

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0034 (March 2001)	FOR FCC USE ONLY
FCC 340		
APPLICATION FOR CONSTRUCTION PERMIT FOR RESERVED CHANNEL NONCOMMERCIAL EDUCATIONAL BROADCAST STATION		FOR COMMISSION USE ONLY FILE NO. BPED - 20051222ABR
Read INSTRUCTIONS Before Filling Out Form		

Section I - General Information

1. Legal Name of the Licensee/Permittee MINNESOTA PUBLIC RADIO		
Mailing Address 480 CEDAR STREET		
City ST. PAUL	State or Country (if foreign address) MN	Zip Code 55101 -
Telephone Number (include area code) 6512901259	E-Mail Address (if available) FCCFILING@MPR.ORG	
	Call Sign KMSE	Facility Identifier 83876
2. Contact Representative (if other than licensee/Permittee) TODD STANSBURY		Firm or Company Name WILEY REIN & FIELDING
Telephone Number (include area code) 2027194948		E-Mail Address (if available) TSTANSBU@WRF.COM
3. Is this application being filed in response to a window? If Yes, specify closing date and/or window number:		<input type="radio"/> Yes <input checked="" type="radio"/> No
4 Application Purpose		
<input type="radio"/> New station		
<input type="radio"/> Major Change in licensed facility		
<input checked="" type="radio"/> Minor Change in licensed facility		
<input type="radio"/> Major Modification of construction permit		
<input type="radio"/> Minor Modification of construction permit		
<input type="radio"/> Major Amendment to pending application		
<input type="radio"/> Minor Amendment to pending application		
(a) File number of original construction permit:		-
(b) Service Type:		<input checked="" type="radio"/> FM <input type="radio"/> TV <input type="radio"/> DTV
(c) Community of License: City: ROCHESTER State: MN		

(d) Facility Type

Main Auxiliary

If an amendment, **submit as an Exhibit** a listing by Section and Question Number the portions of the pending application that are being revised.

[Exhibit 1]

NOTE: The failure to include an explanatory providing full particulars in connection with a "No" response may result in dismissal of the application. See Instructions, paragraph L for additional information regarding completion of explanatory exhibits.

SECTION II - Legal and Financial

1.	<p>Certification. Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
2.	<p>Eligibility. Each application must answer "Yes" to one and "No" to two of the three following certifications. An applicant should not submit an explanatory exhibit in connection with these Question 2 "No" responses.</p> <p>The applicant certifies that it is:</p> <p>a. a nonprofit educational institution; or</p> <p>b. a governmental entity other than a school; or</p> <p>c. a nonprofit educational organization, other than described in a. or b.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
3.	<p>For applicants checking "Yes" to question 2(c) and applying for a new noncommercial educational television station only, the applicant certifies that the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural, and civic segments of the principal community to be served.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p><input checked="" type="radio"/> N/A</p>
4.	<p>a. The applicant certifies that the Commission has previously granted a broadcast application identified here by file number that found this applicant qualified as a noncommercial educational entity with a qualifying educational program, and that the applicant will use the proposed station to advance a program similar to that the Commission has found qualifying in applicant's previous application.</p> <p>b. Applicants who answered "No" to Question 4(a), must include an exhibit that describes the applicant's educational objective and how the proposed station will be used to advance an educational program that will further that objective according to 47 C.F.R. Section 73.503 (for radio applicants) and 47 C.F.R. Section 73.621 (for television applicants).</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>FCC FileNumber</p> <p>-</p> <p>[Exhibit 2]</p>
5.	<p>The applicant certifies that its governing documents (e.g., articles of incorporation, by-laws, charter, enabling statute, and/or other pertinent organizational document) permit the applicant to advance an educational program and that there is no provision in any of those documents that would restrict the applicant from advancing an educational program or complying with any Commission rule, policy,</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>

or provision of the Communications Act of 1934, as amended.

6. a. **Parties to the Application.** List separately each party to the application including, as applicable, the applicant, its officers, directors, five percent or greater stockholders, non-insulated partners, members, and all other persons and entities with attributable interests. If another entity hold an attributable interest in the applicant, list separately, as applicable, its officers, directors, five percent or greater stockholders, non-insulated partners, and board members. Create a separate row for each individual or entity. Attach additional pages if necessary.
- [Enter Parties/Owners Information]
-
- b. Applicant certifies that equity and financial interests not set forth above are non-attributable pursuant to 47 C.F.R. Section 73.3555 and that there are no agreements or understandings with any non-party that would give influence over the applicant's programming, personnel, or finances to that non-party. Yes No [Exhibit 3]
7. **Other Authorizations.** List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest pursuant to the notes to 47 C.F.R. Section 73.3555. N/A [Exhibit 4]
8. **Character Issues.** Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with:
- a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or
- b. any pending broadcast application in which character issues have been raised. Yes No See Explanation in [Exhibit 5]
9. **Adverse Findings.** Applicant certifies that, with respect to the applicant, any party to the application, and any non-party equity owner in the applicant, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another government unit; or discrimination.
- If the answer is "No," attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the the court or administrative body and the proceeding (by dates and file numbers), and a description of the disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 C.F.R. Section 1.65, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) the disposition of the previously reported matter.
10. **Alien Ownership and Control.** Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments. Yes No See Explanation in [Exhibit 7]
11. **Program Service Certification.** Applicant certifies that it is cognizant of and will comply with its obligations as a commission licensee to present a program service responsive to the issues of public concern facing the station's community of license Yes No

and service area.

12. **Local Public Notice.** Applicant certifies compliance with the public notice requirements of 47 C.F.R. Section 73.3580. Yes No
13. **Anti-Drug Abuse Act Certification.** Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862. Yes No
14. **Equal Employment Opportunity (EEO).** If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A. Yes No
 N/A

QUESTIONS 15, 16 AND 17 APPLY ONLY TO APPLICANTS FOR NEW STATIONS. OTHER APPLICANTS CAN PROCEED TO QUESTION 18.

15. **Financial.** The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue. Yes No
See Explanation in [Exhibit 8]
If "No" to 15., answer question 16. and 17.
16. Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration? Yes No
17. Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision? Yes No

NOTE: If Yes to 16. or 17., the application cannot be granted unconditionally until all of the necessary funds are committed or appropriated. In the case of grants from the National Telecommunications and Information Administration, no further action on the applicant's part is required. If the applicant relies on funds from a source specified in Question 17., **the applicant must advise the Commission when the funds are committed or appropriated.** This should be accomplished by letter amendment to the application. Applicants should take note that the Commission's construction period is not considered "tolled" by funding difficulties and that any permit granted conditionally on funding will expire if the station is not constructed for any reason, including lack of funding.

QUESTIONS 18 AND 19 DO NOT APPLY TO APPLICATIONS FOR NEW STATIONS. APPLICANTS FOR NEW FM STATIONS CAN PROCEED TO SECTION III. APPLICANTS FOR NEW TV STATIONS CAN PROCEED TO SECTION IV.

Holding Period.

18. Applicant certifies that this application does not propose a modification to an authorization that was awarded on the basis of a preference for fair distribution of service pursuant to 47 U.S.C. Section 307(b). Yes No
If "No," answer a. and b. below. If applicant answers "No" to 18. above and cannot answer "Yes" to either a. or b. below, the application is unacceptable.
- a. Applicant certifies that the proposed modification will not downgrade service to the area on which the Section 307(b) preference was based. Yes No
- b. Applicant certifies that although it proposes to downgrade service to the area on which the Section 307(b) preference was based, applicant has provided full service to that area for a period of four years of on-air operations. Yes No

<p>19. Applicant certifies that this application does not propose a modification to an authorized station that received a credit for superior technical parameters under the point system selection method in 47 C.F.R. Section 73.7003.</p> <p>If "No," applicant must be able to answer "Yes" to a. below or provide an exhibit that makes a compelling showing that the downgrade would be in the public interest.</p> <p>a. Applicant certifies that the population and area within the proposed service contour (60 dBu (FM) or grade B (TV)) are greater than or equivalent to those authorized.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p><input type="radio"/> Yes <input type="radio"/> No [Exhibit 9]</p>
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Section III

Fair Distribution of Service Pursuant to 47 U.S.C. Section 307(b) (New and Major Changes to FM Radio Only) (Other applicants can proceed to Section IV).

<p>1. Applicant certifies that the proposed station will provide a first noncommercial educational aural service to (a) at least 10 percent of the people residing within the station's 60 dBu (1mV/m) service contour and (b) to a minimum of 2,000 people. Applicants answering "Yes" must provide an Exhibit.</p>	<p><input type="radio"/> Yes <input type="radio"/> No [Exhibit 10]</p>
<p>2. Applicant certifies that the proposed station will provide a second noncommercial educational aural service to (a) at least 10 percent of the people residing within the station's 60 dBu (1mV/m) service contour and (b) to a minimum of 2,000 people. Applicants answering "Yes" must provide an Exhibit.</p>	<p><input type="radio"/> Yes <input type="radio"/> No [Exhibit 11]</p>

Section IV Point System Factors - New and Major Change Applications Only (used to select among mutually exclusive radio and television applications for new stations and major modifications) **NOTE:** Applicants will not receive any additional points for amendments made after the close of the application filing window.

<p>1. Established Local Applicant: Applicant certifies that for at least the 24 months immediately prior to application, and continuing through the present, it qualifies as a local applicant pursuant to 47 C.F.R. Section 73.7000, that its governing documents require that such localism be maintained, and that it has placed documentation of its qualifications as an established local applicant in a local public inspection file and has submitted to the Commission copies of the documentation.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>
<p>2. Diversity of Ownership: (a) Applicant certifies that the principal community (city grade) contour of the proposed station does not overlap the principal community contour of any other authorized station (comparing radio and television to television, including non-fill-in translator stations other than those identified in 2(b) below) in which any party to the application has an attributable interest as defined in 47 C.F.R. Section 73.3555, that its governing documents require that such diversity be maintained, and that it has placed documentation of its diversity qualification in a local public inspection file and has submitted to the Commission copies of the documentation.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>
<p>(b) Is the application's certification to 2(a) based on its exclusion of translator station(s) that will be replaced with a full service station pursuant to the authorization requested here?</p> <p>If Yes, applicant must include an exhibit identifying the translator station authorization for which it will request cancellation upon commencement of operation of the proposed</p>	<p><input type="radio"/> Yes <input type="radio"/> No [Exhibit 12]</p>

full service station (i.e., upon its filing of a license application and receipt of program test authority).

<p>3. State-wide Network: Applicant certifies that (a) it has NOT claimed a credit for diversity of ownership above; (b) it is one of the three specific types of organizations described in 47 C.F.R. Section 73.7003(b)(3); and (c) it has placed documentation of its qualifications in a local public inspection file and has submitted to the Commission copies of the documentation.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>
<p>4. Technical Parameters: Applicant certifies that the numbers in the boxes below accurately reflect the new area and population that its proposal would serve with a 60 dBu (FM) or Grade B (TV) signal measured in accordance with the standard predicted contours in 47 C.F.R. Section 73.713(c) (FM) and 73.683(TV) and that it has documented the basis for its calculations in the local public inspection file and has submitted copies to the Commission. Major modification applicants should include the area of proposed increase only (exclude any area already within the station's existing service area). (Points, if any, will be determined by FCC)</p> <p>New area served in square kilometers (excluding areas of water):</p> <p>Population served based on the most recent census block data from the United States Bureau of Census using the centroid method:</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>

SECTION V - Tie Breakers - New and Major Change Applications Only (used to choose among competing radio and television applications receiving the same number of points in Section IV)

<p>1. Existing Authorizations. By placing a number in the box, the applicant certifies that it and other parties to the application have, as of the date of filing and pursuant to 47 C.F.R. Section 73.3555, attributable interests in the stated number of relevant broadcast station authorizations. Radio applicants should count all attributable full service radio stations, AM and FM, commercial and noncommercial, and FM translator stations other than fill-in stations or those identified in IV (2)(b) above. TV applicants should count all attributable full service TV stations, commercial and noncommercial and TV translator stations other than fill-in stations or those identified in IV(2)(b) above. (number of commercial and non-commercial licenses and construction permits)</p> <p>2. Pending Applications. By placing a number in the box, the applicant certifies that it and other parties to the application have, as of the date of filing and pursuant to 47 C.F.R. Section 73.3555, attributable interests in the stated number of pending applications for new or major changes to relevant broadcast stations. Radio applicants should count all attributable full service radio stations, AM and FM, commercial and noncommercial, and FM translator stations other than fill-in stations or those identified in IV(2)(b) above. TV applicants should count all attributable full service TV stations, commercial and noncommercial, and TV translator stations other than fill-in stations or those identified in IV(2)(b) above. (number of pending commercial and non-commercial applications)</p>
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Section VI -- 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. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

<p>Typed or Printed Name of Person Signing THOMAS J KIGIN</p>	<p>Typed or Printed Title of Person Signing EXECUTIVE VICE PRESIDENT</p>
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Signature	Date
	12/19/2005

Section VII Preparer's Certification

I certify that I have prepared Section VII (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name	Relationship to Applicant (e.g., Consulting Engineer)
DOUG VERNIER	ENGINEERING CONSULTANT
Signature	Date
	12/22/2005

Mailing Address
721 W. FIRST ST., SUITE A

City	State or Country (if foreign address)	Zip Code
CEDAR FALLS	IA	50613-
Telephone Number (include area code)	E-Mail Address (if available)	
3192668402	DVERNIER@V-SOFT.COM	

WILLFUL FALSE STATEMENTS 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 VII - FM Engineering on Channels 200-220**TECHNICAL SPECIFICATIONS**

Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1.	Channel Number: 204
2.	Class (select one): <input type="radio"/> D <input checked="" type="radio"/> A <input type="radio"/> B1 <input type="radio"/> B <input type="radio"/> C3 <input type="radio"/> C2 <input type="radio"/> C1 <input type="radio"/> C0 <input type="radio"/> C
3.	Antenna Location Coordinates: (NAD 27) Latitude: Degrees 44 Minutes 2 Seconds 28 <input checked="" type="radio"/> North <input type="radio"/> South Longitude: Degrees 92 Minutes 20 Seconds 25 <input checked="" type="radio"/> West <input type="radio"/> East
4.	Antenna Structure Registration Number: 1029133 <input type="checkbox"/> Not Applicable <input type="checkbox"/> Notification filed with FAA
5.	Antenna Location Site Elevation Above Mean Sea Level: 379.8 meters
6.	Overall Tower Height Above Ground Level: 302.7 meters
7.	Height of Radiation Center Above Ground Level: 163.4 meters(H) 160.4 meters(V)
8.	Height of Radiation Center Above Average Terrain: 191.8 meters(H) 188.8 meters(V)

9. Effective Radiated Power: 0.005 kW(H) 0.2 kW(V)

10. Maximum Effective Radiated Power: Not Applicable kW(H) kW(V)
(Beam-Tilt Antenna ONLY)

11. Directional Antenna Relative Field Values: Not applicable (Nondirectional)
Rotation (Degrees): No Rotation

Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
0		10		20		30		40		50	
60		70		80		90		100		110	
120		130		140		150		160		170	
180		190		200		210		220		230	
240		250		260		270		280		290	
300		310		320		330		340		350	
Additional Azimuths											

Relative Field Polar Plot

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

CERTIFICATION

AUXILIARY ANTENNA APPLICANTS ARE NOT REQUIRED TO RESPOND TO ITEMS 12-15.

12. **Main Studio Location.** The proposed main studio location complies with 47 C.F.R. Section 73.1125. Yes No
See Explanation in [Exhibit 13]

13. **Interference.** The proposed facility complies with all of the following applicable rule sections. Yes No
Check all that apply: See Explanation in [Exhibit 14]

Contour Overlap Requirements.
a. 47 C.F.R. Section 73.509
Exhibit Required. [Exhibit 15]

Spacing Requirements.
b. 47 C.F.R. Section 73.207 with respect to station(s)

Grandfathered Short-Spaced.
c. 47 C.F.R. Section 73.213(a) with respect to station(s)
Exhibit Required. [Exhibit 16]

Contour Protection.
d. 47 C.F.R. Section 73.215(a) with respect to station(s)
Exhibit Required. [Exhibit 17]

Television Channel 6 Protection.
e. 47 C.F.R. Section 73.525 with respect to station(s)
Exhibit Required. [Exhibit 18]

14. **Reserved Channels Above 220.**

- a. **Allotment.** The proposed facility complies with the allotment requirements of 47 C.F.R. Section 73.203. Yes No
See Explanation in [Exhibit 19]
- b. **Community Coverage.** The proposed facility complies with 47 C.F.R. Section 73.315. Yes No
See Explanation in [Exhibit 20]

15. **International Borders.** The proposed antenna location is not within 320 kilometers of the common border between the United States and Canada or Mexico. Yes No
 Canada
 Mexico
If "No," specify the country and provide an exhibit of compliance with all provisions of the relevant International Agreement. [Exhibit 21]

16. **Environmental Protection Act.** The proposed facility is excluded from environmental processing under 47. C.F.R. Section 1.1306 (i.e., The facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Worksheet #7, an **Exhibit is required.** Yes No
See Explanation in [Exhibit 22]

By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.

PREPARER'S CERTIFICATION ON PAGE 8 MUST BE COMPLETED AND SIGNED.

Exhibits

Exhibit 1

Description: ENGINEERING STATEMENT

THE ATTACHED ENGINEERING STATEMENT EXPLAINS THE CHANGES PROPOSED WITHIN THIS APPLICATION.

Attachment 1

Description
<u>Engineering Statement</u>

Exhibit 15

Description: CONTOUR-TO-CONTOUR ALLOCATION STUDY

THE ATTACHED EXHIBIT SHOWS THAT CONTOUR OVERLAP WILL NOT BE CAUSED TO OTHER LICENSED STATIONS, CONSTRUCTION PERMITS OR APPLICATIONS. NEITHER WILL CONTOUR OVERLAP BE RECEIVED.

Attachment 15

Description
<u>Contour-to-Contour analysis, tables and maps</u>

Exhibit 18

Description: CHANNEL-SIX TV EXHIBIT

THIS EXHIBIT SHOWS THAT THE APPLICANT MEETS THE REQUIREMENTS OF SECTION 73.525 WITH REGARD TO THE PROTECTION OF CHANNEL-SIX TELEVISION FROM INTERFERENCE.

Attachment 18

Description
<u>Channel-Six TV Exhibit</u>

Exhibit 22

Description: R.F. EMISSIONS SAFETY EXHIBIT

THE ATTACHED EXHIBIT DETAILS THE APPLICANT'S ANALYSIS OF R.F. EMISSIONS SAFETY AT THE PROPOSED TOWER SITE.

Attachment 22

Description
<u>R.F. Emissions Safety Exhibit</u>