301666	25100 Monte Verde Dr	38
	305614	28500 Breckenridge Dr	39
	305975	28600 Breckenridge Dr	39
	309199	28200 Rancho de Linda	40
	309204	25300 Calle Becerra	41
<u>92688</u>	138268	10 Bel Flora	1
	170209	10 Caladium	2
	271664	10 Edelweiss	3

TABLE B

KCRW SUBSCRIBERS RESIDING WITHIN THE AMENDED
TRANSLATOR'S 60 dBu FIELD STRENGTH CONTOUR

<u>ZIP CODE</u>	<u>KCRW SUBSCRIBER'S</u>		<u>MAP ID#</u>
	<u>ID#</u>	<u>ADDRESS</u>	
<u>92691</u>	158121	26800 Jasper	4
	179381	26900 Jasper	4
	181668	27500 Hillcrest	16
	267001	26900 Stonehaven	17
	268166	27200 Los Altos	18
	270374	26900 Stonehaven	17
	295953	26400 Loma Verde St	5
	304004	26900 La Alameda	6
	306643	26900 La Alameda	6
	<u>92692</u>	275231	26900 Orchid Ave
293804		26300 Goloada	8
294883		27400 Daffodil Place	9
303587		26500 La Quilla	10
305302		27600 Rubidoux	11
308205		26100 Palomares	15
308599		26600 Sotelo	12
310536		27400 Camden	14
310964		26300 Ganiza	13

Total subscriber households: 49

5.0 FIELD STRENGTH MEASUREMENTS MADE AT SUBSCRIBER'S LOCATION

To verify that a listenable signal could actually be received at the KCRW subscriber's location listed in Table B, field strength measurements were made on January 24 & 25, 2004 by Steven P. Herbert, Chief Engineer for KCRW. Measurements were taken at 46 of the locations listed in Table B. It was not possible to make field strength measurements at every location listed in Table B, because one address could not be located and two others were within a gated community. To summarize the results of these measurements, it was found that at 32 locations a field strength level in excess of 34 dBu (either horizontal or vertical polarization, or both) was obtained and that car radio listening tests verified that the received KCRW signal strength was of sufficient quality to be considered reliable. Even at the ten locations where the measured field strength was below 34 dBu, it was still possible to obtain a listenable signal on Mr. Herbert's car radio.

The details of these field strength measurements are contained in Exhibit C of SMCCD Informal Objections.

6.0 SUMMARY:

SMCCD has shown that Faith's amended application should be denied for the following reasons:

1. Faith's proposed translator site is not available, as the tower has been dismantled.
2. Interference is likely to be caused to the 622 KCRW subscribers residing in Mission Viejo and the surrounding communities, caused by the amended translator's F(50,10) interfering signal, which was found to be greater than the KCRW received off-the-air signal by more than the 20 dB co-channel protection ratio.
3. The regularly received off-the-air reception of KCRW, within the amended translator's 60 dBu contour, will be subject to damaging interference from the proposed translator, violating the provisions of Section 74.1204(f). SMCCD has also shown that KCRW has 49 subscribers who reside within the proposed translator's 60 dBu contour. Actual field strength measurements support SMCCD's position that KCRW provides a listenable signal to a majority of the 49 subscribers. SMCCD has also provided in its Informal Objections, letters from many of these 49 subscribers attesting to the fact that they listen either to KCRW in their homes or in their cars as they drive from home to their place of employment.

The Commission does not have the resources to effectively deal with actual after-grant interference complaints. In such cases, the Commission has relied upon the parties involved to resolve the interference. This has proven in most cases to be ineffective. The parties have different agendas. There is nothing that Faith will be able to do to eliminate the interference because of the co-channel nature of the proposed operation. Based upon the above, SMCCD respectfully requests that the application of Faith for a construction permit be denied.

INFORMAL OBJECTIONS TO THE APPLICATION FOR MODIFICATION OF
CONSTRUCTION PERMIT, BNPFT-20000128AAP, FOR A NEW FM TRANSLATOR
STATION TO SERVE MISSION VIEJO, CALIFORNIA
FILED BY FAITH PLEASES GOD CHURCH CORP.

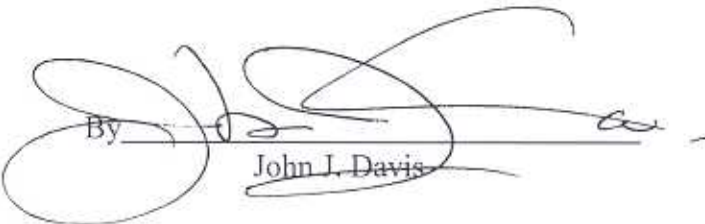
PREPARED FOR
SANTA MONICA COMMUNITY COLLEGE DISTRICT
1900 PICO BOULEVARD
SANTA MONICA, CALIFORNIA

7.0

AFFIDAVIT

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

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

By 
John J. Davis

February 14, 2003

Declaration of Steven P. Herbert

DECLARATION

I, Steven P. Herbert, hereby declare, under penalty of perjury, the following:

1. I currently serve as the Chief Engineer for radio station KCRW(FM), Santa Monica, California and have held this position for the past seven years. I have served on the engineering staff of KCRW for over 23 years. I am providing this declaration in support of an informal objection to a pending application for a new FM translator to operate on Channel 210 at Mission Viejo, California, which was filed by Faith Pleases God Church Corp.

2. On Saturday, January 24, 2004, and Sunday, January 25, 2004, I took field strength measurements of KCRW's signal at the residence addresses of KCRW listeners who reside within the following zip codes: 92677, 92688, 92691, and 92692. These zip codes are located in Mission Viejo or areas immediately-adjacent to that community and are within the translator's proposed 60 dBu contour. The residence addresses are based on KCRW's current subscriber database. Attached hereto is an appendix containing the residence address of each KCRW listener who resides within the translator's proposed 60 dBu contour. The names of the KCRW listeners have been omitted and their specific street address has been rounded to the nearest block in an effort to protect their privacy. The purpose of taking the field strength measurements was to determine the actual signal strength of KCRW at the residences of those KCRW listeners who reside within the translator's 60 dBu contour.

3. The measurements were taken using a Potomac FIM-71 field strength meter. The Potomac instrument was last calibrated by the manufacturer in 1994 and has been used sparingly since that time. The meter's internal calibration was re-set prior to taking the measurements on January 24th and January 25th. I took the field strength measurements while standing on the street, a public sidewalk, or driveway in front of each residence. For those few residences which are an apartment or town house, I took the measurements from in front of the building parking

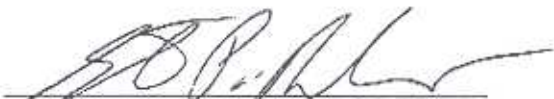
lot which was closest to the residence address. I held the Potomac unit approximately four (4) feet above ground, and took both horizontal and vertical polarity measurements. In most instances, a 15-20 foot area was swept in order to obtain the strongest receivable signal in front of each residence.

4. The measurements taken on January 24th were taken during the afternoon hours. The weather that day was cloudy and there were occasional light rain showers in the area while I took the measurements. I took additional measurements the following Sunday morning, January 25th. The weather on Sunday was partly cloudy, with approximately 50% of the sky clear. Station KCRW continued to operate with its licensed parameters at all times while the field strength measurements were taken. The results of my measurements are reflected on the attached appendix.

5. In addition to taking field strength measurements, I observed the reception quality of KCRW's signal at each listener's residence by listening to the station on a car stereo. The radio I used is a stock Toyota AD6400 receiver which is installed in a 1996 Toyota 4 Runner owned by the station. As indicated in the attached appendix, I was able to receive KCRW's signal at the residence of each listener. Although I took field strength measurements at the residences of 46 KCRW listeners, I was unable to locate one residence address and two others were located inside a community with a locked gate to which I could not gain access.

I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief.

Signed this 25 day of February, 2004.


Steven P. Herbert, Chief Engineer

CERTIFICATE OF SERVICE


I hereby certify that on this 26th day of February, 2004, a copy of the foregoing "Supplement to Informal Objection" was hand delivered or mailed first-class, postage prepaid, to the following:

Peter H. Doyle, Chief*
Audio Division
Media Bureau
Federal Communications Commission
The Portals II, Room 2-A267
445 Twelfth Street, S.W.
Washington, DC 20554

James Bradshaw*
Associate Division Chief
Audio Division
Media Bureau
Federal Communications Commission
The Portals II, Room 2-A262
445 Twelfth Street, S.W.
Washington, DC 20554

William H. Wilson*
Audio Division
Media Bureau
Federal Communications Commission
The Portals II, Room 2-A222
445 Twelfth Street, S.W.
Washington, DC 20554

Jaqueline Fajardo
Faith Pleases God Church Corp.
4501 West expressway 83
Harlingen, TX 78552



Andrew Kersting

* Hand Delivered

APPENDIX

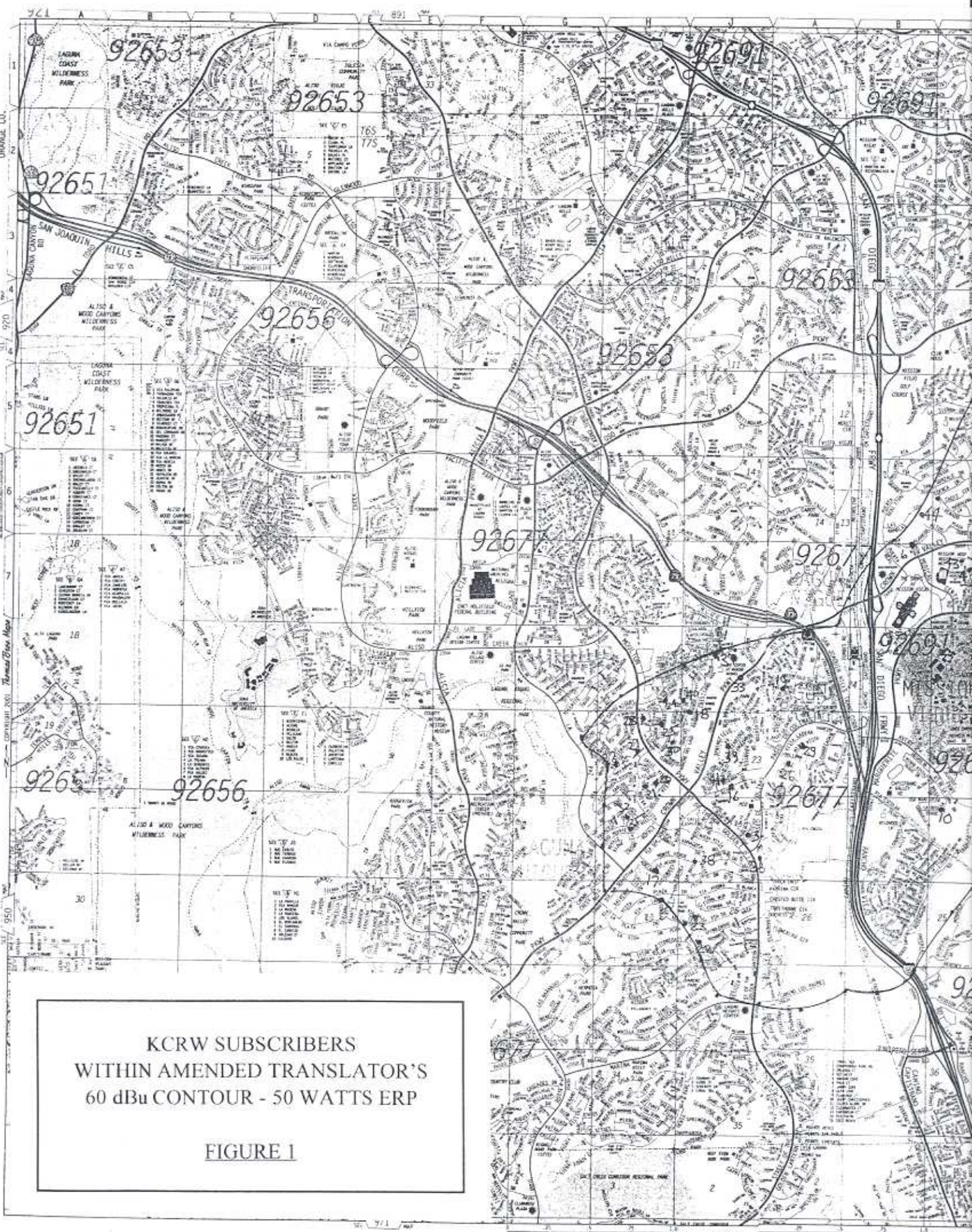
KCRW Listeners Within Translator's Proposed 60 dBu Contour

DATE	TIME	ID #	STREET ADDRESS	HOME TYPE	MAP ID	FIELD STRENGTH VERTICAL μ V	FIELD STRENGTH HORIZONTAL μ V	CAR RECEPTION	NOTES
			92677						
1/25/04	9:10 am	22051	28800 Aloma Avenue	SFH ¹	16	15	27	Good	
1/25/04	10:30 am	126058	28300 Rancho de Linda	SFH	18	48	72	Good	
1/24/04	1:55 pm	134045	25200 Adelanto Drive	SFH	17	18	25	Good	
1/25/04	8:55 am	153071	25700 Del Norte	SFH	19	45	88	Good	
1/25/04	10:35 am	171729	28700 Rancho Grande	SFH	18	55	135	Good	
1/24/04	2:00 pm	221184	24900 Laguna Vista	SFH	20	21	54	Good	
1/25/04	11:10 am	227721	24800 Via Lagunaria	SFH	21	24	48	Good	
1/24/04	2:10 pm	229408	29800 Weatherwood	SFH	22	47	82	Good	
1/24/04	2:05 pm	258839	25100 Via Bajo Cerro	SFH	23	42	80	Good	
1/24/04	1:30 pm	261615	28400 Las Cabos	SFH	24	40	65	Good	24 & 25 across street from each other
1/24/04	1:32 pm	286291	28400 Las Arubas	SFH	25	55	72	Good	
1/24/04	1:35 pm	288465	25600 La Cima	SFH	26	24	34	Good	
1/24/04	1:45 pm	291105	28700 Via Pasatiempo	SFH	27	43	99	Good	
1/25/04	10:15 am	292637	28400 Del Mar	SFH	28	34	62	Good w/ multipath	
1/24/04	2:30 pm	296609	29200 Mira Vista	SFH	29	62	98	Good	
1/24/04	2:40 pm	298349	28600 Rancho Del Sol	SFH	30	28	42	Good	
1/24/04	2:50 pm	298601	28900 Niguel Vista	SFH	31	18	18	Good	

¹ Single-family home.

DATE	TIME	ID #	STREET ADDRESS	HOME TYPE	MAP ID	FIELD STRENGTH VERTICAL μV	FIELD STRENGTH HORIZONTAL μV	CAR RECEPTION	NOTES
1/24/04	3:30 pm	179381	26900 Jasper	Apt	4	78	115	Good	
1/24/04	3:25 pm	181668	27600 Hillcrest, #3C	Apt	16	40	65	Good	
1/25/04	8:35 am	267001	27000 Stonehaven	Townhome	17	30	62	Good	
1/24/04	3:50 pm	268166	27200 Los Allos, #724	Apt	18	35	42	Good	
1/25/04	8:35 am	270374	27000 Stonehaven	Townhome	17	30	62	Good	
1/24/04	4:12 pm	295953	26500 Loma Verde St	SFH	5	112	314	Good	
1/24/04	3:45 pm	304004	27000 La Alameda	Apt	6	65	110	Good	
1/24/04	3:45 pm	306643	27000 La Alameda	Apt	6	65	110	Good	
			92692						
1/24/04	4:25 pm	275231	27000 Orchid Avenue	Apt	7	30	58	Good	
1/24/04	4:50 pm	293804	26300 Goloda	SFH	8	140	200	Good	
1/24/04	2:30 pm	294883	27400 Daffodil Place	Townhome	9	15	9	Good	
1/24/04	3:00 pm	303587	26600 La Quilla	SFH	10	4	11	Multipath	
1/24/04	5:00 pm	305302	27700 Rubidoux	Townhome	11	230	370	Good	
1/24/04	5:10 pm	308205	26100 Palomares	Townhome	15	210	370	Good	
1/24/04	4:00 pm	308599	26700 Sotelo	SFH	12	27	48	Good	
1/24/04	4:55 pm	310536	27500 Camden 6H	Apt	14	14	25	Good	
1/25/04	8:25 am	310964	26300 Ganiza	SFH	13	78	93	Good	

DATE	TIME	ID #	STREET ADDRESS	HOME TYPE	MAP ID	FIELD STRENGTH VERTICAL μV	FIELD STRENGTH HORIZONTAL μV	CAR RECEPTION	NOTES
1/24/04	2:55 pm	299989	24800 Queen's Court	SFH	32	14	25	Good	
1/25/04	10:45 am	300350	28200 Crown Valley Pkwy #C	Shopping Center	33	8	15	Multipath	
1/25/04	9:30 am	300467	25400 Via Estudio	SFH	34	25	38	Good	
1/25/04	10:00 am	300978	24800 Castle Hill	SFH	35	23	25	Good w/ multipath	
1/25/04	n/a	301061	25500 Rue Terrase	Unable to Locate	36	---	---	Good	
1/25/04	11:30 am	301246	25200 Via Lido	Townhome	37	63	63	Good	
1/24/04	1:40 pm	301666	25100 Monte Verde Dr	SFH	38	68	72	Good	
	n/a	305975	28600 Breckenridge	Gated community	39	No access	No access	Good	
	n/a	305614	28600 Breckenridge	Gated community	39	No access	No access	Good	
1/25/04	9:10 am	309199	28300 Rancho de Linda	SFH	40	15	27	Good	
1/25/04	9:20 am	309204	25300 Calle Becerra	SFH	41	9	11	Good	
			92688						
1/25/04	8:00 am	138268	10 Bel Flora	SFH	1	58	98	Good	Home back to back with ID #2
1/25/04	8:00 am	170209	10 Caladium	SFH	2	58	98	Good	Home back to back with ID #1
1/25/04	8:10 am	271664	10 Edelweiss	SFH	3	31	33	Good	
			92691						
1/24/04	3:30 pm	158121	26900 Jasper	Apt	4	78	115	Good	Units across from each other



KCRW SUBSCRIBERS
WITHIN AMENDED TRANSLATOR'S
60 dBu CONTOUR - 50 WATTS ERP

FIGURE 1

