

SUBTITLE J. NEW JERSEY PUBLIC BROADCASTING AUTHORITY

CHAPTER 35

FM RADIO STATIONS

Chapter Expiration Date

Chapter 35, FM Radio Stations, expires on July 1, 2006.

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SUBCHAPTER 1. NONCOMMERCIAL FM RADIO STATIONS

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SUBCHAPTER 1. NONCOMMERCIAL FM RADIO STATIONS

Authority

Unless otherwise expressly noted, all provisions of this subchapter were adopted pursuant to authority of N.J.S.A. 48:23-1 et seq. and were filed and became effective May 6, 1975, as R.1975 d.118. See: 7 N.J.R. 285(a).

19:35-1.1 General provisions

(a) The New Jersey Public Broadcasting Authority is empowered to and has filed with the Federal Communications Commission an allocations and assignment plan for noncommercial FM facilities for the State of New Jersey. A portion of that plan established an administrative procedure whereby the authority assumes review and oversight responsibility of all applications for original construction permit or for a change in noncommercial FM facilities filed by eligible applicants within the State of New Jersey for the use of frequencies or facilities which might impair the fulfillment of the objectives of the plan.

(b) The procedure adopted herewith requires the following from all eligible applicants:

1. Any eligible applicant for new noncommercial FM facilities, or change in present facilities shall send a copy of their application to the authority.

2. The authority will conduct a first level screening of the application and then submit its recommendation to the New Jersey Radio Advisory Committee. The committee will examine the application with reference to the New Jersey State plan and refer its recommendations back to the authority which will submit a final recommendation to the FCC and to the applicant.

3. Applicants should allow 45 days for this review process.

4. All correspondence should be addressed as follows:

Executive Director
New Jersey Public Broadcasting Authority
1573 Parkside Avenue
Trenton, New Jersey 08638
Telephone: 609/882-5252

(c) The following FCC procedures are applicable with respect to grant and acceptance of applications for construction permits for new or changed facilities on the channels (201 through 220) reserved in section 73.501 of the commission's rules. Note 1 of section 1.573 of the commission's rules covers noncommercial educational FM stations with these requirements (See also section 73.504 of the commission's rules):

1. Restrictions: With respect to acceptance of an application for a construction permit for a new or changed facility on channels reserved in section 73.501 for noncommercial educational use, the following restrictions will apply:

i. Channels 218, 219, and 220: For channels 218, 219, and 220, the following criteria must be met:

(1) Power and height may not exceed the maximum specified in section 73.211 of the commission's rules for a class B or C commercial station depending on the zone in which it is proposed to locate the facility (in New Jersey, concern is with class B stations only, since class c are not applicable).

(2) Minimum mileage separations to stations or assignments on channel 221, 222, or 223, specified in the FM table of assignments, section 73.202(b), must comply with sections 73.207 and 73.504 of the commission's rules.

(3) If the application is for a change in transmitter site, separation between the facility and either a co-channel or adjacent channel station may not be shortened if the result would be a spacing less than that required by section 73.207 of the commission's rules.

ii. Objectionable interference: No application for a facility on any channel specified in section 73.501 of the commission's rules will be accepted if the requested facility either would cause objectionable interference within the 1 mV/m contour of any co-channel or adjacent channel, or receive interference within the proposed 1 mV/m contour. The following standards shall be used to determine the existence of objectionable interference:

(1) The distance to the 1 mV/m contour shall be determined by the use of figure 1 of section 73.333 F(50,50) curve of the commission's rules, in compliance with section 73.313(c)(1) of the rules.

(2) The distance to the applicable interference contour shall be determined by the F(50,10) curve, dated June 20, 1960, and published with the commission's order, FCC61-1447, adopted December 6, 1961, setting forth the interim procedure for processing FM applications.

(3) Objectionable interference will be considered to exist if, on the basis of the curves referred to in (1) and (2) of this subparagraph, the ratio of undesired to desired signal exceeds 1:10 for co-channel; 1:2 for first adjacent channel (200 kHz. removed); 10:1 for second adjacent channel (400 kHz. removed); and 100:1 for third adjacent channel (600 kHz. removed).

iii. Directional antenna: No application for a construction permit of a new station, or change in channel, or change in an existing facility on the same channel will be accepted for filing if a directional antenna with a maximum-to-minimum ratio of more than 15 dB is proposed.

2. Maximum and minimum facilities for stations on noncommercial educational FM channels: No provision as a minimum facility for an FM broadcast station shall apply to a noncommercial educational station operating on a channel specified in section 73.501 of the commission's rules; and no provision as to a maximum facility shall apply to a noncommercial educational station on channels 201 to 217. inconclusive. However, any application specifying a facility either below the minimum or exceeding the maximum set forth in section 73.211 of the commission's rules will not be necessarily granted; see notice of inquiry in docket number 14,185 as concerns educational FM matters.

(d) The undesired signal strength ratios set forth above can be translated into terms of decibels above one microvolt per meter. The 1 mV/m protected contour can be defined as the 60 dbu contour or 60 decibels above one microvolt per meter. For co-channel operations, the 60 dbu protected contour may not overlap with another station's 40 dbu nuisance contour, or vice versa. For 200 kHz. separation or first adjacent channel, the 60 dbu and 54 contours may not overlap; for 400 kHz. separations the 60 dbu and 80 dbu contours must not overlap; and for 600 kHz. separations the 60 dbu and 100 dbu contours are applicable.

(e) One other allocation criterion is applied with reference to sections 73.504 and 73.207 of the commission's rules. Stations or assignments, whether noncommercial educational or commercial, separated in frequency by 10.6 or 10.8 MHz. (53 or 54 channels) require specific minimum mileage separations. The required separation for this criterion is 15 miles between class B stations, ten miles between class B and class A stations and five miles between class A stations. Except for the area within 199 miles or 320 kilometers of the Mexican border, there are no specified separation requirements in this category for class D stations.