

Radio-Television Cross-Ownership Waiver Request and Compliance Showing

The proposed assignee, International Broadcasting Corporation (“IBC”), hereby requests waiver, in accordance with 47 C.F.R. §1.3, of the Commission’s rules relating radio-television cross-ownership. As will be demonstrated herein, because terrain blocks the *actual* reception of television station WSJU-TV in the service areas of two of the radio stations proposed to be assigned to the entity with common ownership with WSJU-TV, waiver is appropriate. Upon application of the waiver, the proposed transaction will comply with the requirements of Section 73.3555(c)(2)(i) that at least 20 independent voices shall be found in the same post-merger market as the TV and radio stations at issue.

The proposed transaction would result in the common ownership of one (1) full-power digital television station and eleven (11) radio stations (7 AM and 4 FM) in Puerto Rico. Because many of the proposed commonly-owned radio stations’ communities of license are encompassed by the television station’s Grade B digital equivalent 41 dBu f(50,90) noise-limited service contour, the Commission’s radio-television cross-ownership rules are triggered. Pursuant to 73.3555(c)(2)(i)(B), the assignee is limited to direct or indirect ownership of one commercial TV and seven commercial radio stations if at least 20 independently owned media voices would remain in the market after the transaction.

As shown in the attached Technical Statement prepared by FCC Consulting Engineer Louis R. du Treil, Jr., the service contour of WSJU-TV encompasses the communities of license of nine (9) of the radio stations which would be under common control. Without waiver, the assignee would be required to divest two of the radio stations in order to meet the seven radio station limit. However, the Commission should waive inclusion of radio stations WIBS(AM), Guyama, PR (Fac. ID 72384) and WGYA(AM), Guyama, PR (Fac. ID 25531) in the radio-television cross-ownership compliance analysis because WSJU-TV provides no *actual* over-the-air service to the community of Guyama.

The Commission’s radio-television cross-ownership analysis ultimately is resolved based on the number of independently-owned media voices which would remain in the market post-merger. As the

Technical Statement’s analysis of terrain-limited noise-limited interference-free service of WSJU-TV shows, no Guyama television or radio station could conceivably be found to be a media voice in the same “market” as stations in San Juan and its immediate metropolitan area. Thus, the Commission should discount (or waive) the inclusion of WIBS and WGYA in the cross-ownership compliance evaluation of the instant and related applications.

There are dozens of independently-owned media voices within the service contour of WSJU-TV. For simplicity, the following San Juan area media outlets are listed here to demonstrate compliance with the rule.

Independently Owned Media Voices within the WSJU-TV Contour		
No.	Station	Licensee
1	WLII-DT	WLII/WSUR LICENSE PARTNERSHIP, G.P.
2	WORO-DT	CATHOLIC, APOSTOLIC & ROMAN CHURCH IN PR
3	WMTJ (DT)	SISTEMA UNIVERSITARIO ANA G. MENDEZ, INC.
4	WJPX (DT)	AMERICA-CV STATION GROUP, INC.
5	WAPA-TV	TELEVICENTRO OF PUERTO RICO, LLC
6	WKAQ-TV	TELEMUNDO OF PUERTO RICO
7	WDWL (DT)	TELEADORACION CHRISTIAN NETWORK INC.
8	WIPR-TV	PUERTO RICO PUBLIC BROADCASTING CORP.
9	WIDP (DT)	EBENEZER BROADCASTING GROUP, INC.
10	WUJA (DT)	CAGUAS EDUCATIONAL TV, INC.
11	WVSN (DT)	LA CADENA DEL MILAGRO, INC.
12	WRFB (DT)	R & F BROADCASTING, INC.
13	WECN (DT)	ENCUENTRO CHRISTIAN NETWORK
14	WRUA(DT)	EASTERN TELEVISION CORPORATION
15	WCAD (FM)	BROADCASTING & PROGRAMMING SYSTEMS OF PR
16	WMEG (FM)	WMEG LICENSING, INC.
17	WFID (FM)	MADIFIDE, INC.
18	WIDA-FM	RADIO VIDA INCORPORADO
19	WOYE (FM)	IDALIA ARZUAGA, ET AL,
20	WRTU (FM)	UNIVERSITY OF PUERTO RICO
21	WXYX (FM)	RAAD BROADCASTING CORPORATION
22	WZOL (FM)	RADIO SOL 92, WZOL, INC.
23	WNRT (FM)	LA VOZ EVANGELICA DE PUERTO RICO,
24	WAPA (AM)	WILFREDO BLANCO PI
25	WBMJ (AM)	CALVARY EVANGELISTIC MISSION, INC.
26	WIAC (AM)	BESTOV BROADCASTING, INC.
Newspapers (published daily)		
27	El Vocero de Puerto Rico	President Miguel Roca (34.4% in 2012)
28	El Nuevo Día	President Maria E. Ferré (51.4% in 2012)

Cable		
29	One Link Communications	

In conclusion, there is good cause for the Commission to waive inclusion of the two Guyana radio stations in the radio-cross-ownership analysis of the proposed transaction. Upon grant of such waiver, it is clear that the test for independent media voices will be met and the resulting cross-ownership will comply with the Commission's rules.

TECHNICAL STATEMENT
RADIO-TELEVISION CROSS-OWNERSHIP ANALYSIS
INTERNATIONAL BROADCASTING CORPORATION

This radio-television cross-ownership analysis was prepared on behalf of International Broadcasting Corporation in consideration of the acquisition of radio stations WIOA(FM), WIOC(FM) and WZET(FM) from Spanish Broadcasting System Holding Company, Inc., and its subsidiaries (SBS). Considering the SBS stations to be acquired and all other attributable radio stations in the area, the following stations were considered in the analysis:

Call Sign	City of License	Facilities
WSJU-TV	San Juan, PR	Ch. 31, 66 kW, 267 m
WQBS(AM)	San Juan, PR	870 kHz, 5 kW, U, DA-2
WVOZ(AM)	San Juan, PR	1520 kHz, 25 kW, U, DA-2
WIBS(AM)	Guayama, PR	1540 kHz, 1 kW-U
WRSJ(AM)	Bayamon, PR	1560 kHz, 0.74 kW-N, 4 kW-D, U
WEKO(AM)	Morovis, PR	1580 kHz, 2.5 kW-N, 5 kW-D, U, DA-D
WGYA(AM)	Guayama, PR	1590 kHz, 1 kW, U
WGIT(AM)	Canovanas, PR	1660 kHz, 1 kW-N, 10 kW-D, U
WZET(FM)	Hormigueros, PR	Ch. 221A, 2.95 kW, 337 m
WIOA(FM)	San Juan, PR	Ch. 260B, 31 kW, 560 m
WIOC(FM)	Ponce, PR	Ch. 286B, 47 kW, -61 m
WVOZ-FM	Carolina, PR	Ch. 299B, 12 kW, 841 m

The 41 dBu f(50,90) noise-limited service contour (NLSC) of WSJU-TV was predicted using the FCC's Office of Engineering and Technology Bulletin No. 69 (OET-69)

software. The NLSC for WSJU-TV was projected on a map showing the city limits of the above listed radio stations. This is shown at Figure 1 herein.

Based on a study of Figure 1, the communities of San Juan, Guayama, Bayamon, Morovis, Canovanas and Carolina are fully encompassed by the WSJU-TV contour. Therefore, the stations licensed to these communities are implicated in the radio-television cross-ownership market including WSJU-TV.

Also shown on Figure 1 are the city limits of Hormigueros and Ponce, which are the cities of license for WZET(FM) and WIOC(FM). The predicted 60 dBu (1 mV/m) contours of WZET(FM) and WIOC(FM) are also depicted on the map at Figure 1. Given that there is no 60 dBu contour overlap of WZET(FM) nor WIOC(FM) with the San Juan city limits, neither WZET(FM) nor WIOC(FM) are triggered in the radio-television cross-ownership analysis.

Although the WSJU-TV 41 dBu f(50,90) NLSC encompasses the community of Guayama, in fact, WSJU-TV provides no over-the-air service to Guayama due to extreme terrain blockage from the WSJU-TV transmitting antenna toward Guayama. A terrain profile showing the terrain blockage is included herein at Figure 2.

To illustrate the effects of the terrain blockage toward Guayama, an analysis of terrain-limited noise-limited interference-free service of WSJU-TV was conducted using the FCC's OET-69 prediction model. The results of the OET-69 coverage analysis indicate that there is no coverage, zero, of Guayama from WSJU-TV. This is illustrated in the map at Figure 3 herein.

In addition, the FCC's DTV reception analysis tool was employed to predict the over-the-air DTV services available in Guayama.* The results show that WSJU-TV provides no service to Guayama. The results of the FCC DTV reception tool analysis are encapsulated in Figure 4.

*See web address: <http://transition.fcc.gov/mb/engineering/dtvmaps/>

Based on the finding that WSJU-TV has no over-the-air service in Guayama, it is requested that the stations under consideration that are licensed to Guayama, namely WIBS(AM) and WGYA(AM), not be considered as part of the radio-television cross-ownership market for WSJU-TV. On that basis, the radio-television cross-ownership market for WSJU-TV would consist of only seven radio stations: WQBS(AM), WVOZ(AM), WRSJ(AM), WEKO(AM), WGIT(AM), WIOA(FM) and WVOZ-FM.

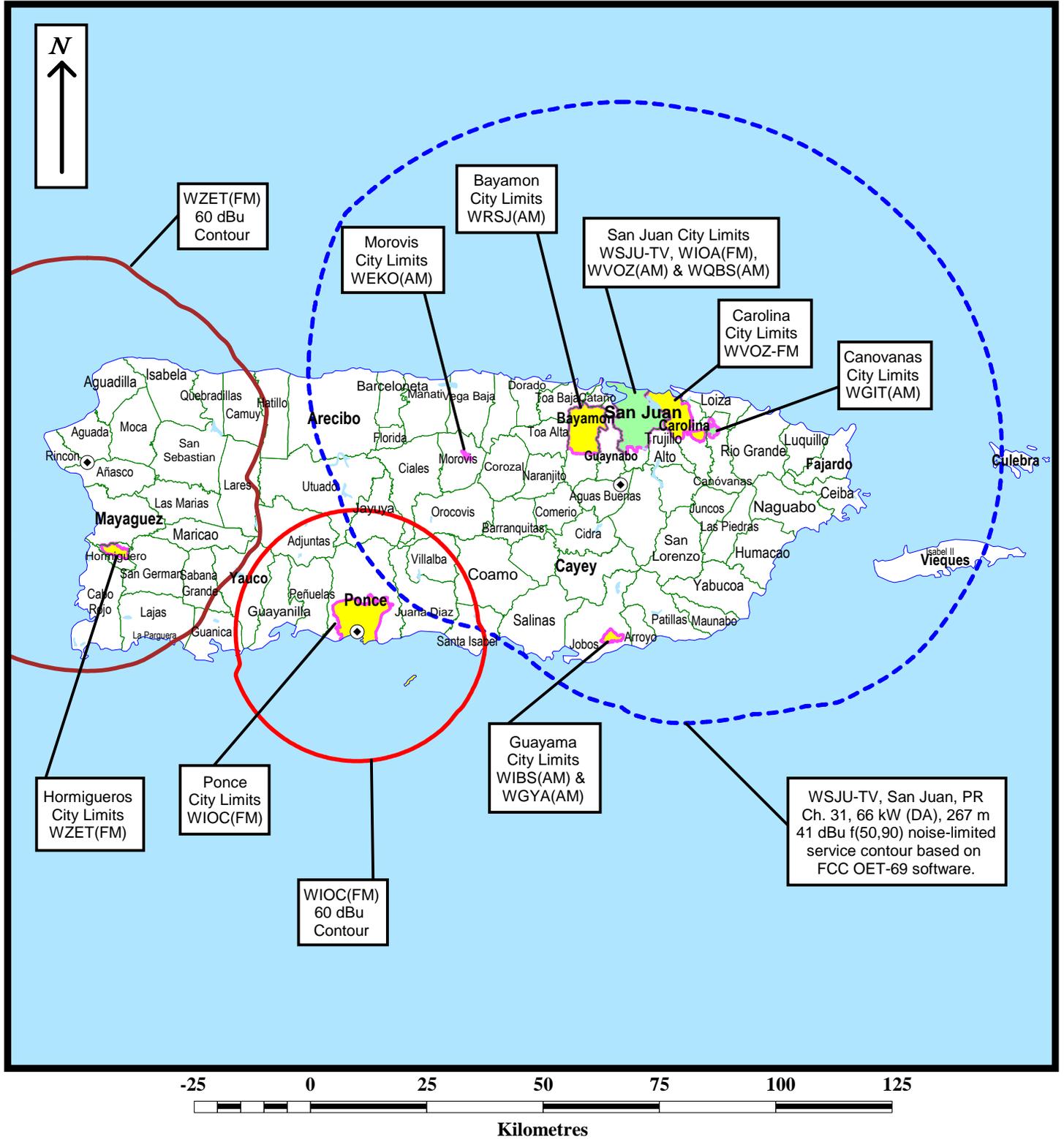
Based on the foregoing, it is concluded that the proposed combination of radio and television stations to be owned is compliant with Section 73.3555(c)(2)(B) of the FCC Rules.



Louis R. du Treil, Jr.

du Treil, Lundin & Rackley, Inc.
201 Fletcher Ave.
Sarasota, Florida 34237

September 29, 2015



RADIO-TELEVISION CROSS-OWNERSHIP ANALYSIS MAP

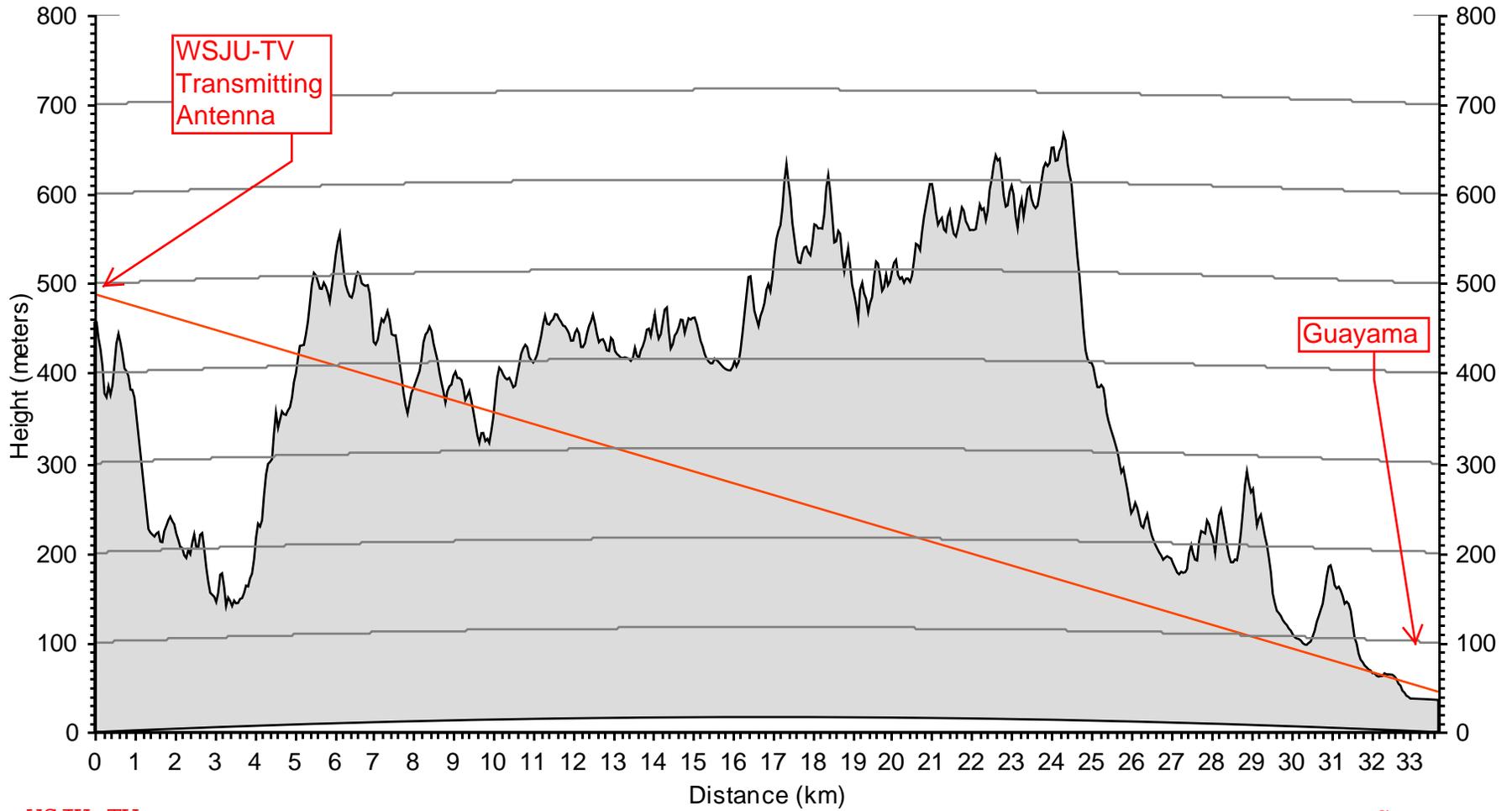
duTreil, Lundin & Rackley, Inc. Sarasota, Florida

Terrain Path

Figure 2



du Treil, Lundin, & Rackley, Inc., Sarasota, Florida



WSJU-TV

Guayama

Latitude (NAD83): 018-16-22.8

Longitude (NAD83): 066-05-34.6

Elevation: 456.98 m

Latitude (NAD83): 017-58-14.3

Longitude (NAD83): 066-06-42.6

Elevation: 36.00 m

Distance: 33.68 km

Azimuth: 183.4 deg

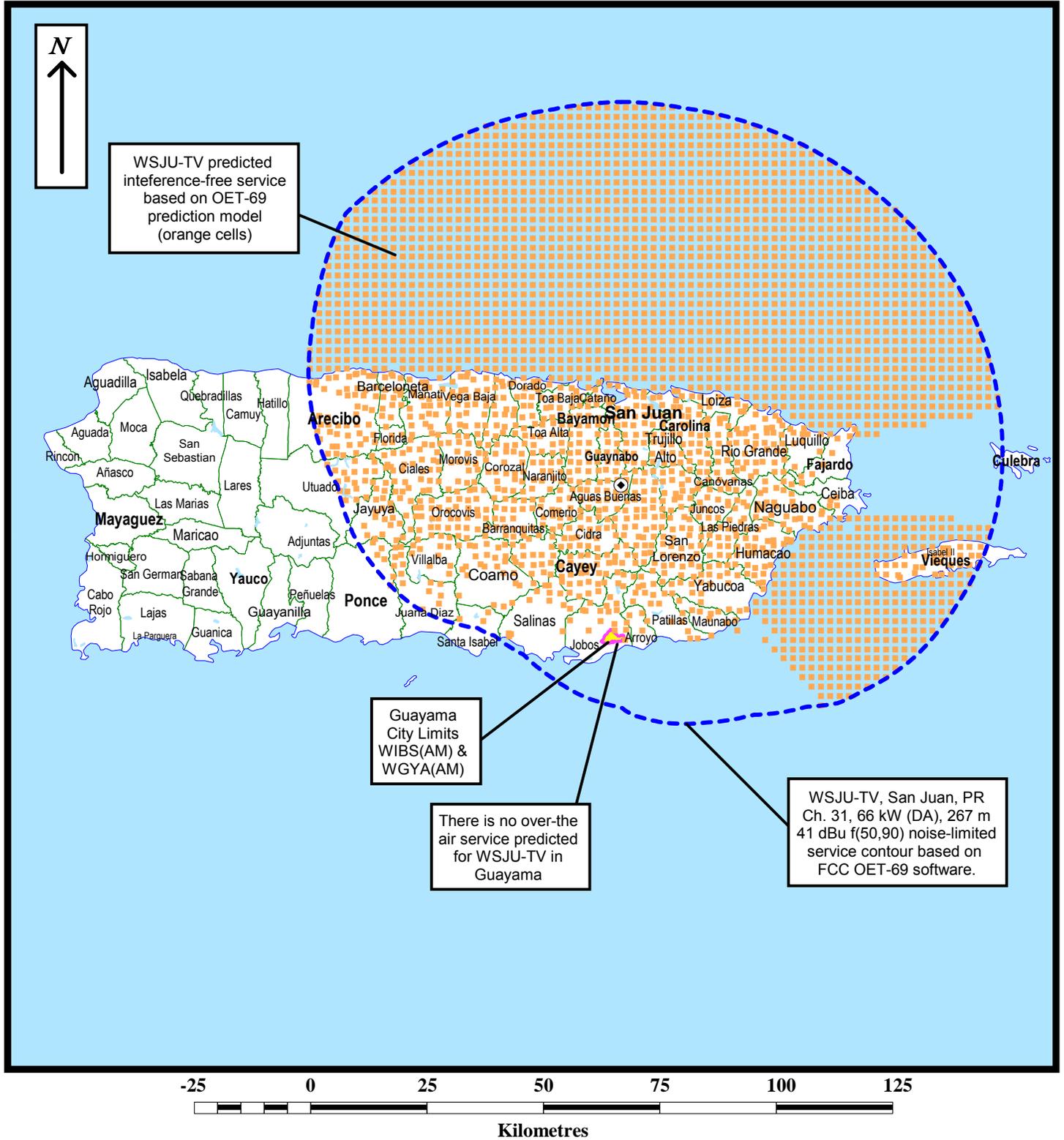
Transmitter Height: 32 m (AGL)

Receiver Height: 10 m (AGL)

Earth Curvature 1.3330

Factor:

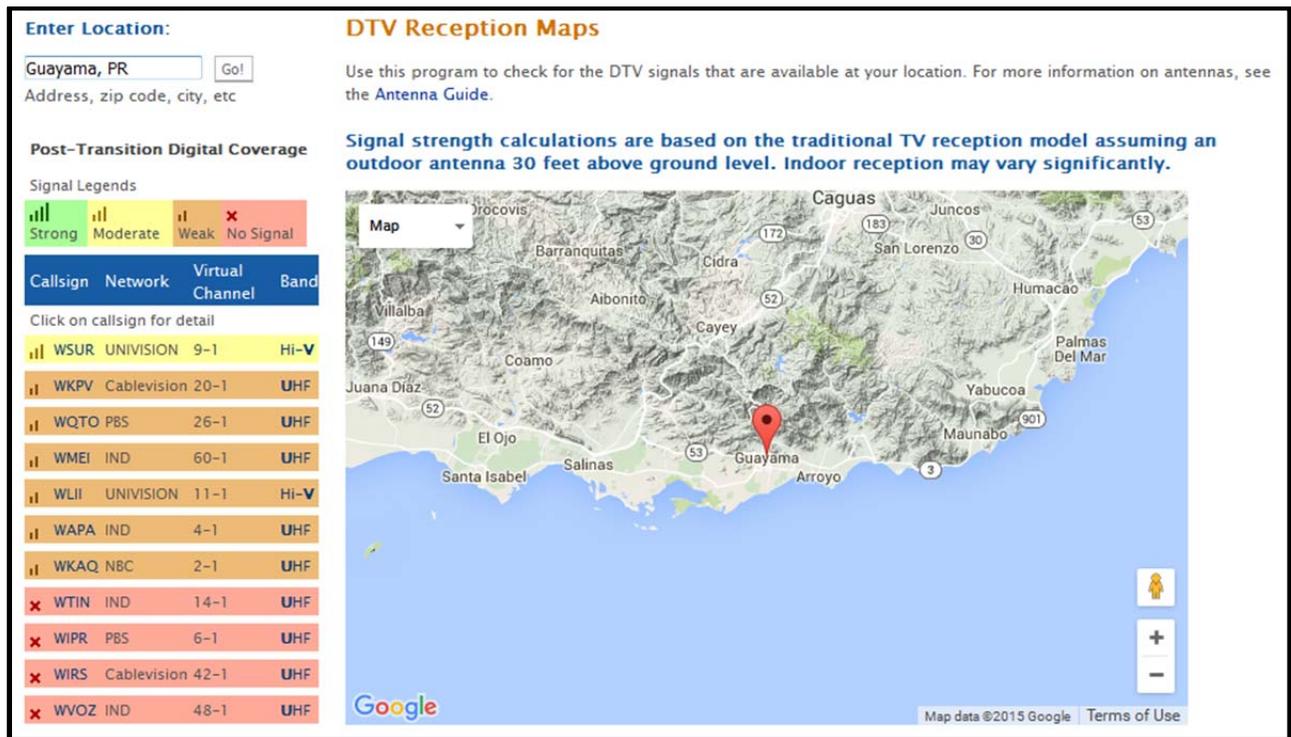
Terrain profile from WSJU-TV
through Guayama, Puerto Rico



PREDICTED NOISE-LIMITED SERVICE OF WSJU-TV BASED ON FCC OET-69 LONGLEY-RICE PREDICTION MODEL

TECHNICAL STATEMENT
 RADIO-TELEVISION CROSS-OWNERSHIP ANALYSIS
 INTERNATIONAL BROADCASTING CORPORATION

FCC DTV Reception Analysis Map for Guayama, PR



Note:

1. The following FCC web address was employed to obtain the above results:
<http://transition.fcc.gov/mb/engineering/dtvmaps/>
2. As indicated above, there is no service from WSJU-TV since its signal level is so low it does not appear on the list of stations potentially available in Guayama. It is concluded that there is no over-the-air reception of WSJU-TV predicted in Guayama.