

### § 73.29

interference exists or would exist from a foreign station where the value of such interference enters into a calculation of:

(i) The service to be rendered by a proposed operation in the United States; or

(ii) the permissible interfering signal from one station in the United States to another United States station.

[28 FR 13574, Dec. 14, 1963, as amended at 29 FR 9499, July 11, 1964; 49 FR 32358, Aug. 14, 1984; 50 FR 18821, May 2, 1985; 54 FR 39736, Sept. 28, 1989; 56 FR 64857, Dec. 12, 1991]

### § 73.29 Class C stations on regional channels.

No license will be granted for the operation of a Class C station on a regional channel.

[ 56 FR 64857, Dec. 12, 1991]

### § 73.30 Petition for authorization of an allotment in the 1605–1705 kHz band.

(a) Any party interested in operating an AM broadcast station on one of the ten channels in the 1605–1705 kHz band must file a petition for the establishment of an allotment to its community of license. Each petition must include the following information:

(1) Name of community for which allotment is sought;

(2) Frequency and call letters of the petitioner's existing AM operation; and

(3) Statement as to whether or not AM stereo operation is proposed for the operation in the 1605–1705 kHz band.

(b) Petitions are to be filed during a filing period to be determined by the Commission. For each filing period, eligible stations will be allotted channels based on the following steps:

(1) Stations are ranked in descending order according to the calculated improvement factor.

(2) The station with the highest improvement factor is initially allotted the lowest available channel.

(3) Successively, each station with the next lowest improvement factor, is allotted an available channel taking into account the possible frequency and location combinations and relationship to previously selected allotments. If a channel is not available for the subject station, previous allotments are examined with respect to an

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alternate channel, the use of which would make a channel available for the subject station.

(4) When it has been determined that, in accordance with the above steps, no channel is available for the subject station, that station is no longer considered and the process continues to the station with the next lowest improvement factor.

(c) If awarded an allotment, a petitioner will have sixty (60) days from the date of public notice of selection to file an application for construction permit on FCC Form 301. (See §§ 73.24 and 73.37(e) for filing requirements). Unless instructed by the Commission to do otherwise, the application shall specify Model I facilities. (See § 73.14). Upon grant of the application and subsequent construction of the authorized facility, the applicant must file a license application on FCC Form 302.

NOTE 1: Until further notice by the Commission, the filing of these petitions is limited to licensees of existing AM stations (excluding Class C stations) operating in the 535–1605 kHz band. First priority will be assigned to Class D stations located within the primary service contours of U.S. Class A stations that are licensed to serve communities of 100,000 or more for which there exists no local fulltime aural service.

NOTE 2: Selection among competing petitions will be based on interference reduction. Notwithstanding the exception contained in Note 5 of this section, within each operational category, the station demonstrating the highest value of improvement factor will be afforded the highest priority for an allotment, with the next priority assigned to the station with next lowest value, and so on, until available allotments are filled.

NOTE 3: The Commission will periodically evaluate the progress of the movement of stations from the 535–1605 kHz band to the 1605–1705 kHz band to determine whether the 1605–1705 kHz band should continue to be administered on an allotment basis or modified to an assignment method. If appropriate, the Commission will later develop further procedures for use of the 1605–1705 kHz band by existing station licensees and others.

NOTE 4: Other than the exception specified in note 1 of this section, existing fulltime stations are considered first for selection as described in note 2 of this section. In the event that an allotment availability exists for which no fulltime station has filed a relevant petition, such allotment may be awarded to a licensed Class D station. If more than one Class D station applies for this migration opportunity, the following

priorities will be used in the selection process: First priority—a Class D station located within the 0.5 mV/m-50% contour of a U.S. Class A station and licensed to serve a community of 100,000 or more, for which there exists no local fulltime aural service; Second priority—Class D stations ranked in order of improvement factor, from highest to lowest, considering only those stations with improvement factors greater than zero.

NOTE 5: The preference for AM stereo in the expanded band will be administered as follows: when an allotment under consideration (candidate allotment) conflicts with one or more previously selected allotments (established allotments) and cannot be accommodated in the expanded band, the candidate allotment will be substituted for the previously established allotment provided that: the petitioner for the candidate allotment has made a written commitment to the use of AM stereo and the petitioner for the established allotment has not; the difference between the ranking factors associated with the candidate and established allotments does not exceed 10% of the ranking factor of the candidate allotment; the substitution will not require the displacement of more than one established allotment; and both the candidate allotment and the established allotment are within the same priority group.

[58 FR 27949, May 12, 1993]

**§ 73.31 Rounding of nominal power specified on applications.**

(a) An application filed with the FCC for a new station or for an increase in power of an existing station shall specify nominal power rounded to two significant figures as follows:

Nominal power (kW)	Rounded down to nearest figure (kW)
Below 0.25 .....	0.001
0.25 to 0.99 .....	0.01
1 to 9.9 .....	0.1
10 to 50 .....	1

(b) In rounding the nominal power in accordance with paragraph (a) of this section the RMS shall be adjusted accordingly. If rounding upward to the nearest figure would result in objectionable interference, the nominal power specified on the application is to be rounded downward to the next nearest figure and the RMS adjusted accordingly.

[50 FR 18821, May 2, 1985, as amended at 53 FR 1031, Jan. 15, 1988]

**§ 73.33 Antenna systems; showing required.**

(a) An application for authority to install a broadcast antenna shall specify a definite site and include full details of the antenna design and expected performance.

(b) All data necessary to show compliance with the terms and conditions of the construction permit must be filed with the license application. If the station is using a directional antenna, a proof of performance must also be filed.

[28 FR 13574, Dec. 14, 1963, as amended at 37 FR 25840, Dec. 5, 1972]

**§ 73.35 Calculation of improvement factors.**

A petition for an allotment (See § 73.30) in the 1605-1705 kHz band filed by an existing fulltime AM station licensed in the 535-1605 kHz band will be ranked according to the station's calculated improvement factor. (See § 73.30). Improvement factors relate to both nighttime and daytime interference conditions and are based on two distinct considerations: (a) Service area lost by other stations due to interference caused by the subject station, and (b) service area of the subject station. These considerations are represented by a ratio. The ratio consists, where applicable, of two separate additive components, one for nighttime and one for daytime. For the nighttime component, to determine the numerator of the ratio (first consideration), calculate the RSS and associated service area of the stations (co- and adjacent channel) to which the subject station causes nighttime interference. Next, repeat the RSS and service area calculations excluding the subject station. The cumulative gain in the above service area is the numerator of the ratio. The denominator (second consideration) is the subject station's interference-free service area. For the daytime component, the composite amount of service lost by co-channel and adjacent channel stations, each taken individually, that are affected by the subject station, excluding the effects of other assignments during each study, will be used as the numerator of the daytime improvement factor. The denominator will consist of the actual