

Information and Instructions**Application for a Multipoint Distribution Service Authorization****NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT OF 1974 AND
THE PAPERWORK REDUCTION ACT OF 1995**

We have estimated that each response to this collection of information will take on average 55 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain required data, and actually complete and review the form or response. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERF, Washington, DC 20554, Paperwork Reduction Project (3060-0654). We will also accept your comments via the Internet if you send them to jboley@fcc.gov. *Please do not send completed application forms to this address.*

You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection unless it displays a currently valid OMB control number with this notice. This collection has been assigned OMB control number 3060-0654.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or potential violation of a statute, FCC regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party to a proceeding before the body or has an interest in the proceeding.

As of December 3, 2001, all parties and entities doing business with the Commission must obtain a unique identifying number called the FCC Registration Number (FRN) and supply it when doing business with the Commission. Failure to provide the FRN may delay the processing of the application. This requirement is to facilitate compliance with the Debt Collection Improvement Act of 1996 (DCIA). The FRN can be obtained electronically through the FCC webpage at <http://www.fcc.gov> or by manually submitting FCC Form 160. FCC Form 160 is available from the FCC's web site at <http://www.fcc.gov/formpage.html>, by calling the FCC's Forms Distribution Center 800-418-FORM (3676), or from fax-on-demand by dialing (202) 418-0177.

This notice is required by the Privacy Act of 1974, Public Law 93-579, December 31, 1974, 5 U.S.C. Section 552a(e)(3) and the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, 44 U.S.C. 3507.



INSTRUCTIONS FOR FCC 304

Introduction

This FCC Form is to be used to apply for a license for new Multipoint Distribution Service (MDS), Multichannel Multipoint Distribution Service (MMDS) or MDS/MMDS signal booster station, request special temporary authority, amend a pending license application, modify a granted license pursuant to 47 C.F.R. §§ 21.40 and 21.41 or notify the Commission of station modifications pursuant to 47 C.F.R. § 21.42. Hereinafter, "MDS" will refer to single channel Multipoint Distribution Service and Multichannel Multipoint Distribution Service applications and authorizations, collectively.

For Assistance

For assistance with FCC Form 304 applications, please call (717) 338-2888 or (888) 225-5322 and select option #2.

Applicable Rules and Regulations

Before this application is prepared, the applicant should review the relevant portions of Parts 0, 1, 17 and 21 of the FCC rules in Title 47 of the Code of Federal Regulations (C.F.R.). Copies of Title 47 may be purchased from the Superintendent of Documents, Government Printing Office, Washington, DC 20402. You may telephone the GPO order desk at (202) 512-1800 for current prices.

FCC rules generally require various exhibits to be filed with an application, in addition to the information requested in the application form. Applicants should make every effort to file complete applications in compliance with the Rules. Replies to questions in this form and the applicant's statements constitute representations on which the FCC will rely in considering the application. Thus, time and care should be devoted to all replies, which should reflect accurately the applicant's responsible consideration of the questions asked. Include all information required by this application. Failure to do so may result in a dismissal or return of the application or a delay in processing the application.

English to Metric Conversions

The following English to Metric equivalents should be used to convert heights and distances, where necessary:

1 foot = 0.3048 meters

1 mile = 1.6093 kilometers

Electronic Filing

The Commission has authorized voluntary electronic filing for MDS applications, based on the data and other information contained in this form. The specific details concerning the method for electronically filing MDS applications, including an electronic counterpart to this paper form, will be provided through subsequent Commission public notices.

Paper Copies

All entries on the form shall be typed or legibly printed in ink. A separate application must be submitted for each MDS or signal booster station at a separate site and for each MDS channel or channel group specified in 47 C.F.R. § 21.901. Submit an original and one copy of the application (SIGN ORIGINAL COPY ONLY).

Incorporation by Reference

Applicants may not incorporate by reference data, documents, exhibits, or other showings already on file with the FCC. All applicable items on this form must be answered without reference to a previous filing.

Current Information

Information filed with the FCC must be kept current. The applicant shall notify the FCC regarding any material change in the facts as they appear in the application. See 47 C.F.R. § 1.65.

Waiver Requests

Requests for waivers of the FCC's Rules must contain an exhibit stating reasons sufficient to justify a waiver. A separate request with the required showing must be made for each rule waiver desired, identifying the specific rule or policy for which the waiver is requested.

Exhibits

Each document required to be filed as an exhibit should be current as of the date of filing. Each page of each exhibit must be identified with the number or letter of the exhibit, the number of the page of the exhibit and the total number of pages of the exhibit. If interference studies are submitted, attach these as an exhibit.

Certificate of Completion of Construction

The applicant is reminded that upon completion of construction, an MDS licensee is required to certify that construction has been completed and that the station is operational pursuant to 47 C.F.R. § 21.43. FCC Form 304A should be used for this purpose.

INSTRUCTIONS FOR SECTION I - GENERAL AND FEE INFORMATION

Question 1. The legal name of the applicant should be the same as reported in FCC Form 430, "Licensee Qualification Report." The name should also be the same as shown on any related station license or service authorization for a Basic Trading Area (BTA) or partitioned service area (PSA). The address listed may vary from that reported on FCC Form 430 if the address of the corporate officer, or other employee authorized to certify this application, differs from that of the applicant's principal office. Applicants must provide a current and valid mailing address, and this address must be that of the applicant, not the address of an equipment supplier, consultant or any third party. The authorization will be sent to this address. Also, enter the applicant's ten-digit FCC Registration Number (FRN) assigned by the Commission Registration System (CORES). The FRN is a unique entity identifier for everyone doing business with the Commission and is mandatory effective December 3, 2001. The FRN can be obtained electronically through the FCC webpage at <https://www.fcc.gov> (click on Commission Registration System) or by manually submitting FCC Form 160. FCC Form 160 is available for downloading from <http://www.fcc.gov/formpage.html>, by calling 800-418-FORM (3676), or from fax-on-demand by dialing (202) 418-0177. Failure to respond to FCC correspondence sent to the address of

record may result in dismissal of an application.

Question 2. FEE INFORMATION. By law, the Commission is required to collect charges for certain of the regulatory services it provides to the public. Generally, MDS applicants seeking a new station license or a major change to an existing license are required to submit a fee with the filing of FCC Form 304. However, governmental entities, which include any possession, state, city, county, town, village, municipal organization or similar political organization or subpart thereof controlled by publicly elected and/or duly appointed public officials exercising sovereign direction and control over their respective communities or programs, are exempt from the payment of this fee. Applications for minor facilities changes or notifications pursuant to 47 C.F.R. §§ 21.41 or 21.42 are nonfeeable. To avail itself of a fee exemption, the applicant must indicate its eligibility by checking the appropriate box in Question 2, Section I. Applications NOT involving the payment of a fee can be hand-delivered or mailed to the FCC's Gettysburg office. See 47 C.F.R. § 0.401(a).

The Commission's fee collection program utilizes a U.S. Treasury lockbox bank for maximum efficiency of collection and processing. All FCC Form 304 applications, which require the remittance of a fee, must be submitted to the appropriate post office box address. See 47 C.F.R. § 0.401(b). A listing of the required fee and the address to which FCC Form 304 should be mailed or otherwise delivered is also set forth in the "Wireless Telecommunications Bureau Fee Filing Guide" (most current edition) which is obtained either by writing to the Commission's Form Distribution Center, 9300 E. Hampton Drive, Capital Heights, Maryland 20431, or by calling Telephone No. 1-800-418-FORM and leaving your request on the answering machine provided for this purpose. See also 47 C.F.R. § 1.1104.

Payment of any required fee must be made by check, bank draft, money order or credit card. If paying by check or bank draft, make checks payable to the Federal Communications Commission, denominated in U.S. dollars, and drawn upon a U.S. financial institution. No postdated, altered or third-party checks will be accepted. DO NOT SEND CASH. Checks dated six months or older will not be acceptable for filing. Applicants who wish to pay by money order or credit card, must submit FCC Form 159 together with their application. Payment of application fees may also be made by electronic payment provided prior approval has been obtained from the Commission. Applicants interested in this option must first contact the Credit and Debt Management Center at (202) 418-1995 to make the necessary arrangements.

Parties hand-delivering FCC Forms 304 may receive dated receipt copies by presenting copies of the applications to the acceptance clerk at the time of delivery. For mailed-in applications, a "return copy" of the application can be furnished provided the applicant clearly identifies the "return copy" and attaches it to a stamped, self-addressed envelope. Only one piece of paper per application will be stamped for receipt purposes.

For further information regarding the applicability of a fee, the amount of the fee or the payment of the fee, refer to the "Wireless Telecommunications Bureau Fee Filing Guide."

CLASSIFICATION OF FILING

Question 3. Indicate whether this filing is for an MDS station, a signal booster station, a developmental station or a commercial ITFS station pursuant to 47 C.F.R. §§ 21.900, 21.913, 21.400 and 74.990. Each MDS station, signal booster station, developmental station or commercial ITFS station at a different site requires a separate application.

Question 4-5. This item indicates whether this filing is intended as an application for a new station, a major change to an authorized station pursuant to 47 C.F.R. § 21.40, a minor change in authorized facilities as defined in 47 C.F.R. § 21.41, a notification of facilities changes pursuant to 47 C.F.R. § 21.42, an amendment to a pending application pursuant to 47 C.F.R. § 21.23, or a request for special temporary authority pursuant to 47 C.F.R. § 21.25. Applications for new stations, or major or minor changes, will be assigned a new file number to the filing. Application amendments will be associated with the pending application identified in Question 5.

Contact Representative

Question 6. This item identifies the contact representative (usually the headquarters office of a large applicant, the law firm or other representative of the applicant, or the person or company that prepared or submitted the application on behalf of the applicant). In the event there is a question concerning the application, the FCC will attempt to communicate with the contact representative first.

Certifications

Question 7. The engineering certificate must be signed by the technically qualified person responsible for preparation of the engineering information. In this context, a "technically qualified person" is a person qualified to calculate and determine the interference potential and the efficient utilization of the proposed facilities, and who is thoroughly familiar with the technical requirements specified in the applicable parts of the Commission's Rules. Engineering certifications must be signed in the original for each application.

Question 8. Certification on behalf of the applicant shall be made personally by the individual applicant, a partner (if the applicant is a partnership), a corporate officer or duly authorized employee (if the applicant is a corporation and that person has been specifically authorized to act for and on behalf of the applicant), or officer/member (if the applicant is an unincorporated association). Note: The financial certification must be updated when this financial certification is no longer substantially accurate and complete.

INSTRUCTIONS FOR SECTION II - PURPOSE OF FILING

Question 1. Except for new station applications, all other applicants should check at least one box to identify the purpose of this filing.

INSTRUCTIONS FOR SECTION III - LEGAL INFORMATION

Question 1. 47 C.F.R. § 21.11(a) requires the annual filing of FCC

Form 430, "Licensee Qualification Report," which contains information on the licensee's legal qualifications. If the applicant does not have a current FCC 430 on file with the Commission, that form must be completed and submitted with this application. If FCC Form 430 has been previously filed, it must be updated when the information presently on file with the MDS Section of the FCC's Wireless Telecommunications Bureau is no longer substantially accurate and complete in all matters of decisional significance. Examples of significant types of changes which must be reported include: a change in control (*de jure* or *de facto*) of an applicant; a change in alien ownership or control, which is significant under § 310(b) of the Communications Act; or any conviction or administrative finding required to be reported under Question 7 of FCC Form 430.

Questions 6 - 8. These items apply only to applicants who have attained a BTA, one of the six additional BTA-like areas, or a partitioned service area directly through the competitive bidding procedures. Applicants who have already submitted the information called for by these items, by filing a Statement of Intention, may omit these items.

INSTRUCTIONS FOR SECTION IV - STATION LOCATION INFORMATION

Questions 1 - 4. Identify the antenna site by its address (or if there is no address, by a brief description of the location such as a distance and direction from known landmarks), city or town, county/borough/parish and state. If not located in a city or town, insert the name of the nearest identifiable community.

Question 5. Specify the geographic coordinates of the location of the transmitting antenna site. Questions 5a. and 5b. are the North Latitude and West Longitude, respectively, with reference to North American Datum of 1927 (NAD27). Specify South Latitude and East Longitude where applicable; otherwise, North Latitude and West Longitude will be presumed. Geographic coordinates should be rounded off to the nearest second; e.g., 29.5" is rounded to 30". The National Geodetic Survey is in the process of replacing NAD27 with the more accurate 1983 North American Datum (NAD83) and updating current topographic maps with NAD83 datum. In addition, coordinates determined by use of the satellite-based Global Positioning System already reflect the NAD83 datum. To prevent intermixing of data using two different datum, however, the Commission announced that until further notice, applicants are to furnish coordinates based on NAD27 datum on all submissions and the Commission will continue to specify NAD27 coordinates in its data bases and authorizations. In addition, applicants who have already filed applications with coordinates that reflect NAD83 datum must provide NAD27 coordinates to the appropriate Commission licensing bureau. See Public Notice, entitled "FCC Interim Procedures for the Specification of Geographic Coordinates," 3 FCC Rcd 1478 (1988).

Question 6. This item reports the ground elevation (in meters) of the transmitting site above mean sea level.

Question 7. Quiet Zone. Quiet zones are those areas where it is necessary to restrict radiation so as to minimize possible impact on the operations of radio astronomy or other facilities that are highly

sensitive to radio frequency interference. The protected areas involved and procedures required are given in 47 C.F.R. § 21.113.

Question 8. Environmental Policy. Each applicant should check the appropriate box to indicate whether a Commission grant of the proposed communications facilities may have a significant environmental impact as defined by 47 C.F.R. § 1.1307. Commission grant of an application may have a significant environmental impact if any of the following are proposed:

- (a) The facilities are to be located in sensitive areas (e.g., an officially designated wilderness area, a wildlife preserve area, a flood plain) or will physically or visually affect sites significant in American history.
- (b) Construction of the facilities will involve significant changes in surface features.
- (c) The antenna tower and/or supporting structure(s) will be equipped with high intensity white lights and will be located in residential neighborhoods.
- (d) The facilities or their operation will expose workers or the general public to levels of radio frequency radiation in excess of the "Radio Frequency Protection Guides" recommended in "American National Standard Safety Levels with respect to Human Exposure to Radio Frequency Electromagnetic Fields, 300 kHz to 100 GHz," (ANSI C95. 1-1982), by the Institute of Electrical and Electronics Engineers, Inc., 345 East 47th Street, New York, New York 10017.

NOTE: In answering this question, applicants for MDS signal booster stations and MDS stations which transmit with an equivalent isotropically radiated power (EIRP) of 200 watts or less are excluded from the standards set forth in subparagraph (d) above. However, in determining the appropriate response to this question, such applicants must still perform an analysis of the subject facilities in the context of the matters set forth in subparagraphs (a) - (c) above.

If you answered "Yes," submit the required Environmental Assessment (EA), which must contain:

- (a) A description of the facilities, as well as supporting structures and appurtenances, and a description of the site, as well as the surrounding area and uses. If high intensity white lighting is proposed or utilized within a residential area, the EA must also address the impact of this lighting upon the residents.
- (b) A statement as to the zoning classification of the site, and communications with, or proceedings before and determinations (if any) made by zoning, planning, environmental or other local, state or federal authorities on matters relating to environmental effect.
- (c) A statement as to whether construction of the facilities has been a source of controversy on environmental grounds in the local community.
- (d) A discussion of environmental and other considerations which

led to the selection of the particular site and, if relevant, the particular facility; the nature and extent of any unavoidable adverse environmental effects; and any alternative sites or facilities which have been or might reasonably be considered.

The information submitted in the EA shall be factual (not argumentative or conclusory) and concise with sufficient detail to explain the environmental consequences and to enable the Commission, after an independent review of the EA, to reach a determination concerning the proposal's environmental impact, if any. The EA shall deal specifically with any feature of the site which has special environmental significance (e.g., wilderness area, wildlife preserve, natural migratory paths for birds and other wildlife, and sites of historic, architectural or archeological value).

In the case of historically significant sites, the EA shall specify the effect of the facilities on any district, site, building, structure or object listed in the National Register of Historic Places, 39 Fed. Reg. 6402 (February 19, 1974). The EA shall also detail any substantial change in the character of the land utilized (e.g., deforestation, water diversion, wetland fill, or other extensive change of surface features). In the case of wilderness areas, wildlife preserves, or other like areas, the EA shall discuss the effect of any continuing pattern of human intrusion into the area (e.g., necessitated by the operation and maintenance of the facilities).

The EA shall also include evidence of site approval which has been obtained from local or federal land use authorities. To the extent that such information is submitted in another part of the application, it need not be duplicated in the EA, but adequate cross-reference to such information shall be supplied.

If an EA need not be submitted to the Commission because another agency of the Federal Government has assumed responsibility: (a) for determining whether the facilities in question will have a significant effect on the quality of the human environment and, (b) if it will affect the environment, for invoking the environmental impact statement process, indicate this in an exhibit and identify the agency.

If you answered "No," a brief statement explaining the reasons why there will not be a significant environmental impact must be submitted. With respect to RF radiation exposure, the required statement must include a description of the steps that have been taken to protect the general public, station employees, and other persons authorized access to the tower from exposure to RF radiation levels in excess of the specified safety standards. These steps must comply with the OST Bulletin No. 65, October 1985, entitled "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radiofrequency Radiation." The applicant must take into account ALL non-excluded transmitters at and around the station's transmitter site; that is, contributions to environmental RF levels from all nearby facilities, not just the applicant's station, must be considered.

Protected Service Area

Question 9. Indicate the nature of the protected service area. Individual MDS stations licensed in conjunction with a BTA or PSA authorization do not have individually associated service areas; rather, the service area is that of the BTA or PSA. A BTA

service area must include all the counties in that BTA. Upon the removal of any portion of a BTA through partitioning, the remaining area is no longer a BTA, but itself becomes a partitioned service area, defined by its counties or other recognized geopolitical subdivisions.

Question 10. If the proposed MDS station, signal booster station or commercial ITFS station is not licensed in conjunction with a BTA or PSA authorization, but rather is associated with an "incumbent" MDS or commercial ITFS license, conditional license or application, give the geographic coordinates of the center of the fixed 56.33 kilometer (35 mile) circular protected service area. On September 15, 1995, the center coordinates of the circular protected areas became fixed at the then-authorized and/or previously proposed coordinates.

Question 11. Answer this question only if the filing is for a station licensed in conjunction with a BTA authorization, including the six additional BTA-like areas defined by the Commission. BTA market numbers and market names are listed in FCC Public Notices or in the FCC Record.

Question 12. Answer this question only if the filing is for a station licensed in conjunction with an authorization for a partitioned service area (PSA). Identify each BTA market number and market name associated with the PSA. In Question 12.a. identify each contiguous county or other recognized geopolitical subdivision in the space provided. If more space is needed, continue the description in an exhibit. Applicants not using electronic filing procedures may also submit a map depicting the PSA, if so desired.

In the alternative, complete Question 12.b. Give the geographic coordinates of the reference point as close as possible to the center of the PSA and complete Chart #1 by entering the distance for every 2 degrees in kilometers.

INSTRUCTIONS FOR SECTION V - TRANSMITTING ANTENNA INFORMATION

Question 1. Specify the channel(s) or channel group for the proposed station operation. For example, an applicant would request the first two channels in the E-channel group by entering E1 E2 . A request for the entire E-group (four channels) would be made by entering Channel Group: E. Note that requests for each of the H channels (H1, H2 and H3) requires the filing of separate applications.

Question 2. Specify the associated visual carrier frequency offset, if any. Allowable offsets are "+" (plus) and "-" (minus). Leave the offset box empty if no frequency offset is proposed. **Note:** Operation on the basis of a 10 kHz frequency offset requires (1) that two co channel stations operate with different visual carrier offsets; operation on the nominal carrier frequency may also be considered an offset for this purpose, (2) that the related transmitters meet the prescribed frequency tolerances in 47 C.F.R. Section 21.101 and (3) that the affected parties have agreed in writing to operate on the basis of frequency offset and that this application includes a statement to that effect, signed by both parties. By specifying a frequency offset, an applicant acknowledges compliance with these requirements, or is submitting with this application a request for waiver of the MDS

interference protection standards, supported by full engineering justification.

Question 3. The emission designator for the transmitter is normally the same as the type accepted/notification values. For analog signals, specify the visual and aural emission designator. For digital signals specify the emission designator(s) and modulation type(s).

Question 4. If this filing is for a booster/relay station, indicate the source signal by entering call signs.

Question 5.

MAKE-MODEL: Describe antenna(s) by manufacturer and model number. This question must be completed regardless of whether a directional or omnidirectional antenna is being proposed. The manufacturer is the name of the company that made the antenna, and model number is the designation that the manufacturer assigns to the antenna.

AZIMUTH: Specify the azimuth of the major lobe(s) of radiation in degrees clockwise from True North ("electrical orientation of the main lobe").

EIRP: Specify the maximum effective isotropically radiated power (EIRP) in the horizontal plane, expressed in decibels above one watt (dBW). The specified EIRP should correspond to that for an angle of zero degrees in the transmitting antenna's vertical radiation plane, regardless of whether or not antenna beam tilt is used. To calculate the EIRP in dBW, take the logarithm to the base ten of the transmitter output power (in watts), multiply by ten, add to the result the antenna gain (in dBi) and then subtract the sum of the losses from transmission line and other devices to be inserted between the transmitter and antenna (in dB). To convert EIRP from units of watts to dBW, take the logarithm to the base ten of the EIRP in watts and multiply the result by ten.

BEAM TILT: Specify the amount of nonstandard antenna beam tilt, if any, accurate to the nearest 1/10th of a degree; i.e., beam tilt in addition to that incorporated into the antenna design. Beam tilt does not factor into routine interference calculations performed by the FCC's MDS staff in application acceptance studies, but will appear on MDS station licenses.

RADIATION CENTER: Specify the height of the antenna center of radiation above ground (in meters) which, together with the ground elevation of the site, is used in determinations of signal path obstructions.

POLARIZATION: Specify the polarization of transmitting antenna(s); enter "H" for horizontal polarization or "V" for vertical polarization. The application form provides for a single polarization for each transmitting facility. Proposed use of any other type of polarization should be described in an exhibit.

OMNI - DIRECTIONAL: Specify the beam width of transmitting antenna(s); enter "O" for omni or "D" for directional antenna.

Question 6. For each directional antenna proposed, if the antenna manufacturer and model number are included in the Commission's list of common "off-the-shelf" directional antennas (periodically released by Public Notice), indicate "Yes" in Question 6 and omit the tabulation of relative field strengths. Otherwise, tabulate the horizontal radiation pattern in Question 6 Chart #2 by entering relative field strengths for the 36 azimuths given in the table. **For a single antenna**, the radiation pattern must be entered in a

"normalized" fashion, the method antenna manufacturers normally use to depict "polar diagrams" of horizontal radiation patterns. In a normalized radiation pattern, the antenna's main lobe (or one of the main lobes where the relative field strength has a value of 1.0) is always pointed at True North, which is an azimuth of 0 degrees. Starting at True North, give the relative field strengths at 10 degree intervals, proceeding clockwise around the radiation pattern. The FCC antenna data base allows for relative field strengths at ten additional azimuths, as selected by the applicant (the last set of columns in Chart #2). Applicants should enter the azimuths corresponding to the maximum and minimum values of (normalized) relative field strengths for the antenna, if these azimuths are not a multiple of 10 degrees.

INSTRUCTIONS FOR SECTION VI - ANTENNA STRUCTURE DATA

Question 1. The term "new" applies to the proposed construction of a new antenna structure or the use of a structure which contains no FCC licensees of any kind. The term "existing" applies to any structure with an antenna which is presently utilized by any existing FCC licensee(s).

Question 2. Check the number of the figure which most resembles your antenna structure. In Question 2.a., enter the height above ground in meters, to the highest point of the antenna only. Refer to letter "a" in the antenna figure examples. In Question 2.b., enter the height above ground in meters, to the highest point of the supporting structure only. If the antenna structure is a tower only, include the height of the tower, but not the antenna. Refer to letter "b" in the antenna figure examples. In Question 2.c., enter the height above ground in meters, to the highest point of the supporting structure including any mast, pole or penthouse. Refer to letter "d" in the antenna figure examples.

Question 3. Enter the FCC assigned antenna structure registration number if the tower is existing and the number is known.

You must notify the Federal Aviation Administration on FAA Form 7460-1 (obtainable from any FAA office), with certain limited exceptions as set forth in Part 17 of the FCC Rules and Part 77 of the FAA Rules, of any construction or alteration of an antenna structure in the following circumstances:

- (1) Construction of any new structure or alteration of any existing structure which would result in the top of the antenna or the antenna structure exceeding a height of 61 meters (200 feet) above ground level at the antenna site.
- (2) Construction of any new structure or alteration of any existing structure which would result in the top of the antenna or the antenna structure exceeding the height of an imaginary surface extending outward and upward at one of the following slopes:
 - (a) 1 meter above the airport elevation for each 100 meters from the nearest runway longer than 1 kilometer within 6.1 kilometers of the antenna structure, excluding helicopter and seaplane bases with specified boundaries, if that airport is either listed in the Airport Directory of the current Airman's Information Manual or is operated

by a Federal military agency.

(b) 2 meters above the airport elevation for each 100 meters from the nearest runway shorter than 1 kilometer within 3.1 kilometers of the antenna structure, excluding helicopter and seaplane bases with specified boundaries, if that airport is either listed in the Airport Directory or is operated by a Federal military agency.

(c) 4 meters above the airport elevation for each 100 meters from the nearest landing and takeoff area within 1.5 kilometers of the antenna structure of each heliport listed in the Airport Directory or that is operated by a Federal military agency.

(3) Any construction of an antenna structure (or any alteration of an antenna structure that would increase its height) on an airport listed in the Airport Directory of the current Airman's Information Manual.

If you intend to install towers of unusual height or at locations in close proximity to aircraft landing areas, it will be to your advantage to discuss the location and height of the antenna in detail with the appropriate FAA area office before filing your application.

INSTRUCTIONS FOR SECTION VII - INTERFERENCE ANALYSIS AND NOTIFICATION REQUIREMENTS

The Commission's Rules require MDS applicants to perform certain analyses of the potential for causing harmful interference to authorized or previously proposed MDS and ITFS facilities and to serve these studies on all affected licensees, conditional licensees, and/or applicants, together with a copy of this application form and related exhibits. Interference analyses do not have to be submitted with MDS applications filed at the FCC, although applicants may do so. In lieu of performing the required analysis for a specific station, an applicant may submit a written statement(s) of "no objection" to the operation of the proposed station, signed by the licensee, conditional licensee or applicant whose facility otherwise must be included in the interference analysis. The Commission's Rules also require applicants to give written notification to BTA and PSA authorization holders of the areas adjoining an applicant's protected service area.

Before filing an application, the applicant should carefully review the rules governing interference protection, analysis and/or notifications, and the limiting MDS signal strength at service area boundaries. See 47 C.F.R. Sections 21.901, 21.902, 21.913, 21.937, and 21.938.

Questions 1 - 6. Applicants must certify compliance with all required interference and signal strength analyses and/or notifications on or prior to the date of filing this application. Applicants are reminded that any such analyses or agreements must be available to the Commission, upon request. The Commission may also request evidence that an applicant properly notified all affected licensees, conditional licensees, applicants and BTA/PSA authorization holders.

**FCC Wireless Telecommunications Bureau
Application for a Multipoint Distribution Service Authorization**

Approved by OMB
3060 - 0654
See instructions for
public burden estimate

SECTION I – GENERAL AND FEE INFORMATION

1. Legal Name Of Applicant		FCC Registration Number (FRN)	
Mailing Street Address Or P. O. Box		Internet Address	
Attention:		Telephone Number (include area code)	
City	State Or Country (if foreign address)	Zip Code	
Call Sign	Other FCC Identifier (If applicable)		
2. Is a fee submitted with this application? <input type="checkbox"/> YES <input type="checkbox"/> NO			
If YES, complete and attach FCC Form 159.			
If NO, indicate reason for fee exemption (see 47 C.F.R. § 1.1114).			
<input type="checkbox"/> Governmental Entity	<input type="checkbox"/> Noncommercial Educational License	<input type="checkbox"/> Other (please explain):	

CLASSIFICATION OF FILING

3. Type of station (check one):

<input type="checkbox"/> MDS station	<input type="checkbox"/> Signal booster station
<input type="checkbox"/> Commercial ITFS station	<input type="checkbox"/> Developmental station

4. This filing is for a (check one):

<input type="checkbox"/> New station authorization	<input type="checkbox"/> Notification pursuant to 47 CFR § 21.42
<input type="checkbox"/> Major change to authorized station	<input type="checkbox"/> Major amendment to a pending application
<input type="checkbox"/> Minor change pursuant to 47 CFR § 21.41	<input type="checkbox"/> Minor amendment to a pending application
<input type="checkbox"/> Special Temporary Authorization	

5. If filing amends a pending application or modifies a granted application, enter file number: _____

6. CONTACT REPRESENTATIVE

Name of Contact Representative (if other than applicant)		Telephone Number (include area code)	
Firm or Company Name			
Mailing Street Address or P. O. Box			
City	State	Zip Code	

7. CERTIFICATIONS

Certification of Person Responsible for Preparing Engineering Information Submitted in this Application

I certify that I am responsible for the preparation of the engineering information contained in and associated with this application, that I am familiar with 47 C.F.R. Part 21 of the Commission's Rules and have either prepared or reviewed the engineering information submitted in this application, and that it is complete and accurate to the best of my knowledge.

Date	Type or Print Name of Person Certifying	Signature
Firm or Company Name		
Mailing Street Address or P. O. Box		City
State	Zip Code	Telephone Number (include area code)

8. CERTIFICATIONS OF APPLICANT

YES NO

By checking YES, the applicant certifies that in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to § 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, or, that in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b). Failure to check YES may cause dismissal of your application.

Except for applicants for stations to be licensed in conjunction with an authorization for a Basic Trading Area (BTA) or partitioned service area (PSA), the applicant certifies that it has, or has reasonable assurance that it will have, the ability to meet the expected costs of constructing the facility within the construction permit period and to meet the estimated operating expenses for twelve months, and that the proposed station site will be available to the applicant for timely construction of the facilities during the initial construction period. I am familiar with 47 C.F.R. Part 21 of the Commission's Rules, and have either prepared or reviewed the information submitted in this application. The applicant waives any claim to the use of any particular frequency of the electromagnetic spectrum as against the regulatory power of the United States because of previous use of the same, whether by license or otherwise, and requests a construction authorization in accordance with this application. All statements made in the attached exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, certifies that the statements made in this application are true, complete and correct to the best of the signer's knowledge and belief and are made in good faith.

Date	Applicant (must correspond with that show on Page 1)	Type or Print Name of Person Signing
Signature		Title (position held by person signing)

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 LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, § 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, § 503).

SECTION II – PURPOSE OF FILING

1. Except for a new station application, all other applicants check one or more boxes that correctly describes the purpose of this filing.

- Request authority to add or change channel(s)
- Request authority to delete channel(s)
- Request authority to relocate a transmitting site
- Request authority to increase EIRP by more than 1.5 dB in any direction
- Decrease EIRP
- Request authority to increase antenna center height above ground
- Change antenna radiation center height by less than 1.5 meters
- Request authority to increase overall height of antenna structure
- Increase overall height of antenna to a height of 6.1 meters or less above ground or building
- Decrease overall height of antenna structure
- Request authority to change antenna polarization
- Request authority to change transmitter emission type or bandwidth
- Change antenna horizontal radiation pattern
- Change azimuth of main lobe of radiation
- Add or change visual frequency offset
- Other facilities changes (submit Exhibit 1 explaining changes)

Exhibit No. 1

SECTION III – LEGAL INFORMATION

1. LICENSEE QUALIFICATION REPORT. Does the applicant have a current "Licensee Qualification Report", FCC Form 430, on file for the MDS service? If NO, that form must be completed and submitted with this application. If YES, indicate the date of such filing with the MDS Section of the Video Services Division and Media Bureau: YES NO _____

2. Applicant proposes service as a: Common Carrier Non-Common Carrier

OWNERSHIP AND CONTROL OF FACILITIES

3. Are there any agreements or understandings existent or under negotiation which affect the ownership or control of the facilities proposed herein, or any right or interest therein by any person not party to this application? YES NO

If YES, submit as an Exhibit 2 explaining such understandings or agreements.

Exhibit No. 2

4. Are there any agreements or understandings existent or under negotiation which affect the management or operation of the facilities proposed herein? YES NO

If YES, submit as an Exhibit 3 demonstrating how the applicant will retain control over the facilities and certifying compliance with 47 CFR § 21.13(g).

Exhibit No. 3

5. Does this application propose a new or modified station for which there is an ownership interest in, control by, affiliation with, or leasing arrangement with a cable television company? YES NO

If YES, submit as an Exhibit 4 describing the relationship with the cable company and a map or narrative depicting the overlap, if any, of the boundaries of the cable franchise area and MDS protected service area

Exhibit No. 4

INITIAL LONG-FORM APPLICATION OF AUCTION WINNERS ONLY

6a. Is this the initial long-form application for an MDS station with an auction winner's BTA service area; i.e., the first new station to be licenses in this BTA to the auction winner? YES NO

If NO, go to Section IV.

b. If YES, has the applicant previously filed a Statement of Intention regarding this BTA? YES NO

If this is the initial long-form application and the applicant has not previously filed a Statement of Intention, the applicant must submit the information specified in Questions 7 and 8 of this section.

7. Submit an Exhibit 5 pursuant to 47 CFR §§ 1.2107(d) and 21.956(b)(2) detailing the terms and conditions and parties involved in any bidding consortia, joint venture, partnership or other arrangement the applicant had entered into relating to the competitive bidding process. YES NO

Exhibit No. 5

8. Does this application claim status as a designated entity? YES NO

If YES, submit as an Exhibit 6 pursuant to 47 CFR §§ 1.2110(i) and 21.960(e) describing how the applicant satisfies the designated entity eligibility requirements, summarizing all agreements that affect designated entity status, and disclosing specified revenue information.

Exhibit No. 6

SECTION IV – STATION LOCATION INFORMATION

1. Street address or other description of antenna site		
2. City	3. State	4. County/Borough/Parish

5. Transmitting Antenna site coordinates (check South Latitude or East Longitude boxes if applicable)

a. North Latitude or South Latitude
(DD-MM-SS)

b. West Longitude or East Longitude
(DDD-MM-SS)

_____ ° _____ ' _____ "

_____ ° _____ ' _____ "

6. Ground elevation above mean sea level _____ meters

7. QUIET ZONE: If application purposes to construct or modify a station in any "quiet zone" area where radio use is restricted? YES NO

If YES, give the name of authority notified and date of notification.

a. Authority notified	b. Date of Notification
-----------------------	-------------------------

8. ENVIRONMENTAL POLICY: Would a Commission grant of any proposal in this application or amendment have a significant environmental effect as defined by 47 C.F.R. § 1.1307?

YES NO

If YES, submit as an Exhibit 7 with the application the environmental assessment required by 47 C.F.R. §§ 1.1308 and 1.1311.

Exhibit No. 7

If NO, give a brief statement explanation of why there will not be a significant environmental effect. (Submit an Exhibit 8 if more space is needed.)

Exhibit No. 8

SECTION IV – STATION LOCATION INFORMATION (Continued)

CHART #1

Azimuth	Distance										
0		62		124		186		248		310	
2		64		126		188		250		312	
4		66		128		190		252		314	
6		68		130		192		254		316	
8		70		132		194		256		318	
10		72		134		196		258		320	
12		74		136		198		260		322	
14		76		138		200		262		324	
16		78		140		202		264		326	
18		80		142		204		266		328	
20		82		144		206		268		330	
22		84		146		208		270		332	
24		86		148		210		272		334	
26		88		150		212		274		336	
28		90		152		214		276		338	
30		92		154		216		278		340	
32		94		156		218		280		342	
34		96		158		220		282		344	
36		98		160		222		284		346	
38		100		162		224		286		348	
40		102		164		226		288		350	
42		104		166		228		290		352	
44		106		168		230		292		354	
46		108		170		232		294		356	
48		110		172		234		296		358	
50		112		174		236		298			
52		114		176		238		300			
54		116		178		240		302			
56		118		180		242		304			
58		120		182		244		306			
60		122		184		246		308			

OPTIONAL

SECTION V –TRANSMITTING ANTENNA INFORMATION

1. Channel(s) _____ Or Channel Group: _____ 2. Offset: _____

3. Emission Designator:

Analog: Visual: _____ Aural: _____

Digital: _____

Modulation Type _____

4. Signal Source (For booster/relay station only) _____

5. Transmitting Antenna System(s):

Antenna Number	1	2	3	4	5
Make					
Model					
Azimuth					
EIRP (dBW)					
Beam Tilt					
Radiation Center AGL (in meters)					
Polarization ("H" or "V")					
Omni-Directional ("O" or "D")					

6. For directional antenna, is the horizontal plane radiation pattern for this antenna already tabulated in the FCC's directional database?

YES NO

If NO, enter in Chart #2 a tabulation of relative field radiation pattern in the horizontal plane at every ten degrees and all maxima and minima.

For each directional transmitting antenna, identify on a separate Exhibit 10 (8 1/2 x 11 inch sheet) a polar diagram of the horizontal relative FIELD pattern and indicate the direction of true north with respect to the proposed antenna orientation. Also label the polar diagram at the appropriate point with the maximum horizontal radiation lobe power gain expressed in dB with respect to an isotropic radiation.

Exhibit No. 10

SECTION V – TRANSMITTING ANTENNA INFORMATION (Continued)

CHART #2

Make: _____

Model: _____

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

SECTION VI – ANTENNA STRUCTURE DATA

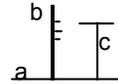
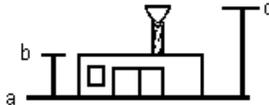
1. Structure is: NEW EXISTING

2. Check the Figure number (1, 2, or 3) which most resembles the structure:

Figure 1

Figure 2

Figure 3



a = ground elevation (AMSL) b = height of support structure (AGL) c = antenna height (AGL)

a. Height to tip of antenna ("c" in figures):

_____ meters

b. Height of support structure ("b" in figures):

_____ meters

c. Overall height of structure (highest point in figures):

_____ meters

3. Is the transmitting antenna mounted on a tower that has been registered with the Commission?

YES NO

If YES, list the Antenna Structure Registration Number:

If NO, has an application (FCC Form 854) been filed with the Commission?

YES NO

If NO, attach as an Exhibit 11 an explanation of why the antenna structure does not meet FAA Notification criteria as defined in 47 C.F.R. § 17.7, and therefore does not require registration.

Exhibit No. 11

SECTION VII – INTERFERENCE ANALYSIS AND NOTIFICATION REQUIREMENTS

1. The applicant has met the following requirement to either:
- a. Prepare an analysis of the potential for harmful interference from its proposed facility to the protected service area of all authorized and previously proposed “incumbent” MDS stations for which the geographic coordinates of the center of the protected 56.33 kilometer (35 miles) circular areas are located within 160.94 kilometers (100 miles) of the proposed MDS station antenna site [or 80.47 kilometers (50 miles) of a proposed signal booster site] and which operate or propose to operate on the same channel **OR an adjacent channel OR, in lieu of an interference analysis to a particular station(s).** YES NO
 - b. File a written statement(s) of “no objection” to the operation of the proposed station from the licensee(s), conditional licensee(s) and/or applicant(s). (See 47 CFR §§ 21.902 and 21.937.).
2. The applicant certifies that it has, on or before the date of submission of this application served the above-referenced interference analysis(es), together with a copy of this application, on all “incumbent” MDS licensees, conditional licensees and/or applicants for which a written statement of “no objection” has not been submitted. YES NO
3. The applicant certifies that it has, on or before the date of submission of this application:
- a. Served written notice of this filing, including a copy of this application, on all authorization holders for an adjoining BTA or partitioned service area, PROVIDED the proposed facilities would produce an unobstructed electromagnetic signal path to any location within an adjoining BTA or partitioned service area **OR, alternatively,** YES NO
 - b. The applicant has filed a written statement(s) of “no objection” to the operation of the proposed station from the applicable service authorization holders. NOTE: These notification or consent provisions do not apply to an MDS authorization holder or licensee with respect to an adjoining area authorized to the same entity.
4. The applicant has prepared an analysis, which demonstrates that:
- a. The proposed station would not produce a free space power flux density greater than – 73 dBW/M square at any point on the boundary of its protected service area for which there is an unobstructed electromagnetic signal path to the transmitting antenna **OR, alternatively,** YES NO
 - b. The applicant has filed a written statement(s) of “no objection” to the operation of the proposed station from authorization holders of an adjoining BTA or partitioned service area, permitting the power flux density to exceed the limiting value at the boundary.
5. The applicant has prepared an analysis, which demonstrates that:
- a. The proposed station would not cause harmful interference to any authorized or previously proposed ITFS station with a transmitter site within 80.5 kilometers (50 miles) of the site coordinates of the proposed station **OR, alternatively,** YES NO
 - b. The applicant has filed a written statement(s) of “no objection” to the operation of the proposed station from the ITFS licensees, permittees and/or applicants pursuant to 47 CFR § 21.902(i).
6. The applicant certifies that it has, on or before the date of submission of this application, served the interference studies and a copy of this application on all ITFS licensees, permittees and/or applicants for which a written statement of “no objection” is not submitted with this application. YES NO

SECTION VIII – OTHER INFORMATION

1. The applicant has entered into an agreement(s) to operate the proposed station on the basis of visual carrier frequency offset with respect to one or more authorized stations or pending applications.

YES NO

If YES, submit as an Exhibit 12 that identifies the parties with whom an offset agreement has been reached and include the name of the licensee, conditional licensee or applicant, station location, channel(s), frequency offset (“+” or “-”) and the call sign or application file number, if known. Also include a signed statement from each affected licensee, conditional licensee or applicant who agrees to operate on the basis of frequency offset.

Exhibit No.
12

2. In addition to the other inference analysis and/or notification requirements, AN APPLICANT FOR A SIGNAL BOOSTER:

a. certifies that the site of the proposed signal booster is located within the applicant’s protected service area.

YES NO

b. has included with the application a written consent statement of the licensee of each MDS, ITFS and OFS station whose signal is to be retransmitted.

YES NO

3. RULE WAIVERS AND EXCEPTIONS. Is the proposal contained in this application inconsistent with any of the Commission’s Rules?

YES NO

If YES, submit as an Exhibit 13 describing all requests for waivers and exceptions, including justification And supporting documentation.

Exhibit No.
13

4. ADDITIONAL EXHIBITS. Provide any other information in attached exhibits that may be required by the Commission’s Rules, but is not address in this form.

EXHIBIT NO.	IDENTITY	EXHIBIT NO.	IDENTITY