

Syncom Media Group, Inc.
KZDN-LD, Facility ID 168641
Denver, CO
FRN 0005-7415-58

SHOWING RE KZDE-LD, FACILITY ID 130147

In the separately attached Technical Exhibit, the showing of compliance with 47 C.F.R. Sections 74.709, 74.793(e), 74.793(f), 74.793(g), 74.793(h), as applicable, states that interference to KZDE-LD, Facility ID 130147, is ignored, because while KZDE-LD is licensed, that station not operating and has no facilities in place that match the parameters on its broadcast license.

Attached to this Exhibit is the Declaration of Paul Deschenes, who has more than 33 years of experience in LPTV design and operation, and who personally traveled to the Fort Collins, Colorado, area to locate and to inspect the KZDE-LD facilities. He found no facilities at the coordinates specified on the KZDE-LD license or on either of two nearby land mobile towers, nor was he able to detect any signal on KZDE-LD's Channel 14 frequency using professional signal monitoring equipment.

As shown by Mr. Deschenes' photograph, the licensed NAD83 coordinates are at a vacant building. If the NAD27 coordinates, which represent the same location as the NAD 83 coordinates, are treated as if they were NAD83 instead of NAD 27, a second photograph shows that the location is in a vacant field. While the license application for KDZE-LD, LMS File No. 0000001484, states that the antenna is on a "mobile tower" that is only 21 meters tall, no such towers were observed nearby apart from two towers that are registered and are taller than 21 meters according to the ASRN database. The closest in height is ASRN 1032039, which is 25.3 meters in overall height; but the registered coordinates are 274 meters away, which is beyond the 152.4-meter coordinate deviation permitted by Section 74.551(a)(4) of the Commission's Rules.

If the facilities of KZDE-LD do not exist at or near the licensed location, then either they were not constructed in the first place in 2015, as represented in LMS File No. 0000001484, or they were constructed and removed. If they were removed more than one year ago, the KZDE-LD license has expired pursuant to Section 312(g) of the Communications Act.

The Order and Consent Decree in *DTV America Corporation et al.*, 32 FCC Rcd. 9129 (MB 2011) make it clear that a licensee "may not rely on temporarily constructed facilities to satisfy construction requirements..." Moreover, *Lazer Licensees, LLC*, 30 FCC Rcd. 6357 (MB 2015) put applicants "on notice that Section 1.65 of the Rules requires prompt notification if they dismantle or take a station off the air while seeking a license to cover." Even if the station was built and operated for a period of time, and the facilities arguably were not "temporarily constructed," KZDE-LD's licensee was required to notify the Commission after 10 days of silence, under Section 74.763(b) of the Commission's Rules.

In light of the showing in this exhibit, Syncom Media Group, Inc. respectfully submits that interference to KZDE-LD should be ignored. If it is not ignored, then the Commission should investigate and put the burden on KZDE-LD's licensee, Hosanna Apostolic Ministries Broadcasting Corporation, to demonstrate that KZDE-LD has permanent broadcasting facilities in place that comply with the parameters of its broadcast license and have not been silent for one year.

DECLARATION OF PAUL DESCHENES

Paul Deschenes hereby declares as follows:

1. I am the President of Thunderhill, LLC, headquartered in Parker, Colorado, which provides services in the development and implementation of Low Power Television (LPTV) station design and on-air operations. I have been with Thunderhill for over 33 years and have been President for over 24 years.
2. On June 25, 2019, I personally traveled to the Fort Collins, Colorado, area and undertook to locate and to inspect the transmission facilities of LPTV Station KZDE-LD, FCC Facility ID 130147, Channel 14.
3. I determined the transmitter site for KZDE-LD based on records at www.fccinfo.com, which in turn extracts information from FCC databases. I found that KLZE-LD is licensed to transmit from 40° 34' 54.9" north latitude, 105° 00' 34.9" west longitude, NAD 83 coordinates, under LMS File No. 0000001484. The underlying construction permit application, viewed in CDBS, and the covering license "authorization," as viewed in LMS, both specify 40° 34' 55" north latitude, 105° 00' 33" west longitude, NAD 27. The NAD 83 and NAD 27 coordinates, compared with NADCON software, represent the same single location. However, to provide for the possibility of confusion, I went to the locations represented by both sets of coordinates, treating them if they were each NAD83.
4. Attached is photographic documentation of the results of my investigation. The location represented by the NAD 83 coordinates is a vacant building. The location represented by the NAD 27 coordinates, treated as if they were NAD 83, is a vacant open field. No television transmitting antenna or equipment was observed at either site.
5. The KZDE-LD most recent license application, LMS File No. 0000001484, described the antenna structure type as: OTHER – Mobile Tower. Therefore, I looked for nearby mobile towers. I found two towers with land mobile antennas within about 200 meters, which were marked with Antenna Structure Registration Numbers: ASRN 1231217, registered at 40° 35' 07.0" north latitude, 105° 00' 23.0" west longitude, and ASRN 1030239, registered at 40° 34' 58.0" north latitude, 105° 00' 24.0" west longitude. As the attached photographs show, there are no broadcast antennas on either tower structure.
6. To determine whether KDZE-LD might be transmitting from another nearby location, I used a Holland signal level meter that covers the band 5-870 MHz, attached to a good quality outdoor UHF receiving antenna, to search for broadcast signals. As shown by the attached photographs, I could detect no signal on Channel 14, while I was able to detect signals on Channel 24 and 29, which are used by other area television stations, one low power and one full power.
7. I found no other evidence of TV broadcast transmitting facilities or the presence of a Channel 14 television signal during my investigation.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on July 25, 2019


Paul Deschenes

June 25, 2019

KZDE-LD CHANNEL 14 SITE STUDY

PURPOSE

Ascertainment of KZDE-LD Channel 14 Status

KZDE-LD Site location

- i. I travelled to Ft. Collins, Colorado, to find the location of the TV facility as identified in current FCC Documents to determine if the station is in fact on the air.
- ii. I used the data provided by FCCinfo.com for KZDE-LD Facility ID 130147
- iii. Two site locations were listed at $40^{\circ} 34' 54.9''$ N $105^{\circ} 00' 34.9''$ W and $40^{\circ} 34' 55''$ N $105^{\circ} 00' 33''$ W

SITE DOCUMENTATION

KZDE-LD CH14 site location per FCC document. site is that of abandoned house. Coordinates $40^{\circ} 34' 54.9''$ N $105^{\circ} 00' 34.9''$ W



KZDE-LD CH14 transmitter site second set of coordinates. Vacant lot.
Coordinates 40° 34' 55.0" N 105° 00' 33.0" W



MOBILE TOWER #1 located approximately 200 meters from primary site. no television transmission equipment or antenna observed.



MOBILE TOWER #2 located approximately 100 meters from primary site. no television transmission equipment or antenna observed.



Test antenna used with Holland Field Strength meter to check off-air signals.



KZDE-LD CH14 signal measurement. no signal observed.



LOCAL TELEVISION STATIONS NEAR OR IN FT. COLLINS WERE SAMPLED.

KMLN-LD CHANNEL 24 FT. COLLINS SIGNAL PRESENT



KDEN-TV CHANNEL 29 LONGMONT SIGNAL PRESENT

