

Attachment B

LPFM Preclusion Studies for Certain FM Translator Applications: The Grid Test and the Top-50 Transmitter Site Test

Each application identified in Attachment A specifies a transmitter site location that is outside all Spectrum Limited markets and not within 39 km¹ of any Spectrum Limited Market Grid. **No preclusion showing is required if the tech box proposal and the associated Form 349 application specify the same facility.** An applicant must submit a preclusion study, consisting of a “Grid Test” and/or a “Top-50 Transmitter Site Test” if a change in coordinates, effective radiated power, antenna height, and/or the directional antenna pattern results in a transmitter site located within 39 km of ANY Market Grid and/or at any out-of-grid location within a Spectrum Limited Top-50 Market. These tests are described below.

The Bureau recently released an updated version of the LPFM grid tool.² The files provided in that tool can be used in conjunction with the Grid Test to identify the appropriate coordinates to use for the center of the grid for each Market Grid. The LPFM grid tool can be used to identify the protected LPFM channel/point combinations within each Market Grid.

Applicants submitting required showings for the Top-50 Transmitter Site Test will be protected from showings filed on subsequent business days for the purpose of determining whether an additional LPFM licensing opportunity remains at the specified transmitter site location.

A. An amended application with transmitter site location 39 km or greater from any Market Grid.

The applicant is not required to submit a Grid Test because the amended application cannot preclude any LPFM licensing opportunities in any grid. Please note that an applicant amending to an out-of-grid transmitter site in a Top-50 Spectrum Limited market will be required to submit a Top-50 Transmitter Site Test. See D., below.

B. Grid Test for an amended application with transmitter site location within 39 km of a Spectrum Limited Market Grid.

When determining available LPFM channel/point combinations in Spectrum Limited Market Grids, an LPFM spectrum availability study **must protect all authorizations and applications on co- and first-adjacent channels. The study should assume the dismissal of all pending Auction 83 Applications.**³ The study must ignore LPFM second-adjacent and intermediate-frequency protection requirements but otherwise apply all other LPFM spacing requirements. The study must include all Spectrum Limited Market Grids that are within 39 km of the proposed transmitter site location.

An application fails this test if it would preclude an identified LPFM channel/point licensing opportunity within any Spectrum Limited Market Grid.

¹ Thirty-nine kilometers is the largest LPFM to FM translator spacing requirement specified in 47 C.F.R. § 73.807(d)(1).

² *Media Bureau Releases Updated Low Power FM Spectrum Availability Data Files*, DA 12-1987, Public Notice, 27 FCC Rcd 15256 (MB 2012) (http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-12-1987A1.docx).

³ *Fourth Report and Order*, 27 FCC Rcd at 3387-88 (explaining the exclusion of pending Auction 83 Applications from this type of preclusion study).

C. Grid Test for an amended application with transmitter site location within 39 km of a Spectrum Available Market Grid.

When determining available LPFM channel/point combinations in Spectrum Available markets, the LPFM spectrum availability study **must protect all authorizations and applications on co-, first-, and second-adjacent channels, including all pending Auction 83 Applications.**⁴ The study must ignore LPFM intermediate-frequency protection requirements but otherwise apply all other LPFM spacing requirements. The study must include all Spectrum Available market grids that are within 39 km of the proposed transmitter site location.

An application fails this test if it would preclude an identified LPFM channel/point licensing opportunity within any Spectrum Available Market Grid.

D. Top-50 Transmitter Site Test for an amended application with transmitter site location within a Top-50 Spectrum Limited market but outside the Market Grid.

In order to submit a successful test, the applicant must show – assuming the dismissal of all pending Auction 83 translator applications in the market – that no LPFM channel is available or – assuming the grant of the subject application – that at least one LPFM channel remains available at the out-of-grid transmitter site location proposed in the application. Studies must protect all authorizations and applications on co- and first-adjacent channels. The study must ignore LPFM second-adjacent and intermediate-frequency protection requirements but otherwise apply all other LPFM spacing requirements.⁵

An application fails this test if there would be only one LPFM channel available at the specified transmitter site location and it is precluded by the subject application.

⁴ *Fourth Report and Order*, 27 FCC Rcd at 3387-88.

⁵ *Id.*