



**February 14, 2023**

Womble Bond Dickinson (US) LLP

Via email ([James.Bradshaw@fcc.gov](mailto:James.Bradshaw@fcc.gov))

2001 K Street, NW  
Suite 400 South  
Washington, DC 20006

**Audio Division, Media Bureau  
Federal Communications Commission  
45 L Street, NE  
Washington, DC 20554  
Attn: Mr. James D. Bradshaw, Senior Deputy Chief**

t: 202.467.6900  
f: 202.467.6910

F. Reid Avett  
Partner  
Direct Dial: 202-857-4425  
Direct Fax: 202-261-0095  
E-mail: [Reid.Avett@wbd-us.com](mailto:Reid.Avett@wbd-us.com)

**Re: HOP Broadcasting, Inc.  
W230DH (Facility ID 202114, Hopkinsville, Kentucky)  
License to Cover Application (FCC File No. 000185461)**

Dear Deputy Chief Bradshaw:

There is now pending at the Audio Division of the Federal Communications Commission (hereafter "FCC" or "Commission") a License to Cover Application for FM translator station W230DH (Facility ID 202114, Hopkinsville, Kentucky) ("W230DH") (File No. 000185461) (the "W230DH License Application").

Also pending with respect to the W230DH License Application is an interference complaint submitted on August 10, 2022 by Sound Broadcasters, Inc. ("Sound"), the licensee of WKTG(FM), which primarily alleges impermissible interference from W230DH to WKTG's listeners (the "Interference Complaint").

On January 27, 2023, the Audio Division issued a letter to HOP Broadcasting, Inc. and Sound requiring HOP Broadcasting, Inc. to submit a plan to resolve the Interference Complaint on or before February 26, 2023 (the "Audio Division Letter").

The purpose of this letter is to respond to the Audio Division Letter by proposing a plan to resolve the Interference Complaint within the required timeline set forth in the Audio Division Letter. The plan, detailed below, is mutually acceptable to each of HOP Broadcasting, Inc. and Sound and will resolve the Interference Complaint. Such a resolution will have the public interest benefit of avoiding the Commission expending additional resources in resolving the various issues presented by the Interference Complaint.

HOP Broadcasting, Inc. and Sound jointly propose (1) HOP Broadcasting, Inc. change the W230DH channel pursuant to Section 74.1233(a)(1) of the Commission's rules due to the allegations of actual interference to WKTG listeners and (2) Sound withdraw the Interference Complaint, conditioned upon the channel change being fully and finally implemented as evidenced by submission of an application for license to cover the construction permit for the new

channel. As detailed below, however, this proposal can only be implemented with the full cooperation of the Audio Division.

The cooperation of the Audio Division is requested so that the pending W230DH License Application may be granted contingent upon HOP Broadcasting, Inc. being granted a modification application supported by the engineering statement attached to this letter as Exhibit 1 (the "W230DH Modification Application"), HOP Broadcasting, Inc. immediately building out the facility proposed in the W230DH Modification Application and HOP Broadcasting, Inc. filing a license to cover application within thirty (30) days of the grant of the W230DH Modification Application.<sup>1</sup> HOP Broadcasting, Inc. requests that the contingencies above be made specific conditions to the grant of the W230DH License Application. Should HOP Broadcasting, Inc. fail to fulfill the conditions, then the W230DH License Application will revert to pending status if a) the W230DH Modification Application is not filed with the Commission within two (2) business days of the grant of the W230H License Application or b) on the 31<sup>st</sup> day following grant of the W230DH Modification Application if a covering license application has not been filed.

A grant of the W230DH License Application as proposed to be conditioned above, and the actions of HOP Broadcasting Inc. based upon those conditions, will resolve the Interference Complaint.

Without the grant of the W230DH License Application as conditioned above, each of HOP Broadcasting, Inc. and Sound believe that the ultimate resolution of the Interference Complaint will take additional time and resources from the Commission as well as each of the parties. Each of HOP Broadcasting, Inc. and Sound hope for a favorable response from the Audio Division to the proposal contained in this letter to the end that the W230DH License Application may be granted with conditions, as proposed above.

Best regards,

**Womble Bond Dickinson (US) LLP**



\_\_\_\_\_  
F. Reid Avett  
Partner  
Counsel to Hop Broadcasting, Inc.

**Sciarrino & Schubert, PLLC**

\_\_\_\_\_  
/s/ Dawn M. Sciarrino  
Dawn M. Sciarrino, Esq.  
Managing Member  
Counsel to Sound Broadcasters, Inc.

---

<sup>1</sup> Alternatively, in the Commission's discretion, the W230DH Modification Application could be granted, leaving the W230DH License Application in pending status and being dismissed upon filing a covering license application for the W230DH Modification Application construction permit.

**Exhibit 1**

Engineering Statement to Support Channel Change

[see attached]

**W230DH  
#202114  
HOPKINSVILLE, KY**

**Non-adjacent channel change from Channel 230 (93.9 MHz)  
to Channel 257 (99.3 MHz) to resolve interference complaint.**

The licensee of WKTG(FM) on co-channel 230C2 (93.9) in Madisonville, KY has filed an interference complaint (Pleading No. 0000197322) against the operation of W230DH as constructed and for which a license to cover is pending (File No. 0000185461). This application seeks a non-adjacent channel change which will resolve the WKTG(FM) interference complaint as invited in footnote 35 of the Commission's January 27, 2023 letter to the parties (“In the *Translator Interference Order*, the Commission declared that acceptable plans include the following: **1) relocating to an available same-band FM channel**; 2) working with willing listener complainants; or 3) working with the complaining station.” *(emphasis added)*).

**Non-Adjacent Channel Change and Interference Showing:**

A non-adjacent channel change to 257D (99.3 MHz) is requested in accordance with CFR §74.1233(a)(1) as modified in *FCC 19-40, May 9, 2019*. In the MB Docket No. 18-119 Report and Order the Commission explained that:

*For these reasons, we modify section 74.1233(a)(1) of the Commission’s rules (Rules) to define an FM translator’s change to any available same-band FM channel as a minor change, upon a showing of actual or predicted interference to or from any other broadcast station.*

The WKTG licensee’s formal complaint filed with the Commission constitutes sufficient showing to justify the non-adjacent channel change.

*MB Docket No. 18-119 at paragraph 8. Required showing. We agree with NAB that “a simple engineering statement of mitigation of interference at the requested frequency” is sufficient as a threshold standard to permit the translator applicant to request a channel change as a minor modification. (emphasis added).*

**Allocation Analysis:**

An overlap study in Exhibit E-1 shows the proposed facility complies with §74.1204 with the exception of collocated third adjacent channel WHOP-FM 254C1 at Hopkinsville, KY. The +40 F(50-10) dBu interference contour within the third adjacent and co-located WHOP-FM 254C1 protected contour is less than 1 meter which does not reach any populated area or major highway from a mounting height of 115.8 meters above ground. Therefore, a waiver of Section 74.1204 is requested in accordance with *Living Way Ministries, Inc.* (FCC 08-242).

The proposed W230DH 60 F(50-50) dBu contour overlaps the currently operating facility for which a license to cover has been filed since it is located at the same site and is contained within the primary WHOP(AM) 2.0 mV/m daytime contour (Exhibit E-2).

**Antenna System:**

The W230DH modification to 257D is located on the existing 152.1 meter tower, ASR #1241598, at coordinates:

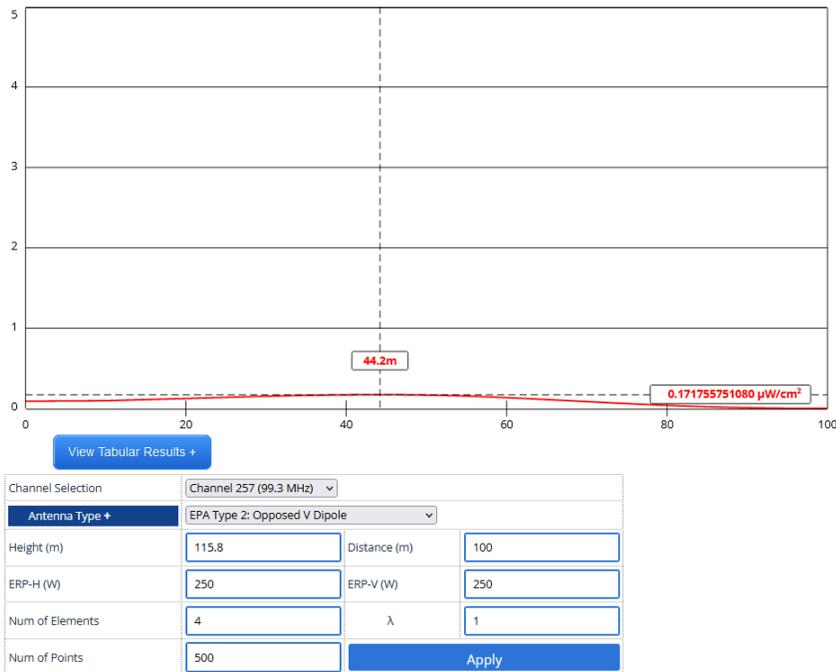
**36 55 41.1N 087 32 50.0W NAD 83**

A Bext TFC2K four bay, 1.0 wavelength-spaced, non-directional antenna is mounted at a COR AGL of 115.8 meters, 344.4 meters AMSL, 167 meter HAAT (exhibit E-3) and operate at 0.250 kW ERP. The 99.3 mHz facility will be combined into the same antenna as WHOP-FM's auxiliary (0000205089) at the same site.

**RF Exposure Calculation:**

The RF contribution was calculated using FMModel (below). The RF is calculated to be 0.17  $\mu\text{W}/\text{cm}^2$  at a distance of 44.2 meters from the base of the tower,

which is below 5% of the  $200 \mu\text{W}/\text{cm}^2$  maximum permissible for general population exposure, allowing exclusion from consideration.



**Conclusion:**

It is concluded that the W230DH modification to 257D (99.3 mHz) complies with all Commission rules and policies.

January 31, 2023

Charles M. Anderson  
5900 Lake Cyrus Drive  
Hoover, AL 35244  
270-535-4432

# E-1 Overlap Study

REFERENCE CH# 255D - 98.9 MHz, Pwr= 0.25 kW, HAAT= 164.9 M, COR= 344.4 M DISPLAY DATES  
 36 55 41.10 N. Average Protected F(50-50)= 16.82 km DATA 01-26-23  
 87 32 50.00 W. Omni-directional SEARCH 01-26-23

CH CITY	CALL	TYPE STATE	ANT	AZI <--	DIST FILE #	LAT LNG	PWR(kW) HAAT(M)	INT(km) COR(M)	PRO(km) LICENSEE	*IN* (Overlap in km)	*OUT*
254C1	WHOP-FM	LIC NCN		0.0	0.00	36 55 41.20	100.000	94.7	63.9	-111.3*	-88.7*
Hopkinsville		KY		180.0	BLH20041018ACH	87 32 50.00	189	366	Hop Broadcasting, Inc.		
256C3	WCBL-FM	LIC NCN		286.2	74.97	37 06 47.20	16.000	58.2	38.2	-0.4	11.3
Grand Rivers		KY		105.7	BLH20100217AAC	88 21 34.10	127	243	Freeland Broadcasting Co.,		
256D	W256CI	LIC DCN		155.2	47.25	36 32 31.20	0.250	18.9	12.7	10.9	8.5
Clarksville		TN		335.4	BLFT20140318ADD	87 19 32.00		247	Saga Communications Of Tuc		
252C1	WJLI	LIC _CN		257.3	86.95	36 45 09.20	100.000	8.4	64.4	61.0	21.4
Metropolis		IL		76.7	BLH20030609ADV	88 29 58.20	213	358	Sun Media, Inc.		
258D	W258AD	LIC _CN		166.4	45.18	36 31 59.10	0.027	0.4	5.8	27.0	38.2
Clarksville		TN		346.4	BLFT20181023AAS	87 25 41.00		223	Community Broadcasting, In		
255D	W255AP	LIC _CN		169.0	92.10	36 06 53.20	0.023	18.0	5.4	56.3	30.5
Dickson		TN		349.1	BLFT20040120ABI	87 21 05.00	50	273	Pennyriple Christian Commun		
258C0	WKDQ	LIC _CN		0.3	106.11	37 52 57.20	100.000	10.0	71.6	79.2	33.4
Henderson		KY		180.3	BLH19881025KC	87 32 28.00	300	416	Townsquare Media Of Evansv		
255A	WANT	LIC NCN		124.7	139.62	36 12 24.20	5.000	88.5	30.4	33.9	55.1
Lebanon		TN		305.4	BLH19931206KA	86 16 02.00	97	287	Bay-Pointe Broadcasti ng, I		
256A	WWKN	LIC NCN		65.9	82.31	37 13 38.10	0.650	20.1	13.4	46.5	44.4
Morgantown		KY		246.4	BLH20100629ANS	86 41 53.90	69	219	Red Sky, LLC		
255A	WISH-FM	LIC NCN		318.4	149.83	37 55 52.20	4.100	83.8	28.0	49.2	70.4
Galatia		IL		137.8	BLH20010403AAQ	88 40 50.20	122	262	Wish Radio, LLC		

Terrain database is FCC 30 meter , R= 73.215 qualifying spacings or FCC minimum Spacings in KM, M= Margin in KM  
 In & Out distances between contours are shown at closest points. Reference zone= East Zone, Co to 3rd adjacent.  
 All separation margins (if shown) include rounding.  
 Ant Column: (D= DA Standard, Z= DA 73.215, N= Not DA 73.215, \_= Omni), Polarization (C,H,V,E), Beamtilt(Y,N,X)  
 "\*"affixed to 'IN' or 'OUT' values = site inside restricted contour.

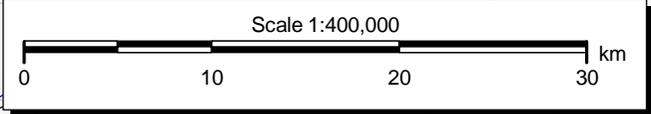
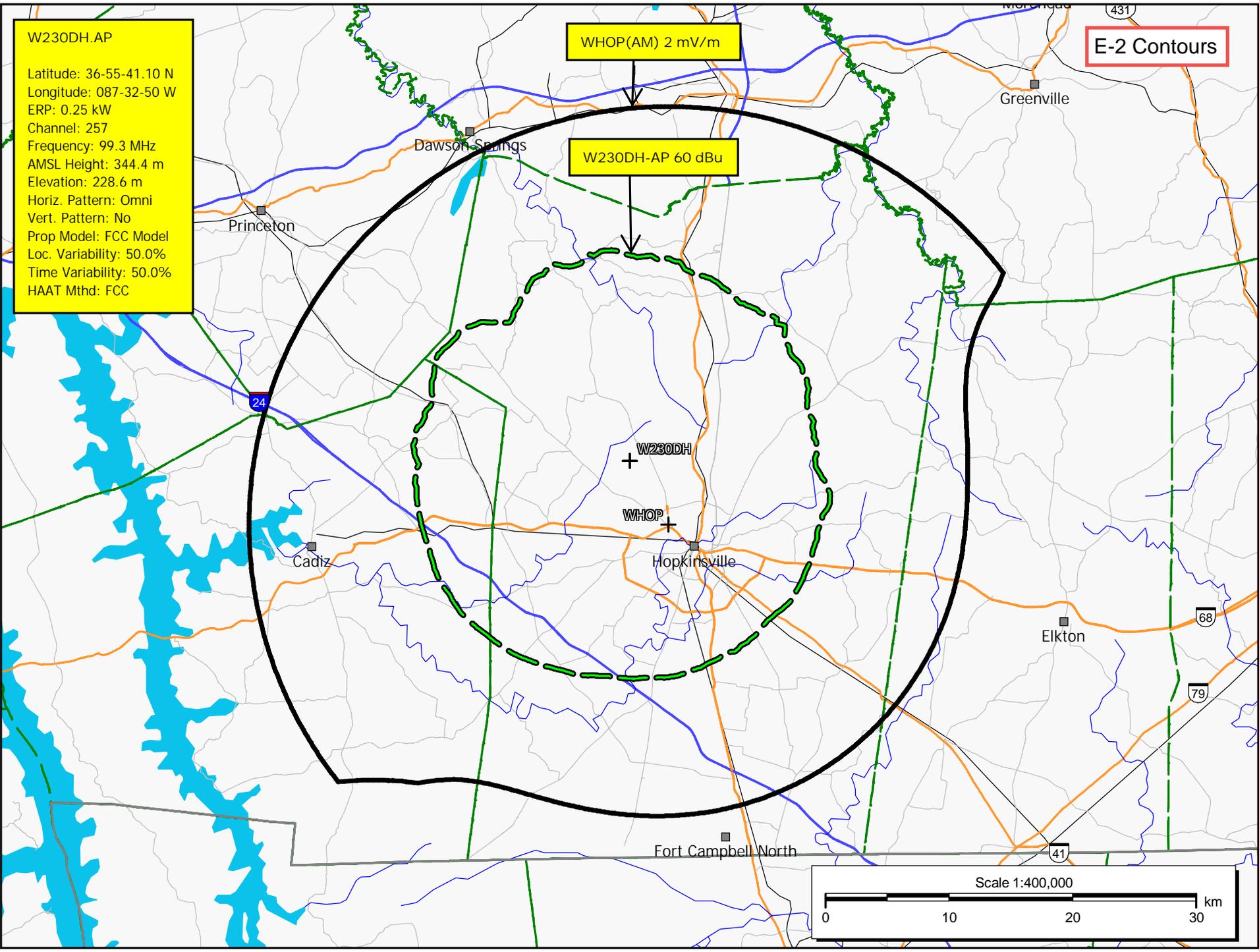
Collocated with 100 kW 3rd adjacent channel WHOP-FM. Translator interference contour is < 1 meter. Clearly no interference from 115.8 m center of radiation.

W230DH.AP  
Latitude: 36-55-41.10 N  
Longitude: 087-32-50 W  
ERP: 0.25 kW  
Channel: 257  
Frequency: 99.3 MHz  
AMSL Height: 344.4 m  
Elevation: 228.6 m  
Horiz. Pattern: Omni  
Vert. Pattern: No  
Prop Model: FCC Model  
Loc. Variability: 50.0%  
Time Variability: 50.0%  
HAAT Mthd: FCC

WHOP(AM) 2 mV/m

W230DH-AP 60 dBu

E-2 Contours



## Antenna Height Above Average Terrain Calculations -- Results

### Input Data

Latitude **36° 55' 41.1"** North

Longitude **87° 32' 50"** West (NAD 83)

Height of antenna radiation center above mean sea level: **344.4** meters ~~AMSL~~

Number of Evenly Spaced Radials = **12**      0° is referenced to True North

### Results

Calculated HAAT = **167 meters**

Antenna Height Above Average Terrain calculated  
using 1 km [GLOBE terrain data](#)

### Individual "Radial HAAT" Values, in meters

0°	162.8 m
30°	155.1 m
60°	148.9 m
90°	137.0 m
120°	161.9 m
150°	176.8 m
180°	178.3 m
210°	191.8 m
240°	185.6 m
270°	175.0 m
300°	178.4 m
330°	155.7 m

## ASR Registration 1241598

### Registration Detail

Reg Number	1241598	Status	Constructed
File Number	A0398509	Constructed	09/22/2004
EMI	No	Dismantled	
NEPA	No		

### Antenna Structure

Structure Type TOWER - Free standing or Guyed Structure used for Commu

#### Location (in NAD83 Coordinates)

Lat/Long	36-55-41.1 N 087-32-50.0 W	Address	West of Witty Lane on State Route 109
City, State	Hopkinsville , KY		
Zip	42240	County	CHRISTIAN
Center of AM Array		Position of Tower in Array	

#### Heights (meters)

Elevation of Site Above Mean Sea Level	228.6	Overall Height Above Ground (AGL)	152.1
Overall Height Above Mean Sea Level	380.7	Overall Height Above Ground w/o Appurtenances	151.2

#### Painting and Lighting Specifications

FAA Chapters 3, 4, 5, 12  
Paint and Light in Accordance with FAA Circular Number 70/7460-1K

#### FAA Notification

FAA Study	2003-ASO-5785-OE	FAA Issue Date	12/09/2003
-----------	------------------	----------------	------------

#### Owner & Contact Information

FRN	0005058284	Owner Entity Type	
-----	------------	-------------------	--

#### Owner

Hop Broadcasting, Inc.	P: (606)528-8787
P.O. Box 1227	F:
Corbin , KY 40702	E:

#### Contact

Matheny , Marilyn	P: (912)638-8028
P.O. Box 24466	F:
St. Simons Island , GA 31522	E: marilyn@grahambrock.com

#### Last Action Status

Status	Constructed	Received	09/29/2004
Purpose	Notification	Entered	09/29/2004
Mode	Interactive		

#### Related Applications

09/29/2004	A0398509 - Notification (NT)
12/23/2003	A0358832 - New (NE)