

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**

WASHINGTON 25, D. C.

In re Application of
MIDNIGHT SUN BROADCASTING Co.
ANCHORAGE, ALASKA
For Construction Permit

April 3, 1947

MEMORANDUM OPINION AND ORDER

BY THE COMMISSION:

The Commission has before it a petition for reconsideration filed February 17, 1947, by William J. Wagner, trading as Alaska Broadcasting Co. (KFQD), Anchorage, Alaska, and directed to the Commission's action of January 30, 1947, granting the application of Midnight Sun Broadcasting Co., for a new standard broadcast station to operate on 550 kilocycles, with 5 kilowatts power, unlimited time, at Anchorage, Alaska. There is also before the Commission a reply to said petition filed March 10, 1947, by Midnight Sun Broadcasting Co., and an answer to the reply filed by the petitioner on March 19, 1947.

The petition requests that the grant either be set aside, or, in the alternative, that it be made contingent upon a selection of another site by Midnight Sun Broadcasting Co., sufficiently far removed to eliminate any possibility of interference.

Petitioner's application to increase power to 5 kilowatts and to move transmitter site was granted on September 12, 1946. On May 29, 1946, Midnight Sun's application was filed, and proposed the transmitter site to be located on a tract of land adjacent to that proposed by the petitioner. Midnight Sun's application was granted with the proviso that "the applicant (Midnight Sun Broadcasting Co.) and licensee of KFQD (petitioner) agree to adjust to the mutual satisfaction of each other, any complaints of interaction resulting from the operation of the station with the operation of Station KFQD at the site granted by the Commission on September 12, 1946." The petitioner alleges that this condition can not be satisfactorily fulfilled from an engineering standpoint, and that the proximity of Midnight Sun's transmitter will cause cross-

modulation and intermodulation with the petitioner's transmitter, and also cause serious interference to antennas located on the petitioner's site and designed to receive programs broadcast from the continental United States for rebroadcast.

The reply to the petition alleges that the engineering problems may be easily resolved, and that the proposed site was the only one available for purchase that met all governmental requirements.

Although it is reasonable to assume that some cross-modulation or intermodulation between the two transmitters may result due to their proximity, this problem may be entirely resolved by the use of appropriate filter networks, particularly in view of the 240-kilocycle frequency separation between the two stations. Furthermore, the filtering of the 550-kilocycle and 790-kilocycle signals from an antenna designed to receive frequencies higher than the upper limit of the broadcast band should present only a minor engineering problem, and the operation of such antennas may be made entirely satisfactory at their present locations. However, as the petitioner's application for this site preceded that of the Midnight Sun Broadcasting Co., and as the grant for such site was made to the petitioner before the application of the Midnight Sun Broadcasting Co. was acted upon, it is felt that the ends of justice would best be served by changing the condition to the Midnight Sun's grant so as to read:

Subject to the condition that the Midnight Sun Broadcasting Co. agrees to satisfy any complaints of interaction resulting from the operation of the station with the operation of Station KFQD at the site granted by the Commission on September 12, 1946.

Accordingly, it is ordered, this 3d day of April 1947 that the petition of William J. Wagner, trading as Alaska Broadcasting Co. (KFQD), Anchorage, Alaska, be, and the same is hereby, denied; and that the condition to the January 30, 1947, grant of a construction permit to Midnight Sun Broadcasting Co., Anchorage, Alaska, be, and it is hereby, changed to read as follows:

Subject to the condition that the Midnight Sun Broadcasting Co. agrees to satisfy any complaints of interaction resulting from the operation of the station with the operation of Station KFQD at the site granted by the Commission on September 12, 1946.