



Federal Communications Commission
Washington, D.C. 20554

March 29, 2021

Victor Michael
Mountain Community Translators, LLC
1418 Bradley Avenue
Cheyenne, WY 82001
(vicmichael1@gmail.com)

In re: K243BN, Laveen, AZ
Facility ID No. 92373
Application File No. 0000125254
Informal Objection

Dear Applicant:

The staff has under consideration: (1) the above-captioned Application for Minor Modification of Licensed Facility filed by Mountain Community Translators, LLC (MCT) on November 2, 2021, as amended on November 10, 2020 (Application); (2) the Informal Objection (Objection) filed by 1TV.com, Inc. (1TV) on November 24, 2020; and (3) all related pleadings.¹ For the reasons set forth herein, we dismiss the Objection and grant the application.

In the Objection, 1TV claims that the proposed modification of the translator will cause interference to listeners of KIKO-FM, Claypool, Arizona, on channel 243 (BLH-20181121AAM) and violate section 74.1204(f) of the Commission's rules (Rules).²

Section 74.1204(f) of the Rules states that "an application for an FM translator station will not be accepted for filing even though the proposed operation would not involve overlap of field strength contours with any other station, as set forth in paragraph (a) of this section, if grant of the authorization will result in interference to the reception of a regularly used, off-the-air signal of any authorized co-channel, first, second or third adjacent channel broadcast station, including previously authorized secondary service stations within the 45 dB μ field strength contour of the desired station."³ Interference is demonstrated by: (1) the required minimum number of valid listener complaints as determined using Table 1 of section 74.1203(a)(3) and defined in section 74.1201(k) of the part; (2) a map plotting the specific location of the alleged interference in relation to the complaining station's 45 dB μ contour; (3) a statement that the complaining station is operating within its licensed parameters; (4) a statement that the complaining station licensee has used commercially reasonable efforts to inform the relevant translator licensee of the claimed interference and attempted

¹ 1TV filed its original Informal Objection on November 6, 2020, that included 13 listener complaints. However, after MCT amended its application to reduce the proposed ERP to 1 Watt, 1TV filed its revised Objection on November 24, 2020.

² See 47 CFR § 74.1204(f).

³ *Id.*

private resolution; and (5) U/D data demonstrating that at each listener location the undesired to desired signal strength exceeds -20 dB for co-channel situations, -6 dB for first-adjacent channel situations or 40 dB for second- or third-adjacent channel situations, calculated using the Commission's standard contour prediction methodology set out in section 73.313 of the Rules.⁴

Based on the population within KIKO-FM's 60 dB μ service contour, 1TV must submit a minimum of 10 valid listener complaints to support its claim of predicted interference from the station to be considered valid. 1TV merely submits 4 listener complaints in its Objection, of which only 2 complaints are located within the area predicted to receive interference. For this reason, we find that 1TV has failed to submit the required minimum number of valid listener complaints. Accordingly, we will dismiss the Objection as procedurally defective.

Please note, section 74.1203(b) states that should the translator *commence operation* and cause actual interference to KIKO-FM, the translator will be required to eliminate the interference or cease operation.

Accordingly, pursuant to sections 0.283 and 74.1204(f) of the Rules,⁵ the November 24, 2020, Informal Objection filed by 1TV.com, Inc., IS HEREBY DISMISSED and the Application, File No. 0000125254, IS HEREBY GRANTED.

Sincerely,

/s/

James D. Bradshaw
Senior Deputy Chief
Audio Division
Media Bureau

cc: John S. Neely, Esq. (johnsneely@yahoo.com)

⁴ *Id.*

⁵ 47 CFR § 0.283.