

Waiver Request
W266BV Seeks Channel 226
San Juan, PR

FM Translator W266BV at San Juan, PR, Juan Carlos Matos Barreto, licensee, is currently unsuccessfully operating on Channel 266D utilizing a directional antenna with an effective radiated power of 0.25 KW. This translator was authorized through Construction Permit BMPFT-20100908ACT.

The paragraph above describes W266BV operation as “unsuccessful” because after months of operation, a reliable clear signal has not been obtained. The present antenna system consists of four HDCA5-CP RM antennas. The lower two antennas are mounted $\frac{1}{4}$ wavelength behind the top two antennas in an effort to reduce power to the rear of the pattern. Great time and attention was initially given to this antenna array. Through local engineering and the input of Kathrein-Scala, the manufacturer of the antenna, it was determined that the antenna is working correctly.

The input signal was carefully examined. The input to the translator is clear, without static.

Even though a clean signal is being transmitted, a poor static-laden signal is present in areas projected to have a 60 dBu or greater translator signal. This interference is not confined to any certain location, but rather over the entire translator coverage area. The poor static-laden signal has been verified on a variety of receivers to include receivers found in:

- 1) BMW 525i
- 2) Chevrolet Tahoe LTZ 2010
- 3) Toyota Camry 2008
- 4) Toyota Tundra Pick Up Limited Edition 2005
- 5) Lexus 460 SUV 2007

This represents premium receivers (found in the BMW and the Lexus) as well as more conventional receivers found in the Chevrolet and the Toyotas. All receivers detected the static-laden signal.

When W266BV is taken off the air, the audio from second adjacent WXYX, 264B can be heard. In fact, the WXYX audio can also be heard on not only on 101.1 (Channel 266) but also on 101.3 mHz.

The question “does the interference come from co-channel WRIO, Ponce” has been asked. First, WRIO is not heard in San Juan. Second, there is substantial terrain between Ponce and San Juan to not allow any WRIO signal in San Juan. A graph of the terrain between the WRIO transmitter and the center of San Juan is attached to illustrate the adverse terrain.

When WXYX was approached by the W266BV licensee, WXYX was cooperative and checked their emission with a spectrum analyzer. WXYX operates with HD. Apparently their emission complies with regulations and is within the prescribed digital mask.

As a part of the overall testing procedure, a brief test was made on a channel not adjacent to WXYX. The translator reception was crystal clear over San Juan. This reassures the licensee that his antenna and transmitter are operating correctly.

Normally, translators operating on second adjacent channels of nearby stations operate flawlessly. But in this case, it is our conclusion that the interference to W266BV was because of the HD broadcasting of WXYX.

A frequency search was conducted to locate a new channel for W266BV. This search was limited to first, second and third-adjacent channels and intermediate frequency (I.F.) channels. All of the adjacent channels are precluded by existing stations or authorizations. The I.F. channels related to Channel 266 are in the reserved band. The preclusions are shown in the table below:

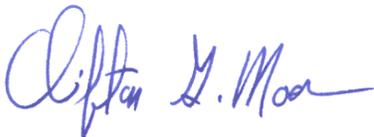
| <u>Channel</u> | <u>Preclusion</u> |
|-----------------------|--------------------------|
| 263 | WXYX, Bayamon |
| 264 | WXYX, Bayamon |
| 265 | WXYX, Bayamon |
| 267 | WXYX, Bayamon |
| 268 | WELX, Isabela |
| 269 | WZAR, Ponce |

Since no adjacent channels are available, the frequency search was broadened to include the remaining portion of the non-reserved band. This frequency search found that Channel 226D is suitable for this translator. Because this channel is outside the three adjacencies and I.F. channels, this would normally be considered a major change. However since W266BV is experiencing unexpected interference, the applicant is

requesting a waiver of §74.1233 of the Commission's rules. It is requested that this channel change be considered a minor change.

This translator was purchased in 2009 by Juan Carlos Matos Barreto. The current facility was constructed and license application BLFT-20110504ABC filed. Under the current ownership, WNVM has been the primary station for W266BV to rebroadcast. Since the translator's construction in May, 2011, time and resources have been devoted to attempt to correct the interference issue. Now it is obvious that the interference is not within the control of W266BV or WXYX. The static is thought to be an inadvertent byproduct of HD broadcasting. On this basis, a waiver of §74.1233 of the Commission's Rules is requested to allow W266BV's relocation to Channel 226 be a minor change.

All information in the foregoing document is sworn to be accurate to the knowledge of the undersigned.

A handwritten signature in blue ink that reads "Clifton G. Moor". The signature is written in a cursive style with a horizontal line underneath the name.

February 16, 2012

Clifton G. Moor, Technical Consultant to
Juan Carlos Matos Barreto