



(REFERENCE COPY - Not for submission)
New FM Full Power Construction Permit Application

File Number: **0000159319** | Submit Date: **09/13/2021** | Lead Call Sign: **NEW** | Facility ID: **762475** |

FRN: **0002336360**

Service: **Full Power FM** | Purpose: **Construction Permit** | Status: **Submitted** | Status Date: **09/13/2021** | Filing Status: **Active**

General Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	Yes

Fees, Waivers, and Exemptions

Section	Question	Response
Fees	Is the applicant exempt from FCC application Fees?	No
	Indicate reason for fee exemption:	
	Is the applicant exempt from FCC regulatory Fees?	No
Waivers	Does this filing request a waiver of the Commission's rule (s)?	No
	Total number of rule sections involved in this waiver request:	

Application Type	Call Sign	Facility ID	Fee Code	Fee Amount
Construction Permit			MVW	\$3,870.00
			Total	

Applicant Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
Eagle Communications, Inc.	1011 W. 27th Street, Suite 2 Hays, KS 67601 United States	+1 (785) 625-4000	gary.shorman@eagleradio.net	Company

Contact Representatives (2)

Contact Name	Address	Phone	Email	Contact Type
Robert J Clinton <i>Technical Consultant</i> Cavell, Mertz & Associates, Inc.	7724 Donegan Drive Manassas, VA 20109 United States	+1 (703) 392-9090	BClinton@CavellMertz.com	Technical Representative
Eve K. Reed , Esq . Wiley Rein LLP	1776 K Street, N.W. Washington, DC 20006 United States	+1 (202) 719-7404	ereed@wiley.law	Legal Representative

Parties to the Application (6)

Party Name	Address	Phone	Email	Positional Interest
------------	---------	-------	-------	---------------------

Gary D. Shorman Eagle Communications, Inc.	3005 Thunderbird Hays, KS 67601 United States	+1 (785) 625-4000	gary. shorman@eagleradio. net	Positional Interest: Officer, Direct, Key Management Personnel, Board Member and Trustee Citizenship: United States Percentage of Votes: 0% Percentage of Total Assets: 0%
Eagle Communications, Inc. ESOP Trust	1101 W. 27th Street, Suite 2 Hays, KS 67601 United States	+1 (785) 625-4000	gary. shorman@eagleradio. net	Positional Interest: Trust Citizenship: United States Percentage of Votes: 100% Percentage of Total Assets: 100%
Speed A. Marriott Eagle Communications, Inc.	1011 W. 27th Street, Suite 2 Hays, KS 67601 United States	+1 (785) 625-4000	smarriott@eagleradio. net	Positional Interest: Officer and Director Citizenship: United States Percentage of Votes: 0% Percentage of Total Assets: 0%
Travis J. Kohlrus Eagle Communications, Inc.	300 Dorrance Street Ellis, KS 67637 United States	+1 (785) 625-7404	tkohlrus@eagleradio. net	Positional Interest: Director Citizenship: United States Percentage of Votes: 0% Percentage of Total Assets: 0%
Joseph W. Jeter Eagle Communications, Inc.	317 West 23rd Street Hays, KS 67601 United States	+1 (785) 625-4000	jjeter@eagleradio.net	Positional Interest: Officer, Director and Trustee Citizenship: United States Percentage of Votes: 0% Percentage of Total Assets: 0%
Kurt R. David Eagle Communications, Inc.	9738 Cooper Street Lenexa, KS 67601 United States	+1 (785) 625-4000	kdavid@eagleradio. net	Positional Interest: Officer, Director and Key Management Personnel Citizenship: United States Percentage of Votes: 0% Percentage of Total Assets: 0%

Attributable Interest

Section	Question	Response
---------	----------	----------

Equity and Financial Interests	Applicant certifies that equity and financial interests not listed in the Parties to the Application section are non-attributable pursuant to the notes to 47 C.F.R. Section 73.3555.	Yes
Other Authorizations	Does the applicant or any party to the application have an attributable interest in any other broadcast station(s).	Yes
Broadcast Incubator Program	Is the proposed facility the subject of an incubation proposal or a 'reward' waiver request under the Commission's Broadcast Incubator Program?	No
Multiple Ownership	Is the applicant or any party to the application the holder of an attributable radio joint sales agreement or an attributable radio time brokerage agreement in the same market as the station subject to this application?	No
	Applicant certifies that the proposed facility complies with the Commission's multiple ownership rules.	Yes
	Applicant certifies that the proposed facility: (a) does not present an issue under the Commission's policies relating to media interests of immediate family members; (b) complies with the Commission's policies relating to future ownership interests; and (c) complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors.	Yes
	Does the Applicant claim status as an "eligible entity," that is, an entity that qualifies as a small business under the Small Business Administration's size standards for its industry grouping (as set forth in 13 C.F.R. § 121.201), and holds: (a) 30 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet; or (b) 15 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet, provided that no other person or entity owns or controls more than 25 percent of the outstanding stock or partnership interests; or (c) more than 50 percent of the voting power of the corporation that will own the media outlet (if such corporation is a publicly traded company)?	No

Alien Ownership

Question	Response
1) Is the applicant a foreign government or the representative of any foreign government as specified in Section 310(a) of the Communications Act?	No
2) Is the applicant an alien or the representative of an alien? (Section 310(b)(1))	No
3) Is the applicant a corporation, or non-corporate entity, that is organized under the laws of any foreign government? (Section 310(b)(2))	No
4) Is the applicant an entity of which more than one-fifth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any entity organized under the laws of a foreign country? (Section 310(b)(3))	No

5) Is the applicant directly or indirectly controlled by any other entity of which more than one-fourth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any entity organized under the laws of a foreign country? (Section 310(b)(4))	No
6) Has the applicant received a declaratory ruling(s) under Section 310(b)(4) of the Communications Act?	No
6a) Enter the citation of the applicable declaratory ruling by DA/FCC number or the FCC Record citation, release date, or any other identifying information.	
7) Has there been any change in the applicant's foreign ownership since issuance of the declaratory ruling(s) cited in response to Question 6?	
8) Does the applicant certify that it is in compliance with the terms and conditions of the foreign ownership declaratory ruling(s) cited in response to Question 6?	
9) In connection with this application, is the applicant filing a foreign ownership Petition for Declaratory Ruling pursuant to Section 310(b)(4) of the Communications Act?	No

Legal Certifications

Section	Question	Response
Character Issues	Applicant certifies that neither the applicant nor any party to the application has or 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
Adverse Findings	Applicant certifies that, with respect to the applicant and any party to the application, 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 laws related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	Yes
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 and service area.	Yes
Local Public Notice	Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	Yes
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.	N/A
Auction Authorization	If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable.	Yes

Channel and Facility Information

Section	Question	Response
Proposed Community of License	State	Missouri
	City	Maryville
	Channel	285

	Frequency	104.9
Facility Type	Facility Type	Commercial
Station Class	Station Class	C3

Antenna Location Data

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1248409
Coordinates (NAD83)	Latitude	40° 24' 08.7" N+
	Longitude	094° 53' 17.2" W-
	Structure Type	TOWER-A free standing or guyed struct
	Overall Structure Height	213.1 meters
	Support Structure Height	213.1 meters
	Ground Elevation (AMSL)	356.9 meters
Antenna Data	Height of Radiation Center Above Ground Level	Horizontal:127.1 meters Vertical:127.1 meters
	Height of Radiation Center Above Average Terrain	Horizontal:152 meters Vertical:152 meters
	Height of Radiation Center Above Mean Sea Level	Horizontal:484.0 meters Vertical:484.0 meters
	Effective Radiated Power	Horizontal:10.5 Vertical:10.5
	Transmitter Power Output	--
Proposed Allotment or Assignment - Coordinates (NAD83)	Latitude	
	Longitude	

Antenna Technical Data

Section	Question	Response
Antenna Type	Antenna Type	Non-Directional

Directional Antenna Relative Field Value

Degree	Value	Degree	Value	Degree	Value	Degree	Value
--------	-------	--------	-------	--------	-------	--------	-------

Additional Azimuths

Degree	Value
--------	-------

Technical Certifications

Section	Question	Response
Environmental Effect	Would a Commission grant of Authorization for this location be an action which may have a significant environmental effect? (See 47 C.F.R. Section 1.1306)	No

Broadcast Facility	Does the proposed facility comply with the applicable engineering standards and assignment requirements of 47 C.F.R. Sections 73.203, 73.207, 73.213, 73.315, 73.509, 73.515, 73.525, and 73.1125?	Yes
Contour Protection	Does the proposed facility request processing pursuant to the contour protection provisions of 47 C.F.R Section 73.215?	No
Community of License Change - Section 307(b)	Is the application being submitted to change the facility's community of license? If 'Yes', an exhibit is required containing information demonstrating that the proposed community of license change constitutes a preferential arrangement of assignments under Section 307(b) of the Communications Act of 1934, as amended (47 U.S.C. Section 307(b))	No
Reasonable Site Assurance	Applicant certifies that it has reasonable assurance in good faith that the site or proposed structure at the location of its transmitting antenna will be available to the applicant for the applicant's intended purpose.	Yes
	If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.	Yes
	Name of the person contacted	John Coffey
	Phone number of the person contacted	6605621163
	Person contacted is	Authorized Representative

Certification

Section	Question	Response
General Certification Statements	The Applicant 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 authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).	
	The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification § 1.2002(c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.	

Authorized Party to Sign	<p>FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID</p> <p>Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application.</p> <p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND /OR FORFEITURE (U.S. Code, Title 47, §503).</p>	
	<p>I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.</p>	<p>Gary D. Shorman <i>Chairman</i></p> <p>09/13/2021</p>

Attachments

File Name	Uploaded By	Attachment Type	Description	Upload Status
<u>Auction Disclosure Information Exhibit.pdf</u>	Applicant	Legal Certifications	Auction Disclosure Information	Done with Virus Scan and/or Conversion
<u>New(FM) - Engineering Statement with Figures.pdf</u>	Applicant	Technical Certifications	Comprehensive Engineering Statement	Done with Virus Scan and/or Conversion
<u>New(FM) - Ownership Study with Figures.pdf</u>	Applicant	Attributable Interest	Multiple Ownership Showing	Done with Virus Scan and/or Conversion
<u>OBI Exhibit for Maryville, MO long form application.pdf</u>	Applicant	Attributable Interest	Other Authorizations	Done with Virus Scan and/or Conversion

AUCTION DISCLOSURE INFORMATION

The applicant, Eagle Communications, Inc. (“Eagle” or “Applicant”) has not entered into any consortium arrangements, joint ventures, partnerships or other agreements or arrangements relating to the competitive bidding process for Auction 109 prior to the time bidding was completed. Eagle did not enter into any explicit or implicit agreements, arrangements or understandings of any kind with any parties regarding the amount of its bids, bidding strategies, or the particular construction permits on which it did or did not bid.

Eagle is a Kansas corporation and is wholly-owned by the Eagle Communications, Inc. ESOP Trust (the “Eagle ESOP Trust”). The following individuals (collectively the “Eagle Individuals”), each of whom holds less than a 10% equity interest in the Eagle, are officers and/or directors of one or more of the Eagle and the Eagle ESOP Trust and are real parties in interest in the Applicant:

- Kurt David
- Joseph W. Jeter
- Travis J. Kohlrus
- Speed A. Marriott
- Gary D. Shorman

Each of the Eagle Individuals uses a business address of 1101 W. 27th Street, Suite #2, Hays, KS, 67601 for activities related to Eagle. None of the Eagle Individuals has an interest in any FCC-regulated entities apart from Eagle.

No entity or individual has a greater than ten percent direct or indirect ownership interest in the Eagle ESOP Trust or, therefore, in Eagle.

Eagle did not claim a bidding credit in Auction 109 and does not claim status as a “designated entity.” Accordingly, Sections 1.2110(j) and 1.2112(b) are not applicable to Eagle or this application.

Comprehensive Engineering Statement

prepared for

Eagle Communications, Inc.

NEW(FM) Maryville, Missouri

Facility ID 762475

Channel 285C3 10.5 kW 152 meters

Eagle Communications, Inc. (“*Eagle*”), herein is filing a “Long Form” application in response to the FCC’s filing notice for successful Auction 109 applicants.¹ The instant application is being filed as a Long Form application for a new Channel 285C3 FM facility for Marysville, Missouri. In particular, *Eagle* proposes to use the registered tower, ASRN 1248409 with coordinates of 40° 24’ 08.7”N, 94° 53’ 17.2”W (NAD 83). The proposed antenna will be omnidirectional, circularly polarized and mounted at 127.1 meters AGL. An ERP of 10.5 kW is being specified.

The FCC has specified 25 kW with an antenna Height Above Average Terrain (“HAAT”) of 100 meters as the maximum operating parameters for a Class C3. Per §73.210(b)(3)(i) of the Rules, a Class C3 facility has a contour distance of greater than 28 km, and not greater than 39 km. The proposed 285C3 facility is to be installed at a height of 127.1 meters above ground level, with a site elevation of 356.9 meters, and a Center of Radiation of 484 meters AMSL. The standard 8-radial HAAT calculation for this site is 152 meters per §73.313(d).² Using the FCC’s FM and TV Propagation Curves tool, the maximum ERP for a class C3 at 152 meters is 10.5 kW, as requested herein.

Allocation and Other Considerations

Table I provides the results of an allocation spacing study, using the full spacing parameters outlined in Section 73.207(b)(1) of the Rules. There are no IF relationship channels (53 or 54 channels removed) within 50 km of the proposed site. As demonstrated, the proposed transmitter location is fully spaced to existing nearby facilities on co-channel as well as first, second and third adjacent channels. **Figure 1** provides a graphical representation of the proposed 60 dB μ F(50,50) contour, as well as the 70 dB μ F(50,50) principal community coverage contour. As demonstrated,

¹ Public Notice Auction Of AM And FM Broadcast Construction Permits Closes Winning Bidders Announced For Auction 109, Released August 12, 2021, DA 21-983.

² Details of the HAAT calculation procedure can be made available upon request.

Comprehensive Engineering Statement

(page 2 of 4)

the proposed facility's 70 dB μ contour fully encompasses the community of Marysville, Missouri as required by §73.315(a). There are no AM stations within 3.2 km of the proposed facility.

The proposed site is located more than 800 km from both the Canadian and Mexican borders, well beyond the 320 km coordination distance required for full service stations. The nearest FCC monitoring station is 304.9 km distant at Grand Island, NE and the facility is 881.0 km from the Table Mountain Quiet Zone. These distances exceed the threshold minimum distance specified in §73.1030 that would suggest consideration.

§73.1125 of the Rules requires licensees to maintain a local telephone number in the community of license, or alternately, a toll-free number. Eagle herein certifies that it plans to provide a local phone number for the new facility.

It is therefore believed that the proposed facility satisfies all of the pertinent Commission Rules and Policies now in effect regarding allocation matters.

Environmental Considerations

The proposed facility will operate with a circularly-polarized ERP of 10.5 kW with a 4-bay, full-wavelength spaced omni-directional antenna at 127.1 meters AGL on the registered tower with ASRN 1248409. The use of existing transmitting locations has been characterized as being environmentally preferable by the Commission, according to Note 1 of §1.1306 of the FCC Rules. Because no change in structure height is proposed, no change in current structure marking and lighting requirements is anticipated. Therefore, it is believed that this application may be categorically excluded from environmental processing pursuant to §1.1306 of the Commission's rules.

Human Exposure to Radiofrequency Radiation

The proposed operation was evaluated for human exposure to radiofrequency energy using the procedures outlined in the Commission's OET Bulletin No. 65 ("OET 65"). OET 65 describes a means of determining whether a proposed facility meets the radiofrequency exposure guidelines adopted in §1.1310. Under present Commission policy, a facility may be presumed to comply with

Comprehensive Engineering Statement

(page 3 of 4)

the limits specified in §1.1310 if it satisfies the exposure criteria set forth in OET 65. Based upon that methodology, and as demonstrated in the following, the proposed transmitting system will comply with the cited adopted guidelines.

The general population/uncontrolled maximum permitted exposure (“MPE”) limit specified in §1.1310 for the entire FM broadcast band is $200 \mu\text{W}/\text{cm}^2$. For the purpose of this study, “public access” will be considered at the base of the tower at locations two-meters above ground. Using the FCC’s FM Model program and a worst-case EPA Type 1 antenna it was determined that the proposed facility would contribute a worst-case RF power density of $26.26 \mu\text{W}/\text{cm}^2$ at two meters above ground level near the antenna support structure, or 13.13 percent of the general population/uncontrolled limit.

The only other facility within 3 km of the proposal is KXCV(FM) (Ch 213C1, Marysville, MO), operating on the same tower at 100 kW with an antenna height of 164.6 meters AGL, utilizing a 12-bay ERI SHPX antenna (an EPA Type 3: Opposed U Dipole). Using the FCC’s FM Model, the maximum calculated RF exposure is $11.78 \mu\text{W}/\text{cm}^2$ at two meters above ground level, or 5.89 percent of the general population limit. A simple sum of the two above calculations suggests that a worst case 19.02 percent of the general population limit is reached by the two facilities. Accordingly, it is believed that the impact of the proposed operation should not be considered to be a factor at ground level as defined under §1.1307(b).

Safety of Tower Workers and the General Public

As demonstrated herein, excessive levels of RF energy will not be caused by the proposal at publicly accessible areas at ground level near the antenna supporting structure. Consequently, members of the general public will not be exposed to RF levels in excess of the Commission's guidelines. Nevertheless, tower access will continue to be restricted and controlled through the use of a locked gate. According to information provided by the applicant, appropriate RF exposure warning signs are posted. In the event that maintenance or other workers gain access to the tower, power output of the translator will be decreased or shut off to protect workers.

With respect to worker safety, it is believed that based on the preceding analysis, excessive exposure would not occur in areas at ground level. A site exposure policy will be employed

Comprehensive Engineering Statement

(page 4 of 4)

protecting maintenance workers from excessive exposure when work must be performed on the tower in areas where high RF levels may be present. Such protective measures may include, but will not be limited to, restriction of access to areas where levels in excess of the guidelines may be expected, power reduction, or the complete shutdown of facilities when work or inspections must be performed in areas where the exposure guidelines would otherwise be exceeded. On-site RF exposure measurements may also be undertaken to establish the bounds of safe working areas. The applicant will coordinate exposure procedures with all pertinent stations. Based on the preceding, it is believed that the instant proposal may be categorically excluded from environmental processing under §1.1306 of the Rules, hence preparation of an Environmental Assessment is not required.

Conclusion

It is therefore believed that the proposed facility satisfies all of the pertinent Commission Rules and Policies now in effect.

Table I
ALLOCATION SPACING SUMMARY

prepared for

Eagle Communications, Inc.
 New(FM) Maryville, Missouri
 Facility ID 762475
 Ch. 285C3 10.5 kW 152 m

REFERENCE		DISPLAY DATES				
40 24 08.70 N.	CLASS = C3	DATA 09-13-21				
94 53 17.20 W.	Current Spacings to 3rd Adj.	SEARCH 09-13-21				
----- Channel 285 - 104.9 MHz -----						
Call	Channel	Location	Azi	Dist	FCC	Margin
AL5392	VAC 285C3	Maryville	MO 138.5	3.95	153.0	149.1
KKJO-FM	LIC 288C1	St. Joseph	MO 189.7	78.03	76.0	2.0
KCJK	LIC 286C1	Garden City	MO 166.2	149.95	144.0	6.0
KBOE-FM	LIC 285C2	Oskaloosa	IA 60.8	214.81	177.0	37.8
KRES	LIC 284C	Moberly	MO 118.6	214.17	176.0	38.2
KDSN-FM	LIC-D 285A	Denison	IA 348.7	185.16	142.0	43.2
KTMX	LIC-N 285C2	York	NE 281.0	220.48	177.0	43.5

**FIGURE 1
PROPOSED COVERAGE CONTOURS**

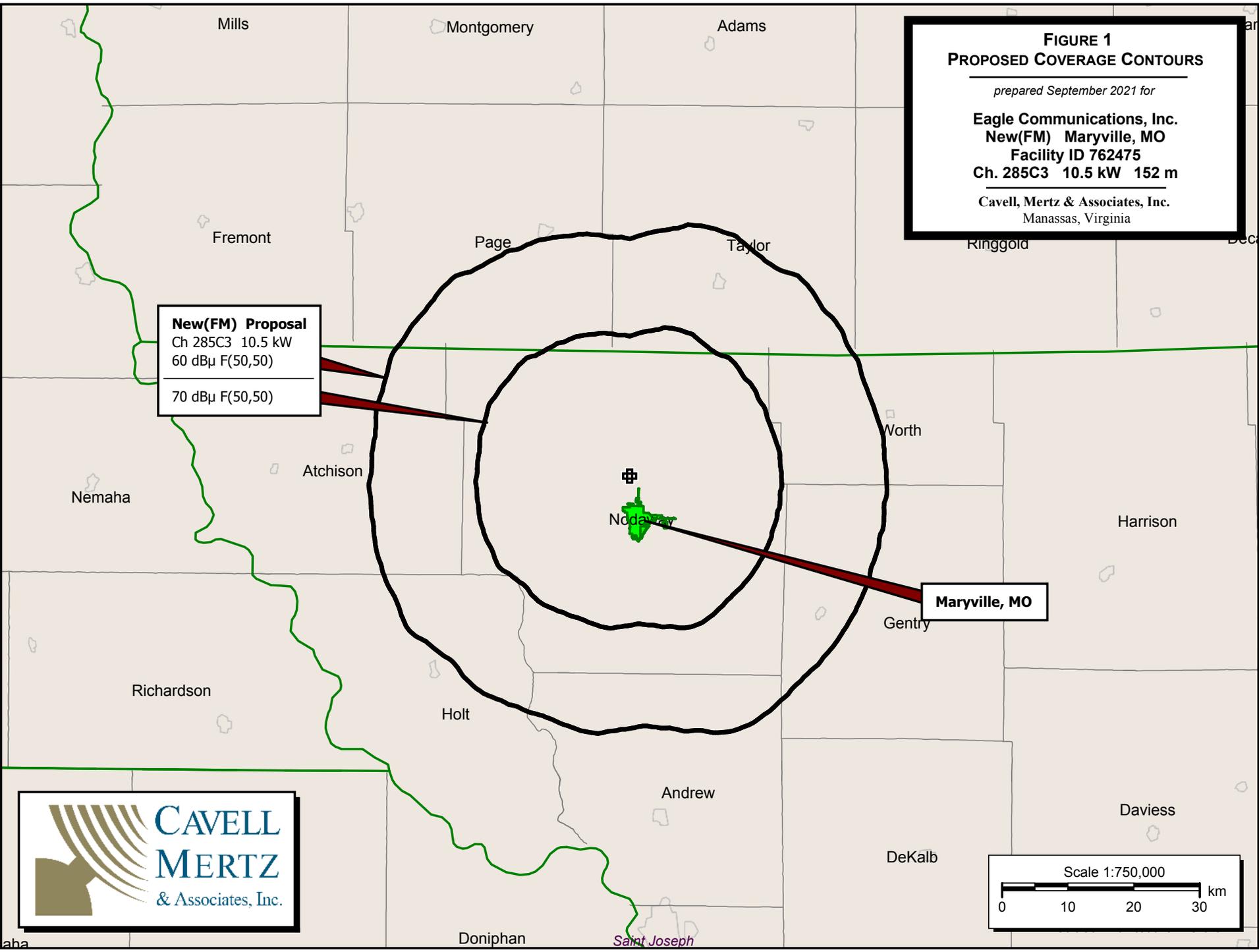
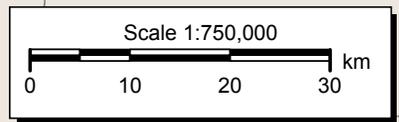
prepared September 2021 for

**Eagle Communications, Inc.
New(FM) Maryville, MO
Facility ID 762475
Ch. 285C3 10.5 kW 152 m**

**Cavell, Mertz & Associates, Inc.
Manassas, Virginia**

New(FM) Proposal
Ch 285C3 10.5 kW
60 dB μ F(50,50)
70 dB μ F(50,50)

Maryville, MO



Engineering Statement
RADIO MULTIPLE OWNERSHIP STUDY
prepared for
Eagle Communications, Inc.
New(FM) Maryville, MO
Facility ID 762475
Channel 285C3 10.5 kW 152 meters

Introduction

The instant application is being filed in response to Auction 109 as *Eagle Communications, Inc.* (“*Eagle*”) has been identified as the winning bidder of the Marysville, MO allotment (Facility ID 762475). An ownership study has been performed and is summarized herein in support of the Long Form application for a new facility. The instant exhibit is provided to demonstrate *Eagle’s* compliance with Section 73.3555 of the Commission’s rules with regard to ownership of multiple radio stations.

Presently owned by *Eagle* in the immediate region:

Call Sign	City, State	Facility ID
KESJ(AM)	St. Joseph, MO	8767
KFEQ(AM)	St. Joseph, MO	34419
KINA(AM)	Salina, KS	60660
KJCK(AM)	Junction City, KS	52798
KYSJ(AM)	St. Joseph, MO	50511
KJCK-FM	Junction City, KS	52799
KKJO-FM	St. Joseph, MO	8770
KQLA(FM)	Ogden, KS	33565
KSJQ(FM)	Savannah, MO	59246
KSKG(FM)	Salina, KS	58645

Of the principal communities listed above, none lie within the nearest FCC geographic radio market, Kansas City, KS and Kansas City, MO. All station principal communities lie beyond the bounds of the Kansas City radio market.

The Commission issued a Report and Order and Notice of Proposed Rulemaking (“R&O”)¹ for various multiple ownership issues. The R&O establishes a means of evaluating radio station multiple ownership issues utilizing existing Nielsen Audio^{®2} and BIA[®] MEDIA Access Pro^{TM3}

¹ Report and Order in MB Docket No. 02-277 and MM Docket Nos. 01-235, 01-317, and 00-244, and Notice of Proposed Rulemaking for MB Docket 03-130 FCC-03-127, (adopted June 2, 2003)(released July 2, 2003).

² Nielsen Audio is a registered mark of Nielsen Holdings, N.V.

³ MEDIA Access Pro is a trademark of BIA[®] Financial Network Inc.

Engineering Statement
RADIO MULTIPLE OWNERSHIP STUDY
(Continued)

market data for analysis of markets with established geographic boundaries.⁴ There is a separate “interim” means for evaluating radio station multiple ownership issues beyond established Nielsen Audio radio markets. In cases where a station is not geographically within a Nielsen Audio boundary, the ownership concentration must be studied using the interim method.

Pursuant to §73.3555 of the Commission’s Rules, the number of stations that a licensee may own is based on the total number of stations in that particular market, regardless of the study methodology employed. There is also a limit on how many stations each licensee may own in any one service (AM or FM).

- Markets with 45 or more stations are limited to 8 total stations and 5 in any one service.
- Markets with 30-44 stations are limited to 7 total stations and 4 in any one service.
- Markets with 15-29 stations are limited to 6 total stations and 4 in any one service.
- Markets with 14 or fewer stations are limited to 5 total stations and 3 in any one service, but not more than 50% of the market stations.

Interim Method – Introduction

The **Figure 1** map depicts the licensed 70 dB μ FM and 5 mV/m daytime AM principal community contours of all of the *Eagle* radio stations in the general area along with the proposed New(FM) 5 mV/m contour in blue. Under the current Rules, any station with a principal community beyond the geographic boundary of a defined geographic radio market shall be studied under the Commission’s “interim,” contour overlap methodology. A “market” is defined as the area encompassed by the principal community contours of radio stations for which common ownership is proposed⁵ and which have a mutual area of principal community contour overlap.

⁴ As an initial matter, the geographical boundaries of a market are established by reference to the boundaries of the markets established by Nielsen Audio. Within that market, the FCC requires that the BIA count of stations operating in the market be employed.

⁵ Order in Implementation of Sections 202(a) and 202(b)(1) of the Telecommunications Act of 1996 (Broadcast Radio Ownership) FCC 96-90, released March 8, 1996 and Memorandum Opinion and Order in Revision of Radio Rules and Policies 7 FCC Rcd 6387, 6395 para. 39 (1992).

Engineering Statement
RADIO MULTIPLE OWNERSHIP STUDY
(Continued)

Interim Method – the Market

As shown in greater detail with **Figure 2**, the principal community contours of six of the stations listed herein have two instances of unique principal community contour overlap. Stations KINA(AM), KSKG(FM), KJCK(AM), KJCK-FM and KQLA(FM), do not have common overlap with KGNM(AM) or any of the other stations, thus are not affected by the instant study and will not be considered beyond this point. The common overlap area of AM and FM stations KESJ(AM), KFEQ(AM), KGNM(AM), KKJO(FM), and KSJQ(FM) constitutes the “core” of **Market 1** while KFEQ(AM), KSJQ(FM) and the New(FM) proposed facility constitute the core of **Market 2**. The core common overlap areas of Market 1 and Market 2 are shaded red and green, respectively, in **Figure 2**. The composite overlap land area of the three (3) AM and three (3) FM stations defines the limits of Market Core 1, shown by red shading, and Market Core 2, shown by Green shading in **Figure 2**. **Figure 3** and **Figure 4** depict the individual Market 1 and Market 2 makeup, respectively.

Figures 5 and 6 illustrate that an “interim-contour overlap” study of **Market 1** with five (5) commonly owned stations (3 AM and 2 FM) identifies seventy-four (74) operating commercial and noncommercial stations with principal community contours that overlap some portion of the Market, as defined by the licensed stations. Of the seventy-four (74) stations, five (5) sharing common overlap would have ownership interest attributable to *Eagle*. The total station count for the licensed market is thus seventy-four (74) when including the five (5) commonly owned stations. All stations shown have transmitter locations that are situated less than 92 km from the nearest edge of the common principal community contour overlap. The proposed ownership of these *Eagle* stations as identified herein – **Market 1**, (KESJ(AM), KFEQ(AM), KYSJ(AM), KKJO(FM), and KSJQ(FM)), complies with Section 73.3555 of the FCC Rules: *Markets with 45 or more stations are limited to 8 total stations and not more than 5 in the same service.*

Figures 7 and 8 illustrate that an “interim-contour overlap” study of **Market 2** with three (3) commonly owned stations (1 AM and 2 FM) identifies twenty-nine (29) operating commercial and noncommercial stations with principal community contours that overlap some portion of Market 2, as defined by the licensed stations. Of the twenty-nine (29) stations, five (3) sharing common overlap would have ownership interest attributable to *Eagle*. The total station

Engineering Statement
RADIO MULTIPLE OWNERSHIP STUDY
(Continued)

count for the licensed market is thus thirty (30) when including the three (3) commonly owned stations, including the proposed new FM. All stations shown have transmitter locations that are situated less than 92 km from the nearest edge of the common principal community contour overlap. The proposed ownership of these *Eagle* stations as identified herein – **Market 2**, (KFEQ(AM), KSJQ(FM) and the New(FM) facility), complies with Section 73.3555 of the FCC Rules: *Markets with 30 or more stations are limited to 7 total stations and not more than 4 in the same service.*

Summary

In preparing the attached maps and tables, pertinent station data were extracted from the Commission's engineering databases. For AM stations, these included the operating power, radiation efficiency, directional antenna data (where appropriate), and geographic coordinates. The distances to the 5 mV/m contours were then determined using the digitized version of the *Atlas of Ground Conductivity* published in 1981 by the International Telecommunication Union along with a computer program which simulates the FCC's AM groundwave propagation curves. For the FM stations, pertinent data for determining the distances to the contour included the antenna elevation above mean sea level, geographic coordinates, effective radiated power, and, where appropriate, directional antenna patterns. The requisite 3.16 mV/m (70 dB μ) contours were determined using digitized 3 arc-second U.S.G.S. terrain data along radials spaced every degree from the transmitter site and an implementation of the Commission's TVFMFS computer program which simulates the FM propagation curves. The detailed distances to the principal community contours were then used with a GIS mapping program to generate the attached maps.

Conclusion

As shown herein, the proposed ownership by *Eagle* of the six stations studied herein for Market 1 and the three stations studied for Market 2 will comply with §73.3555 of the Commission's Rules regarding the multiple ownership of radio stations. This conclusion is confirmed by using the interim, contour-overlap method.

Engineering Statement
RADIO MULTIPLE OWNERSHIP STUDY
(Continued)

Certification

Under the penalty of perjury, the undersigned hereby certifies that the foregoing statement was prepared by him or under his direction on behalf of *Eagle* and that it is true and correct to the best of his knowledge and belief. Robert Clinton is a senior consultant in the firm of *Cavell, Mertz & Associates, Inc.* and has submitted numerous engineering exhibits to the Federal Communications Commission. His qualifications are a matter of record with the Commission.

Robert J. Clinton
September 13, 2021



Cavell, Mertz & Associates, Inc.
7724 Donegan Dr.
Manassas, Virginia 20109
(703) 392-9090

**FIGURE 1
EAGLE OWNED STATIONS**

prepared September 2021 for
Eagle Communications, Inc.
New(FM) Maryville, MO
Facility ID 762475
Ch. 285C3 10.5 kW 152 m
Cavell, Mertz & Associates, Inc.
 Manassas, Virginia

New(FM) Proposal
 Ch 285C3 10.5 kW
 70 dBμ F(50,50)

NE
KSJQ(FM) License
 Ch 224C2 50 kW
 70 dBμ F(50,50)

KFEQ(AM) License
 680 kHz 3 kW
 5 mV/m Contour

KINA(AM) License
 910 kHz 5 kW
 5 mV/m Contour

KS
KQLA(FM) License
 Ch 278C2 41 kW
 70 dBμ F(50,50)

KJCK(AM) License
 1420 kHz 1 kW
 5 mV/m Contour

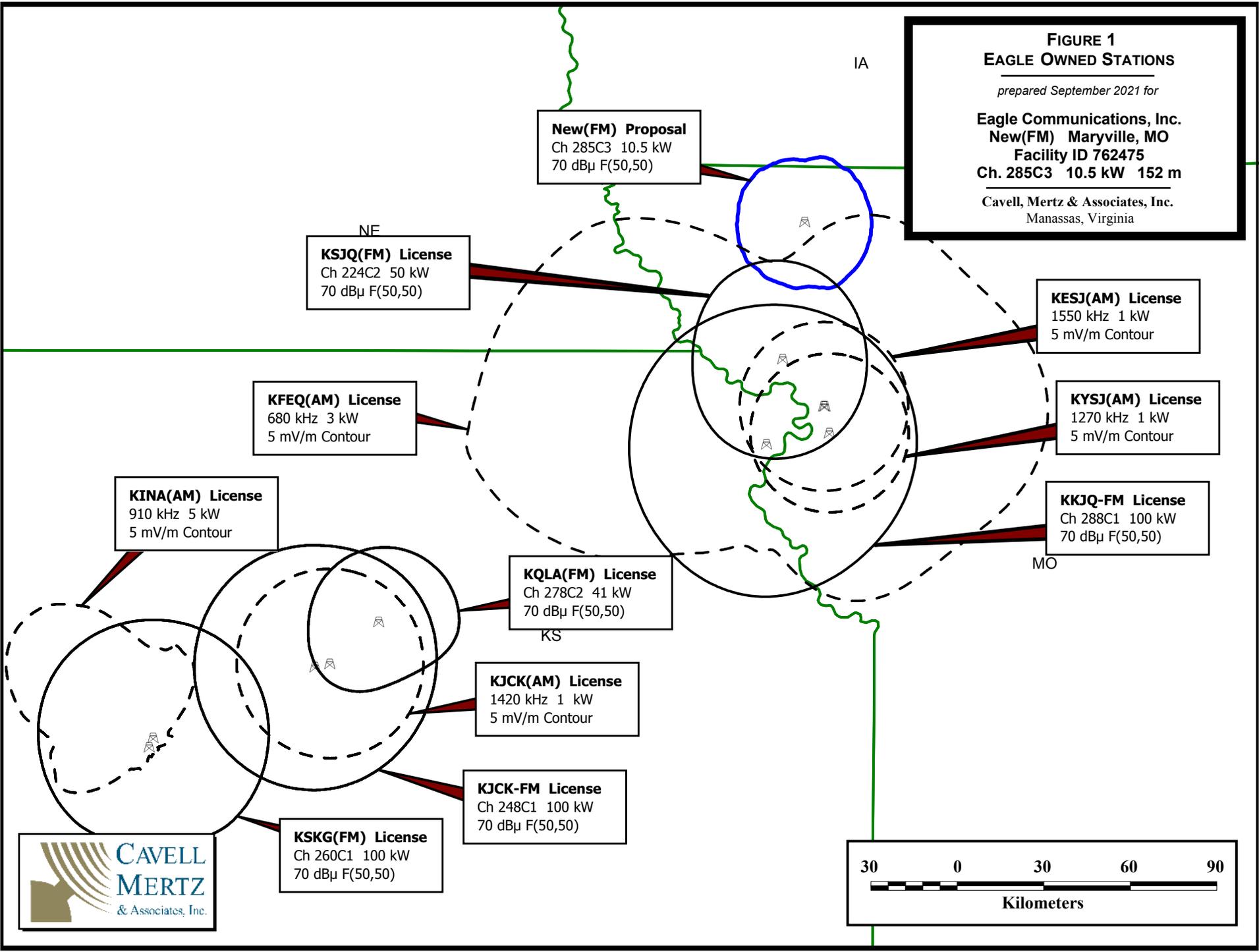
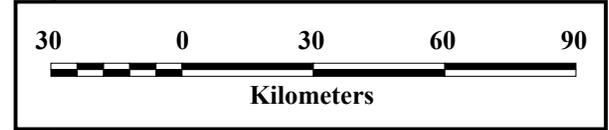
KJCK-FM License
 Ch 248C1 100 kW
 70 dBμ F(50,50)

KSKG(FM) License
 Ch 260C1 100 kW
 70 dBμ F(50,50)

KESJ(AM) License
 1550 kHz 1 kW
 5 mV/m Contour

KYSJ(AM) License
 1270 kHz 1 kW
 5 mV/m Contour

KKJQ-FM License
 Ch 288C1 100 kW
 70 dBμ F(50,50)



**FIGURE 2
MARKET CORE DEFINITIONS**

prepared September 2021 for
Eagle Communications, Inc.
New(FM) Maryville, MO
Facility ID 762475
Ch. 285C3 10.5 kW 152 m
Cavell, Mertz & Associates, Inc.
 Manassas, Virginia

New(FM) Proposal
 Ch 285C3 10.5 kW
 70 dBμ F(50,50)

KSJQ(FM) License
 Ch 224C2 50 kW
 70 dBμ F(50,50)

KFEQ(AM) License
 680 kHz 3 kW
 5 mV/m Contour

Market 2

KESJ(AM) License
 1550 kHz 1 kW
 5 mV/m Contour

Market 1

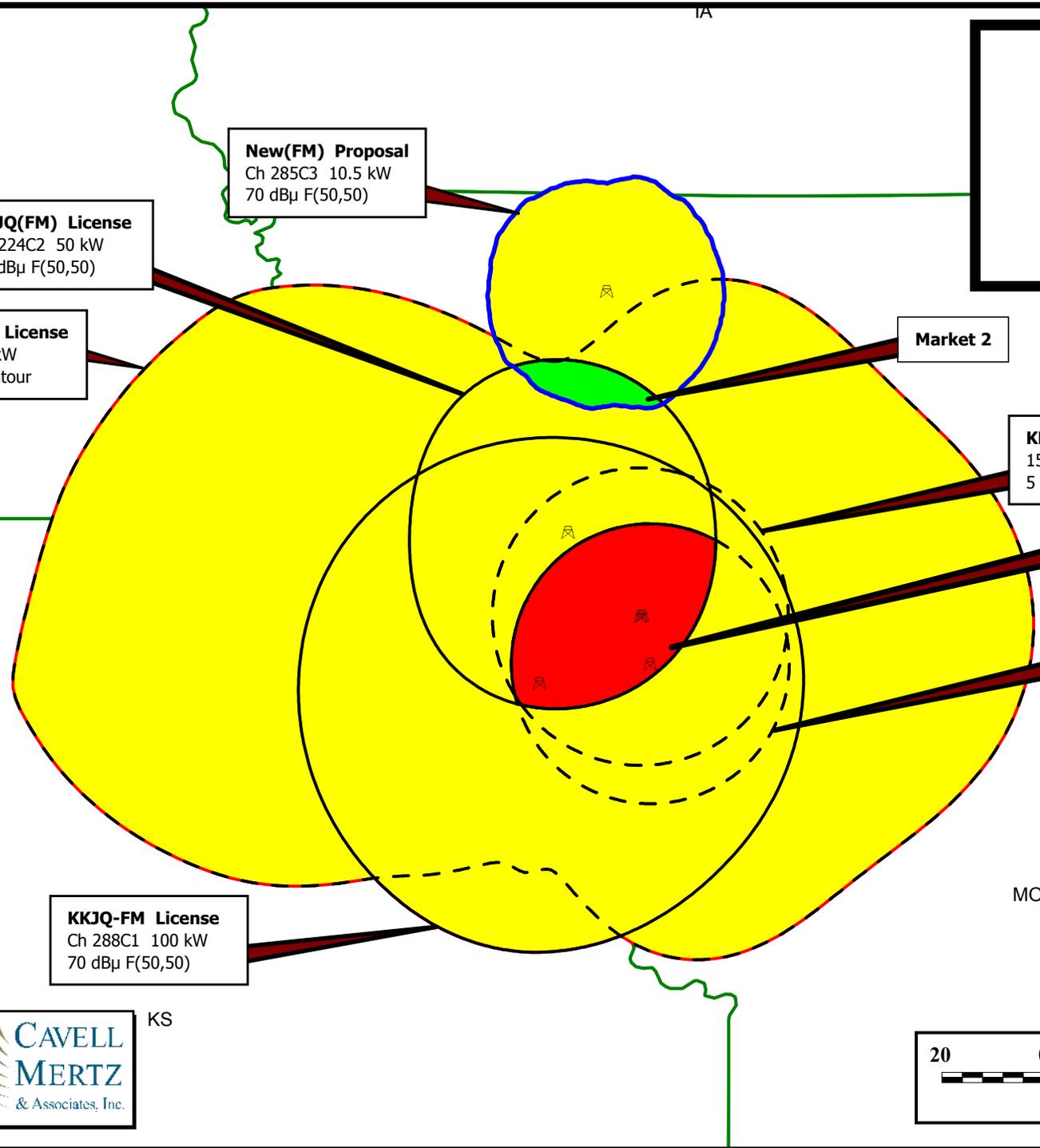
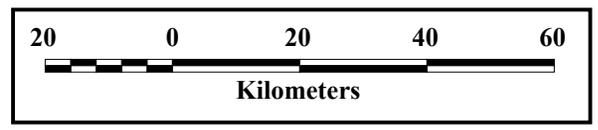
KYSJ(AM) License
 1270 kHz 1 kW
 5 mV/m Contour

KKJQ-FM License
 Ch 288C1 100 kW
 70 dBμ F(50,50)



KS

MO

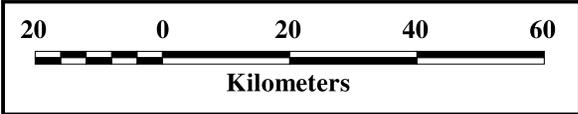
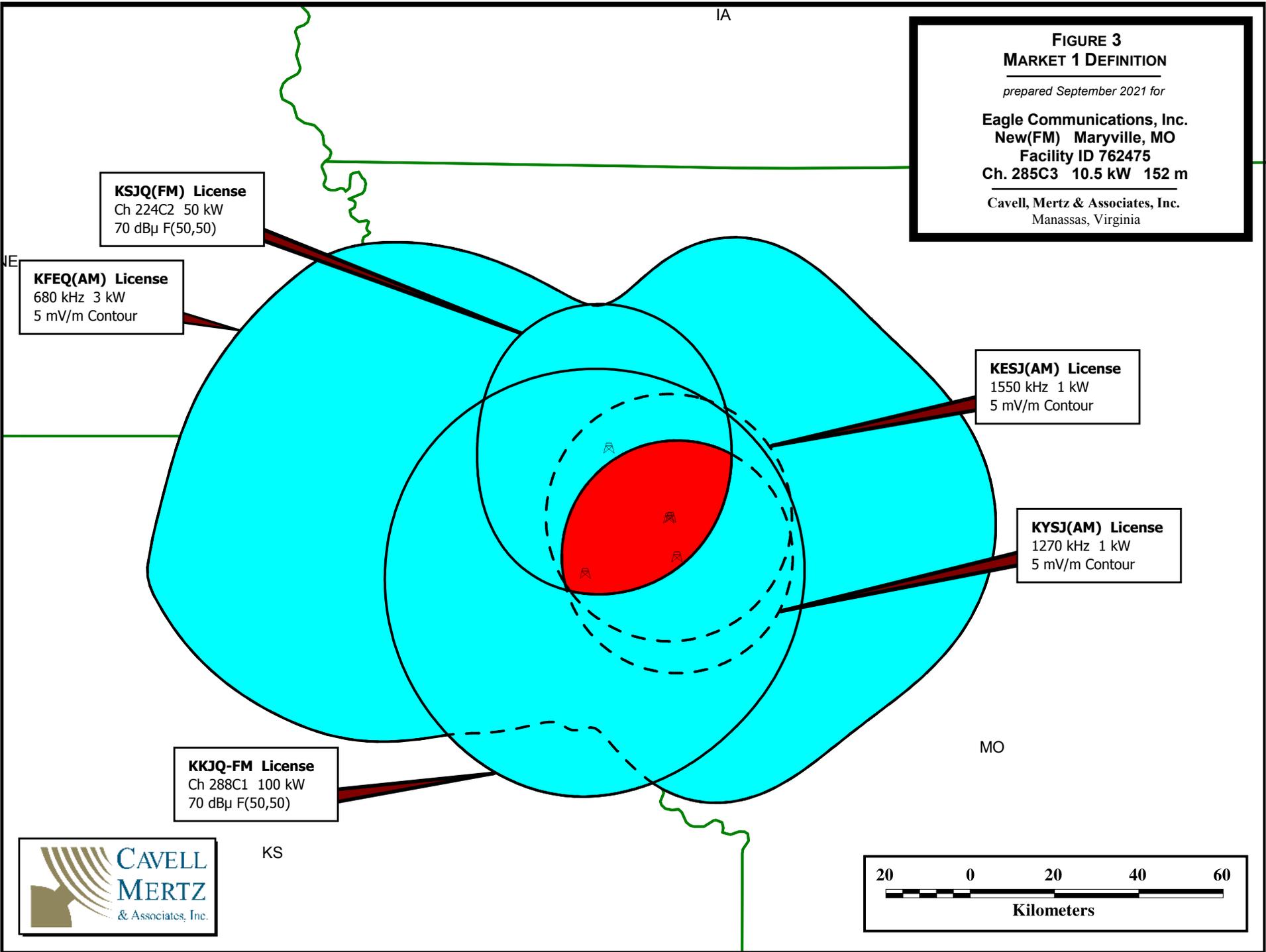


**FIGURE 3
MARKET 1 DEFINITION**

prepared September 2021 for

**Eagle Communications, Inc.
New(FM) Maryville, MO
Facility ID 762475
Ch. 285C3 10.5 kW 152 m**

**Cavell, Mertz & Associates, Inc.
Manassas, Virginia**

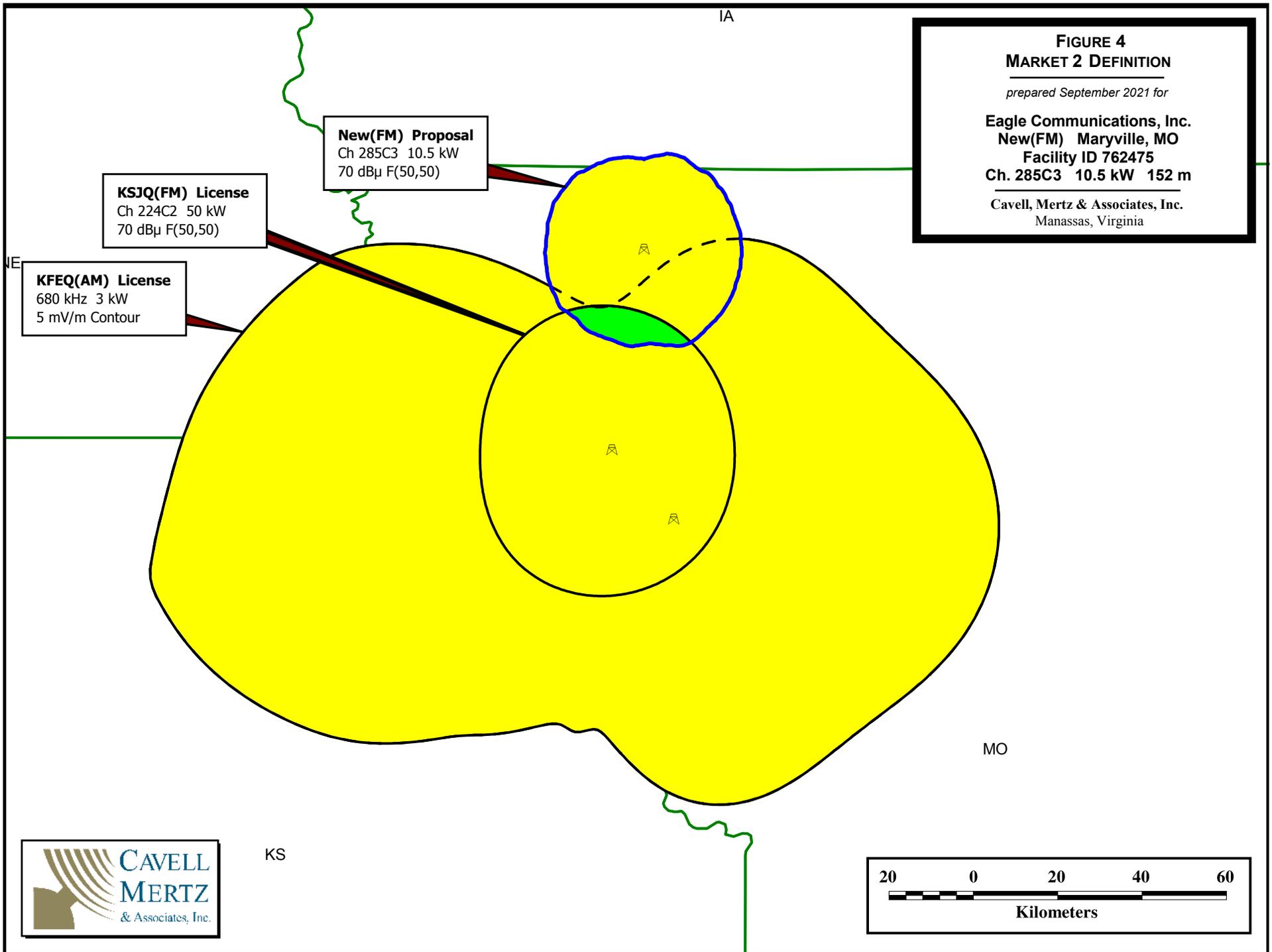


**FIGURE 4
MARKET 2 DEFINITION**

prepared September 2021 for

**Eagle Communications, Inc.
New(FM) Maryville, MO
Facility ID 762475
Ch. 285C3 10.5 kW 152 m**

**Cavell, Mertz & Associates, Inc.
Manassas, Virginia**



Market 1 AM Contours Intersect

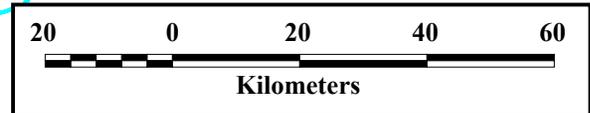
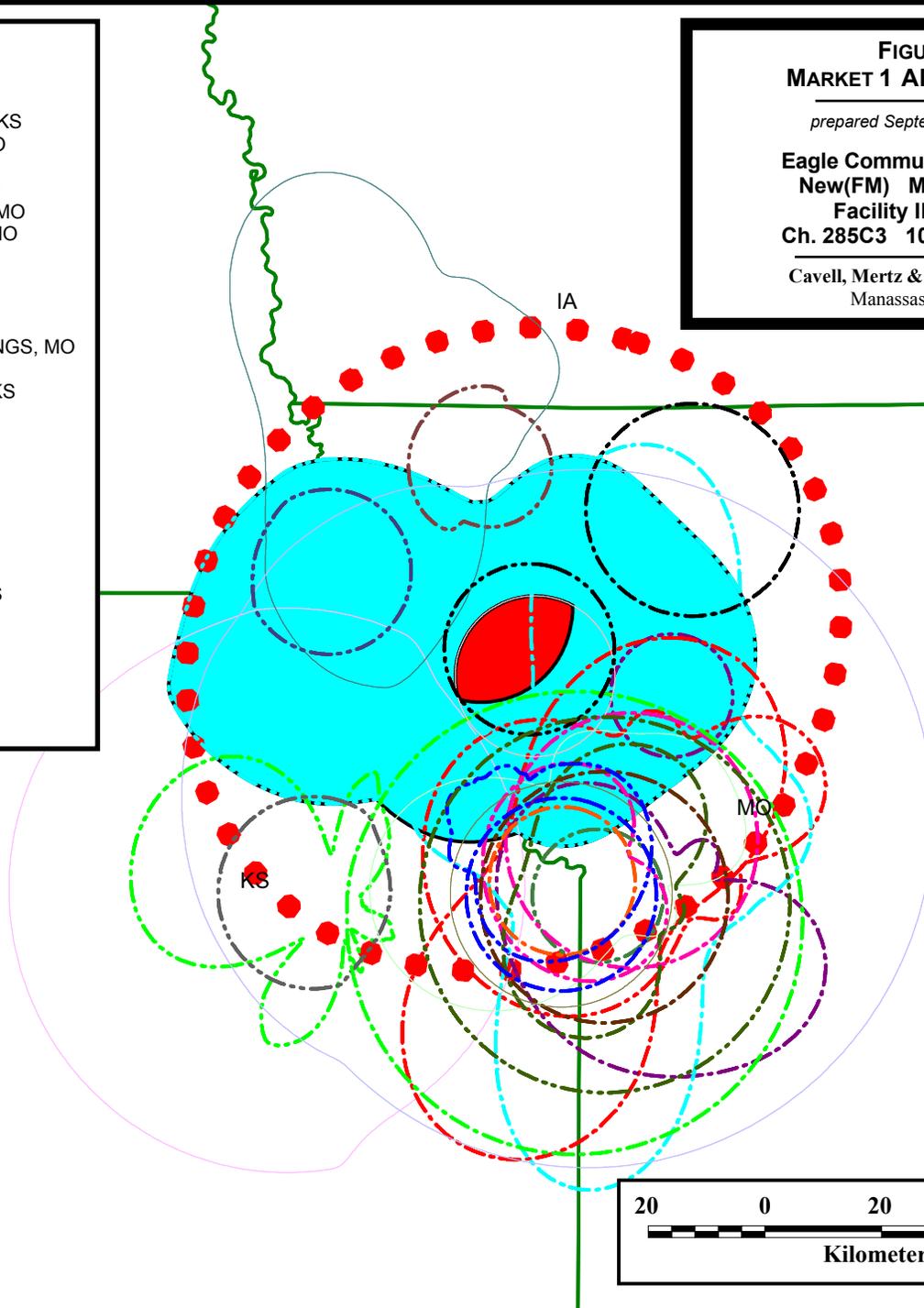
- KAAN(AM) Fac. ID: 31004 BETHANY, MO
- - - KCCV(AM) Fac. ID: 6491 OVERLAND PARK, KS
- . - KCMO(AM) Fac. ID: 33391 KANSAS CITY, MO
- . - KCNW(AM) Fac. ID: 10826 FAIRWAY, KS
- . - KCSP(AM) Fac. ID: 11270 KANSAS CITY, MO
- . - KCTE(AM) Fac. ID: 64637 INDEPENDENCE, MO
- . - KCWJ(AM) Fac. ID: 48959 BLUE SPRINGS, MO
- . - KCXL(AM) Fac. ID: 1162 LIBERTY, MO
- . - KDMR(AM) Fac. ID: 4373 KANSAS CITY, MO
- . - KDTD(AM) Fac. ID: 33697 KANSAS CITY, KS
- . - KESJ(AM) Fac. ID: 8767 ST. JOSEPH, MO
- . - KEXS(AM) Fac. ID: 14620 EXCELSIOR SPRINGS, MO
- . - KFEQ(AM) Fac. ID: 34419 ST. JOSEPH, MO
- . - KKLO(AM) Fac. ID: 10345 LEAVENWORTH, KS
- . - KMAJ(AM) Fac. ID: 42014 TOPEKA, KS
- . - KMBZ(AM) Fac. ID: 6382 KANSAS CITY, MO
- . - KMRN(AM) Fac. ID: 50744 CAMERON, MO
- . - KMSG(AM) Fac. ID: 41561 GLADSTONE, MO
- . - KNIM(AM) Fac. ID: 48973 MARYVILLE, MO
- . - KPRT(AM) Fac. ID: 9168 KANSAS CITY, MO
- . - KTNC(AM) Fac. ID: 8081 FALLS CITY, NE
- . - KTOP(AM) Fac. ID: 62236 TOPEKA, KS
- . - KWOD(AM) Fac. ID: 87143 KANSAS CITY, KS
- . - KYFR(AM) Fac. ID: 20806 SHENANDOAH, IA
- . - KYSJ(AM) Fac. ID: 50511 ST. JOSEPH, MO
- . - KYYS(AM) Fac. ID: 73938 KANSAS CITY, KS
- . - WHB(AM) Fac. ID: 6384 KANSAS CITY, MO
- . - WIBW(AM) Fac. ID: 63169 TOPEKA, KS

**FIGURE 5
MARKET 1 AM CONTOURS**

prepared September 2021 for

**Eagle Communications, Inc.
New(FM) Maryville, MO
Facility ID 762475
Ch. 285C3 10.5 kW 152 m**

**Cavell, Mertz & Associates, Inc.
Manassas, Virginia**



Market 1 FM Contours Intersect

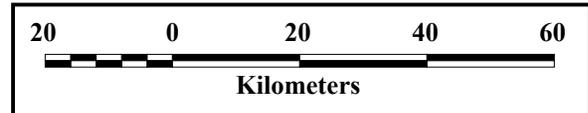
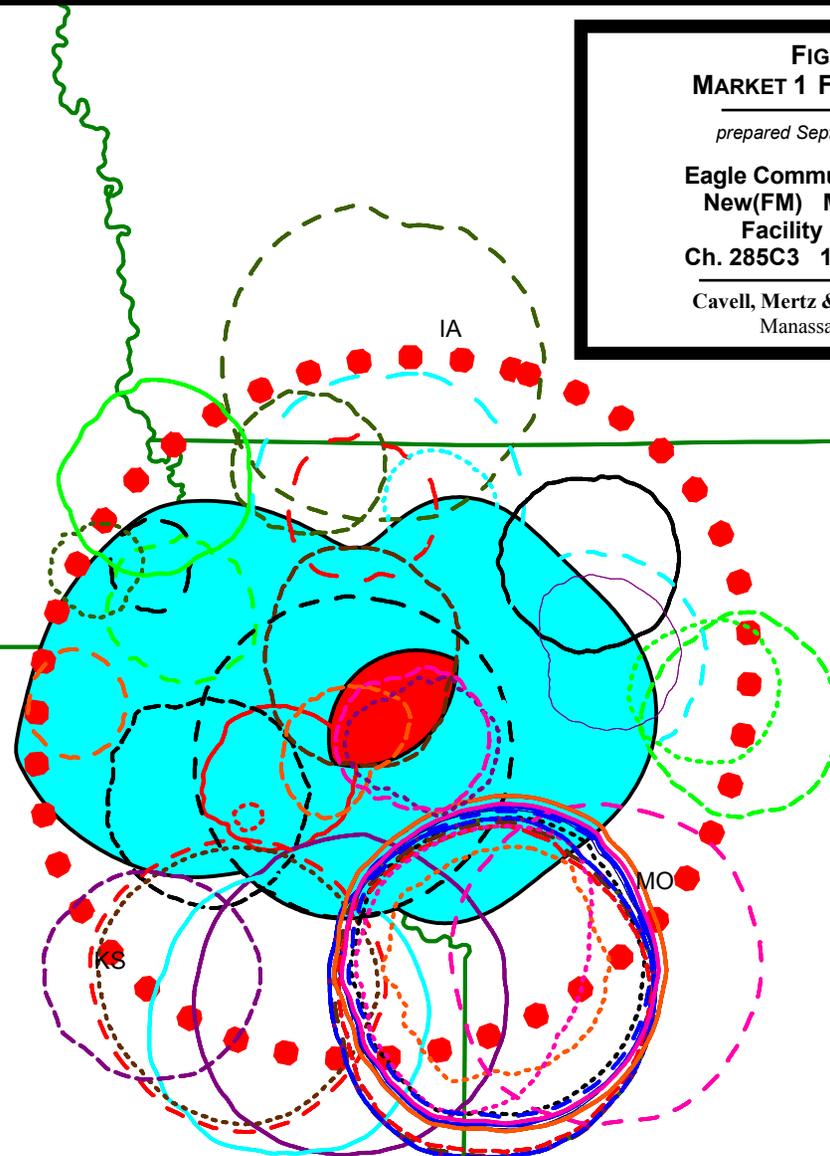
- KAAJ-FM Fac. ID: 31005 BETHANY, MO
- KAIR-FM Fac. ID: 33397 HORTON, KS
- KANU(FM) Fac. ID: 69350 LAWRENCE, KS
- KBEQ-FM Fac. ID: 48961 KANSAS CITY, MO
- KBIE(FM) Fac. ID: 63953 AUBURN, NE
- KCFX(FM) Fac. ID: 27021 HARRISONVILLE, MO
- KCHZ(FM) Fac. ID: 33332 OTTAWA, KS
- KCJK(FM) Fac. ID: 87565 GARDEN CITY, MO
- KCKC(FM) Fac. ID: 11279 KANSAS CITY, MO
- KCMO-FM Fac. ID: 6385 SHAWNEE, KS
- - - - - KCUR-FM Fac. ID: 14738 KANSAS CITY, MO
- - - - - KDVB(FM) Fac. ID: 164159 EFFINGHAM, KS
- - - - - KEXS-FM Fac. ID: 165948 RAVENWOOD, MO
- - - - - KFKF-FM Fac. ID: 34431 KANSAS CITY, KS
- - - - - KGOZ(FM) Fac. ID: 51516 GALLATIN, MO
- - - - - KIMI(FM) Fac. ID: 189501 HUMBOLDT, NE
- - - - - KJCV-FM Fac. ID: 89276 COUNTRY CLUB, MO
- - - - - KJNW(FM) Fac. ID: 8401 KANSAS CITY, MO
- - - - - KJTY(FM) Fac. ID: 32368 TOPEKA, KS
- - - - - KKFI(FM) Fac. ID: 41857 KANSAS CITY, MO
- - - - - KKJO-FM Fac. ID: 8770 ST. JOSEPH, MO
- - - - - KKSJ(FM) Fac. ID: 36743 LAWRENCE, KS
- - - - - KKWK(FM) Fac. ID: 50745 CAMERON, MO
- - - - - KLRX(FM) Fac. ID: 4933 LEE'S SUMMIT, MO
- - - - - KLZA(FM) Fac. ID: 35286 FALLS CITY, NE
- - - - - KMA-FM Fac. ID: 35106 CLARINDA, IA
- - - - - KMBZ-FM Fac. ID: 2449 KANSAS CITY, KS
- - - - - KMJK(FM) Fac. ID: 33713 NORTH KANSAS CITY, MO
- - - - - KMXV(FM) Fac. ID: 2446 KANSAS CITY, MO
- - - - - KMZA(FM) Fac. ID: 35287 SENECA, KS
- - - - - KNZA(FM) Fac. ID: 35285 HIAWATHA, KS
- - - - - KPRS(FM) Fac. ID: 35495 KANSAS CITY, MO
- - - - - KQRC-FM Fac. ID: 74101 LEAVENWORTH, KS
- - - - - KRBZ(FM) Fac. ID: 57119 KANSAS CITY, MO
- - - - - KRNW(FM) Fac. ID: 49747 CHILLICOTHE, MO
- - - - - KRSS(FM) Fac. ID: 33390 TARKIO, MO
- - - - - KSAJ-FM Fac. ID: 18055 BURLINGAME, KS
- - - - - KSJI(FM) Fac. ID: 81962 ST. JOSEPH, MO
- - - - - KSJQ(FM) Fac. ID: 59246 SAVANNAH, MO
- - - - - KSRD(FM) Fac. ID: 85873 ST. JOSEPH, I
- - - - - KSSH(FM) Fac. ID: 177193 SHUBERT, N_
- - - - - KVVL(FM) Fac. ID: 48974 MARYVILLE, MO
- - - - - KXCV(FM) Fac. ID: 49746 MARYVILLE, MO
- - - - - KZPT(FM) Fac. ID: 6379 KANSAS CITY, MO
- - - - - WDAF-FM Fac. ID: 8609 LIBERTY, MO
- - - - - WRVX(FM) Fac. ID: 172360 CAMERON, MO

**FIGURE 6
MARKET 1 FM CONTOURS**

prepared September 2021 for

**Eagle Communications, Inc.
New(FM) Maryville, MO
Facility ID 762475
Ch. 285C3 10.5 kW 152 m**

**Cavell, Mertz & Associates, Inc.
Manassas, Virginia**



Market 2 AM Contours Intersect

- KAAN(AM) Fac. ID: 31004 BETHANY, MO
- KESJ(AM) Fac. ID: 8767 ST. JOSEPH, MO
- KFEQ(AM) Fac. ID: 34419 ST. JOSEPH, MO
- KMA(AM) Fac. ID: 35107 SHENANDOAH, IA
- KMRN(AM) Fac. ID: 50744 CAMERON, MO
- KNIM(AM) Fac. ID: 48973 MARYVILLE, MO
- KTNC(AM) Fac. ID: 8081 FALLS CITY, NE
- KYFR(AM) Fac. ID: 20806 SHENANDOAH, IA
- KYSJ(AM) Fac. ID: 50511 ST. JOSEPH, MO

**FIGURE 7
MARKET 2 AM CONTOURS**

prepared September 2021 for

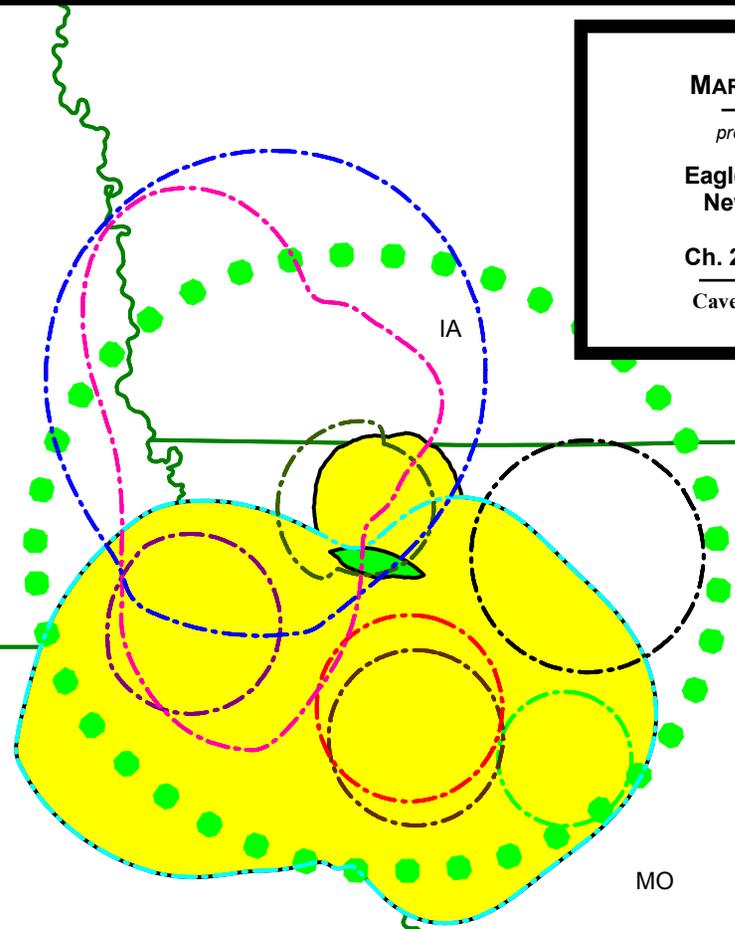
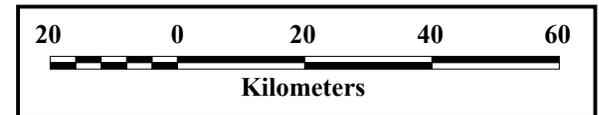
**Eagle Communications, Inc.
New(FM) Maryville, MO
Facility ID 762475
Ch. 285C3 10.5 kW 152 m**

**Cavell, Mertz & Associates, Inc.
Manassas, Virginia**

NE

KS

MO



Market 2 FM Contours Intersect

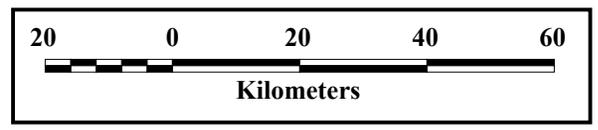
- KAAK-FM Fac. ID: 31005 BETHANY, MO
- KAIR-FM Fac. ID: 33397 HORTON, KS
- KBIE(FM) Fac. ID: 63953 AUBURN, NE
- KDVB(FM) Fac. ID: 164159 EFFINGHAM, KS
- KEXS-FM Fac. ID: 165948 RAVENWOOD, MO
- KIMI(FM) Fac. ID: 189501 HUMBOLDT, NE
- KJCV-FM Fac. ID: 89276 COUNTRY CLUB, MO
- KKJO-FM Fac. ID: 8770 ST. JOSEPH, MO
- KKWK(FM) Fac. ID: 50745 CAMERON, MO
- KLZA(FM) Fac. ID: 35286 FALLS CITY, NE
- - - - KMA-FM Fac. ID: 35106 CLARINDA, IA
- - - - KNZA(FM) Fac. ID: 35285 HIAWATHA, KS
- - - - KRSS(FM) Fac. ID: 33390 TARKIO, MO
- - - - KSJI(FM) Fac. ID: 81962 ST. JOSEPH, MO
- - - - KSJQ(FM) Fac. ID: 59246 SAVANNAH, MO
- - - - KSRD(FM) Fac. ID: 85873 ST. JOSEPH, MO
- - - - KSSH(FM) Fac. ID: 177193 SHUBERT, NE
- - - - KVVJ(FM) Fac. ID: 48974 MARYVILLE, MO
- - - - KXCV(FM) Fac. ID: 49746 MARYVILLE, MO
- - - - WRVX(FM) Fac. ID: 172360 CAMERON, MO

**FIGURE 8
MARKET 2 FM CONTOURS**

prepared September 2021 for

**Eagle Communications, Inc.
New(FM) Maryville, MO
Facility ID 762475
Ch. 285C3 10.5 kW 152 m**

**Cavell, Mertz & Associates, Inc.
Manassas, Virginia**



Other Authorizations

KAYS(AM), Hays, KS/Fac. ID. No. 18074
KHAZ(FM), Hays, KS/Fac. ID. No. 18073
KJLS(FM), Hays, KS/Fac. ID. No. 54892
KKQY(FM), Hill City, KS/Fac. ID. No. 54891
KWBW(AM), Hutchinson, KS/Fac. ID. No. 18069
KHUT(FM), Hutchison, KS/Fac. ID. No. 18068
KHOK(FM), Hoisington, KS/Fac. ID. No. 18087
KVGB(AM), Great Bend, KS/Fac. ID. No. 22150
KVGB-FM, Great Bend, KS/Fac. ID. No. 22149
KINA(AM), Salina, KS/Fac. ID. No. 60660
KSKG(FM), Salina, KS/Fac. ID. No. 58645
KCOW(AM), Alliance, NE/Fac. ID. No. 18089
KAAQ(FM), Alliance, NE/Fac. ID. No. 18090
KQSK(FM), Chadron, NE/Fac. ID. No. 18091
KSJQ(FM), Savannah, MO/Fac. ID. No. 59246
KKJO-FM, St. Joseph, MO/Fac. ID. No. 8770
KESJ(AM), St. Joseph, MO/Fac. ID. No. 8767
KOOQ(AM), North Platte, NE/Fac. ID. No. 69701
KELN(FM), North Platte, NE/Fac. ID. No. 69699
KHMY(FM), Pratt, KS/Fac. ID. No. 37122

KFEQ(AM), St. Joseph, MO/Fac. ID. No. 34419
KCNB(FM), Chadron, NE/Fac. ID No. 164168
KJCK(AM), Junction City, KS/Fac. ID No. 52798
KJCK-FM, Junction City, KS/Fac. ID No. 52799
KNPQ(FM), Hershey, NE/Fac. ID No. 164169
KQLA(FM), Ogden, KS/Fac. ID No. 33565
KYSJ(AM), St. Joseph, MO/Fac. ID No. 50511
KRNP(FM), Sutherland, NE/Fac. ID No. 164139
KZTL(FM), Paxton, NE/Fac. ID No. 164138