



Federal Communications Commission  
Washington, D.C. 20554

December 12, 2019

*In reply refer to: 1800B3-VM*

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Edgewater Broadcasting, Inc.  
P.O. Box J  
Twin Falls, ID 83303

**In re: K273BI, Truckee, CA**  
Facility ID No. 151607

Request for Response to File No.  
0000086357

Dear Licensee:

On October 11, 2019, The Evans Broadcast Company, Inc.(Evans), Licensee of FM Translator Station K273AF, Carson City, Nevada, filed a minor modification application File No. 0000086357, requesting that the license of FM Translator Station K273BI, Truckee, California (Station), licensed to Edgewater Broadcasting, Inc. (Edgewater) be cancelled. In its application, Evans alleges that the Station has been silent in excess of one year, and that an inspection of the site reveals that there is no transmitting equipment. Pursuant to 47 CFR§73.1740, Edgewater is required respond in writing within thirty days of the date of this letter.

The Evans exhibit includes statements and pictures in support of its claim that the Station has been off the air for over a year. The exhibit is attached to this letter. Based on this information, it appears that the Station may have been silent (or failed to operate with authorized facilities) for more than one year. Pursuant to Section 312(g) of the Communications Act, as amended, **if a broadcast station fails to transmit broadcast signals with its authorized facilities for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, unless extended or reinstated by Commission action.**

Please respond to the attached exhibit and provide evidence documenting the Station's operational status since November 14, 2018.<sup>1</sup> This evidence must indicate the location, effective radiated power and antenna height above ground level for **all periods of operation** from November 14, 2018, to the present. Also include copies of all leases, personnel records (including payroll records appropriately redacted to protect the privacy of individual employees), engineering records, and station logs, including EAS records, for that period of time. In addition, you must provide copies of all invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the Station's operation.<sup>2</sup> You **must also include**

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<sup>1</sup> This is the date of filing of the last assignment of license application for the Station. See File No. BALH-20181114ABA.

<sup>2</sup> In addition, if the Station uses accounting software to maintain financial records, provide printouts of the data recorded for this period.

**pictures** of the Station's studio facilities and transmission facilities during this timeframe, and provide exact Station coordinates.

We also note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the Station's tower shall be maintained.<sup>3</sup>

Licensee must serve a copy of its response to Evans' counsel, cc'd below, and Evans will have an additional 10 days, as calculated in accordance with 47 CFR §1.4 to respond. Failure to respond to this letter within the specified time will result in adverse actions jeopardizing both the Station's license and call letters. If you have any questions concerning the content of this letter, please contact Victoria McCauley, Attorney, by phone (202-418-2136), or e-mail (Victoria.McCauley@fcc.gov).

Sincerely,

Handwritten signature of Albert Shuldiner in blue ink, with the initials "ITH" written to the right of the signature.

Albert Shuldiner  
Chief, Audio Division  
Media Bureau

cc: Aaron Shainis, Esq.

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<sup>3</sup> See 47 CFR §§ 17.6 and 73.1740(a)(4).

### K273BI Cancellation

The instant application is dependent upon the Commission cancelling the license of K273BI, Truckee, CA.

The facility is currently licensed to Edgewater Broadcasting Inc. (Attachment A). However, it is submitted that the station has been silent in excess of one year.

In this regard, attached is a statement from Joel Depaoli, the president of Truckee-Tahoe Radio, LLC, the licensee of KTKE, Truckee, California. (Attachment B). Mr. Depaoli states, *inter alia*, the following:

"As the Owner and Operator of KTKE, the local radio station for the past 3+ years, I would know if there was another local signal or station in the area. I have not heard anything on the frequency of 102.5 FM"

Also attached is a statement of Jerry Evans, President & CEO of Evans Broadcast Company, Inc. (Attachment C). Attached to Mr. Evans statement are pictures of the licensed site and surrounding area for K273BI. Mr. Evans states:

"The pictures reflect that there isn't any sort of transmit antenna. I took photos in the immediate area, the rooftop, and looking across the rooftops of the area where the antenna is supposed to be located. The Google Earth images also show that there isn't a broadcast transmit or receive antenna in the area."

Thus, pursuant to Section 312(g) of the Communications Act of 1934, as amended, the K273BI license is subject to automatic cancellation.

**ATTACHMENT A**



## Station Search Details

[FCC](#) > [Media Bureau](#) > [MB-CDBS](#) > [CDBS Public Access](#) > [Station Search](#)

[Help](#) [site map](#)

### Station Search Details

<b>Call Sign:</b>	K273BI
<b>Facility Id:</b>	151607
<b>Primary Station Call Sign:</b>	KPLY
<b>Community of License:</b>	TRUCKEE, CA
<b>Service:</b>	FX
<b>Fac Type:</b>	FM TRANSLATOR
<b>Status:</b>	LICENSED
<b>Status Date:</b>	10/26/2007
<b>Frequency:</b>	102.5
<b>Channel:</b>	273
<b>Digital Status:</b>	
<b>Lic Expir:</b>	12/01/2021
<b>Licensee:</b>	EDGEWATER BROADCASTING, INC.
<b>Address:</b>	P.O. BOX J
<b>Address 2:</b>	
<b>City:</b>	TWIN FALLS
<b>State:</b>	ID
<b>Zip Code:</b>	83303 -
<b>Phone Number:</b>	(888) 533-3551
<b>Engineering Data</b>	<a href="#">View Engineering Data</a>
<b>Call Sign History</b>	<a href="#">View Call Sign History</a>
<b>FRN History</b>	<a href="#">View FRN History</a>
<b>Correspondence Folder</b>	<a href="#">View Correspondence Folder</a>

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[FCC Home](#) | [Search](#) | [Updates](#) | [E-Filing](#) | [Initiatives](#) | [For Consumers](#) | [Find People](#)

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Please send comments via standard mail to the Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street, S.W., Washington, D.C., 20554. Questions can also be answered by calling the FCC's National Call Center, toll free, at 1-888-Call FCC (1-888-225-5322).

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Federal Communications  
Commission  
445 12th Street SW  
Washington, DC 20554  
[More FCC Contact Information...](#)

Phone: 1-888-CALL-FCC (1-888-  
225-5322)  
TTY: 1-888-TELL-FCC (1-888-  
835-5322)  
Fax: 1-866-418-0232  
E- [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov)  
mail:

- [Privacy Policy](#)
- [Website Policies & Notices](#)
- [Required Browser Plug-ins](#)
- [Freedom of Information Act](#)

**ATTACHMENT B**

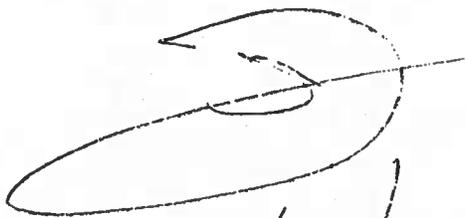
To whom it may concern,

My name is Joel Dapaoli, President of Truckee-Tahoe Radio, LLC, the licensee of KTKE 101.5 FM in Truckee, California.

As the Owner and Operator of KTKE, the local radio station for the past 3 + years I would know if there was another local signal or station in the area. I have not heard anything on the frequency of 102.5 FM.

Respectfully,

Joel Dapaoli  
KTKE 101.5 FM  
12030 Donner Pass Rd.  
Truckee, CA 96161



9/17/19

**ATTACHMENT C**

**EVANS BROADCAST COMPANY, INC.**  
1755 E. PLUMB LANE #169 • RENO, NV 89502 • 1960 IDAHO STREET • CARSON CITY, NV 89701  
OFFICE: 775.884.8000 FAX: 775.882.3961

October 10, 2019

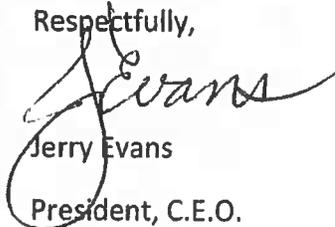
To: Aaron Shainis, Shainis & Peltzman  
Fr: Jerry Evans, Evans Broadcast Company, Inc.  
Re: K273B1

Aaron:

Enclosed, please find pictures taken in August of 2018 and on Tuesday, October 8<sup>th</sup>, 2019 of the exact area and surrounding area of the licensed transmit area for K273B1. The pictures reflect that there isn't any sort of transmit antenna. I took photos in the immediate area, the roof top, and looking across the rooftop(s) of the area where the antenna is supposed to be located. The Google Earth images also show that there isn't a broadcast transmit (or receive) antenna in the area.

As confirmed by a local Truckee radio station owner, this translator has not been on the air -ever- since he has owned KTKE and that has been for several years. I was also made aware of the translator when it was for sale several years ago and at that time it was not on the air. And, just to confirm, it was not on the air in August of 2018 or on Tuesday October 8<sup>th</sup>, 2019.

Respectfully,



Jerry Evans

President, C.E.O.

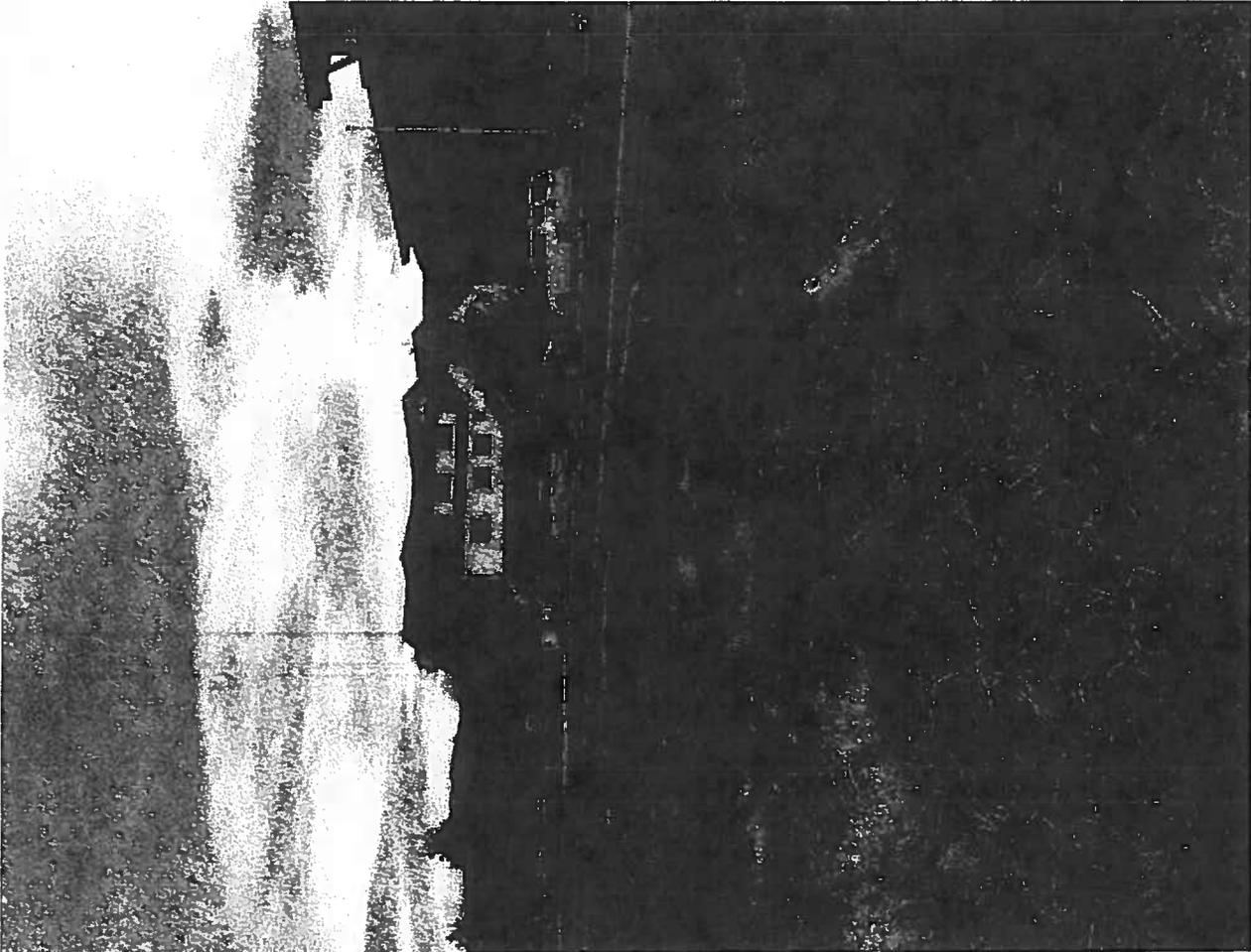
Evans Broadcast Company, Inc.

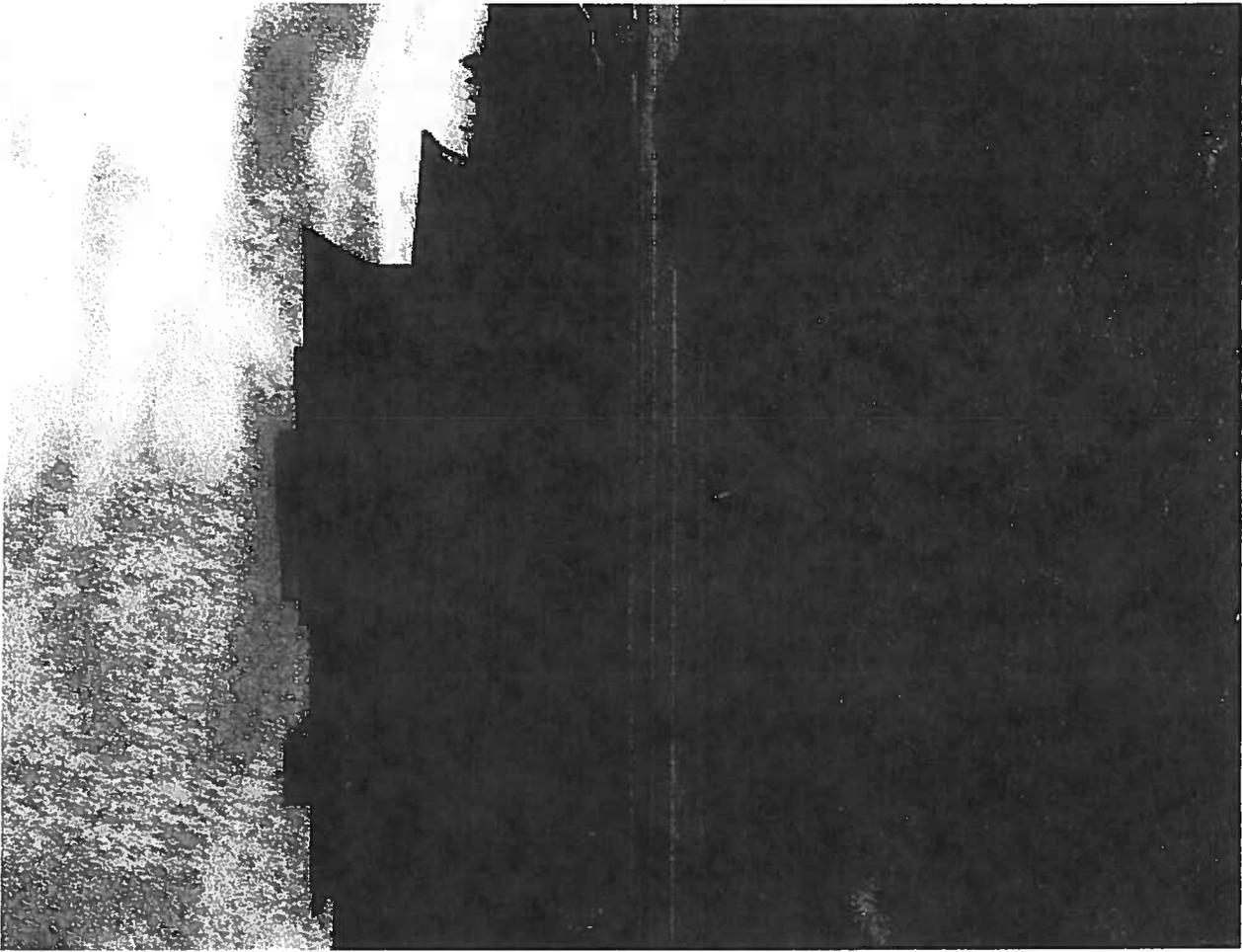


## Aaron Shainis

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**From:** jerryradio991@gmail.com  
**Sent:** Tuesday, October 08, 2019 7:26 PM  
**To:** Bert Goldman; Aaron Shainis  
**Subject:** 102.5



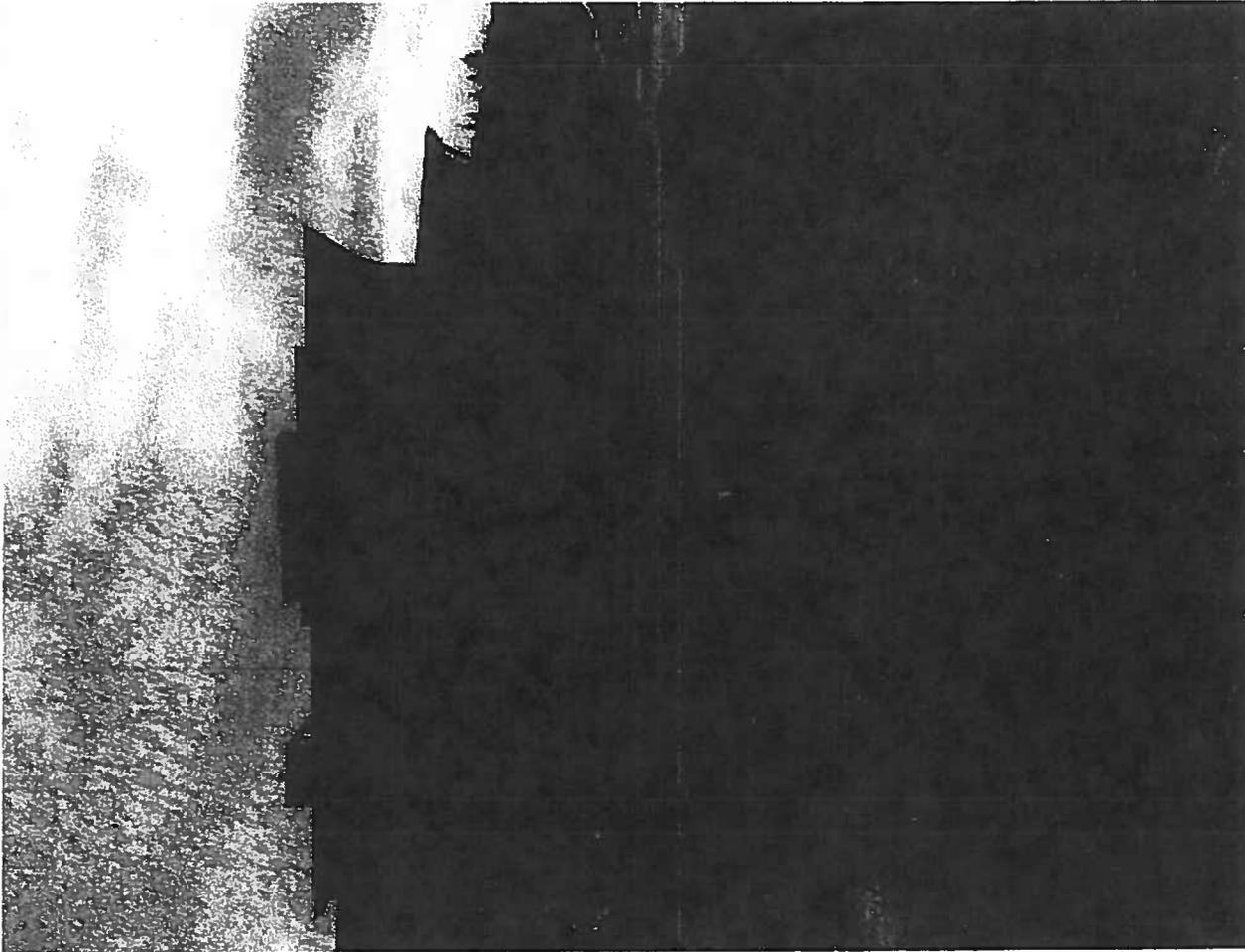


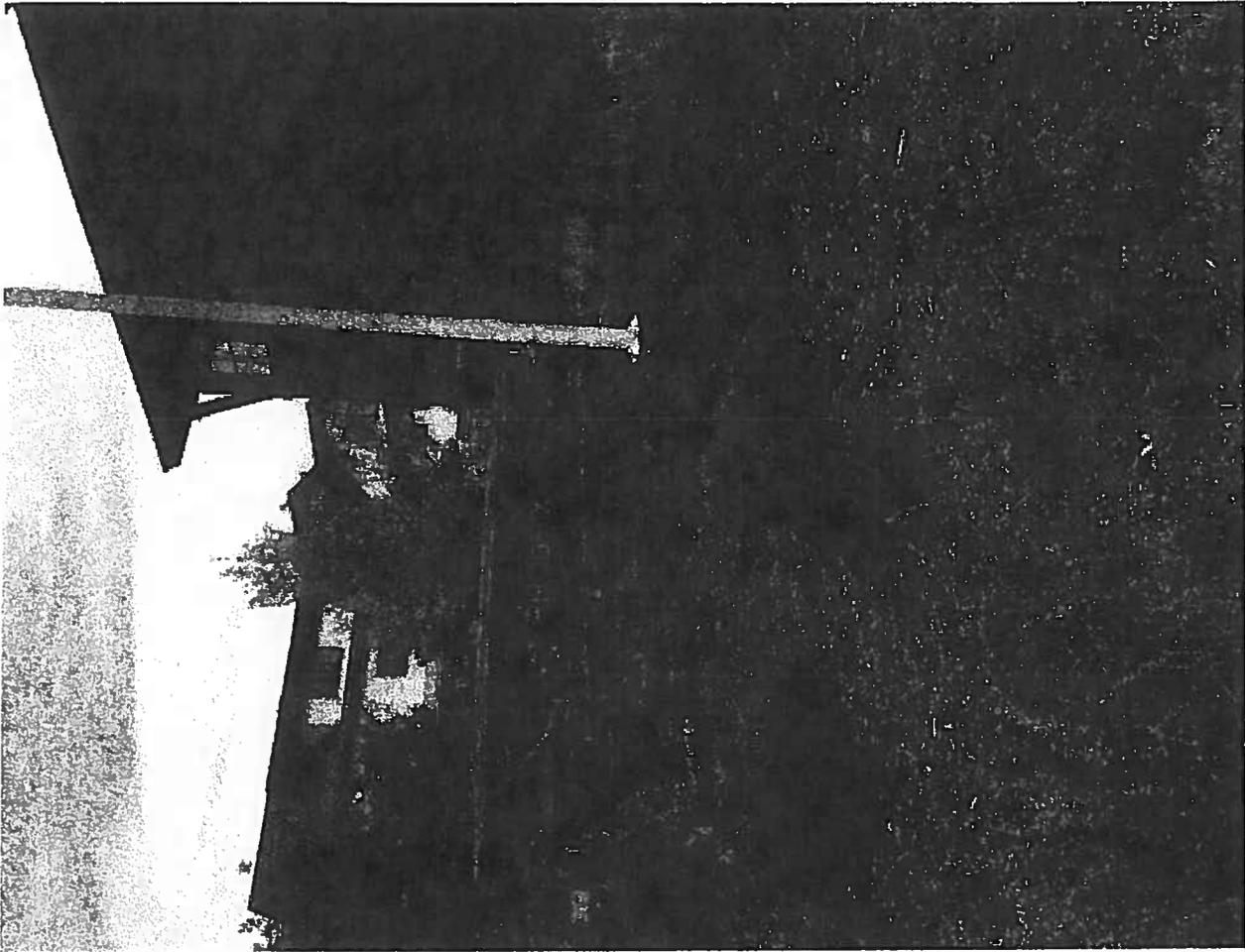
Sent from my time consuming iPhone

**Aaron Shainis**

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**From:** jerryradio991@gmail.com  
**Sent:** Tuesday, October 08, 2019 7:27 PM  
**To:** Bert Goldman; Aaron Shainis





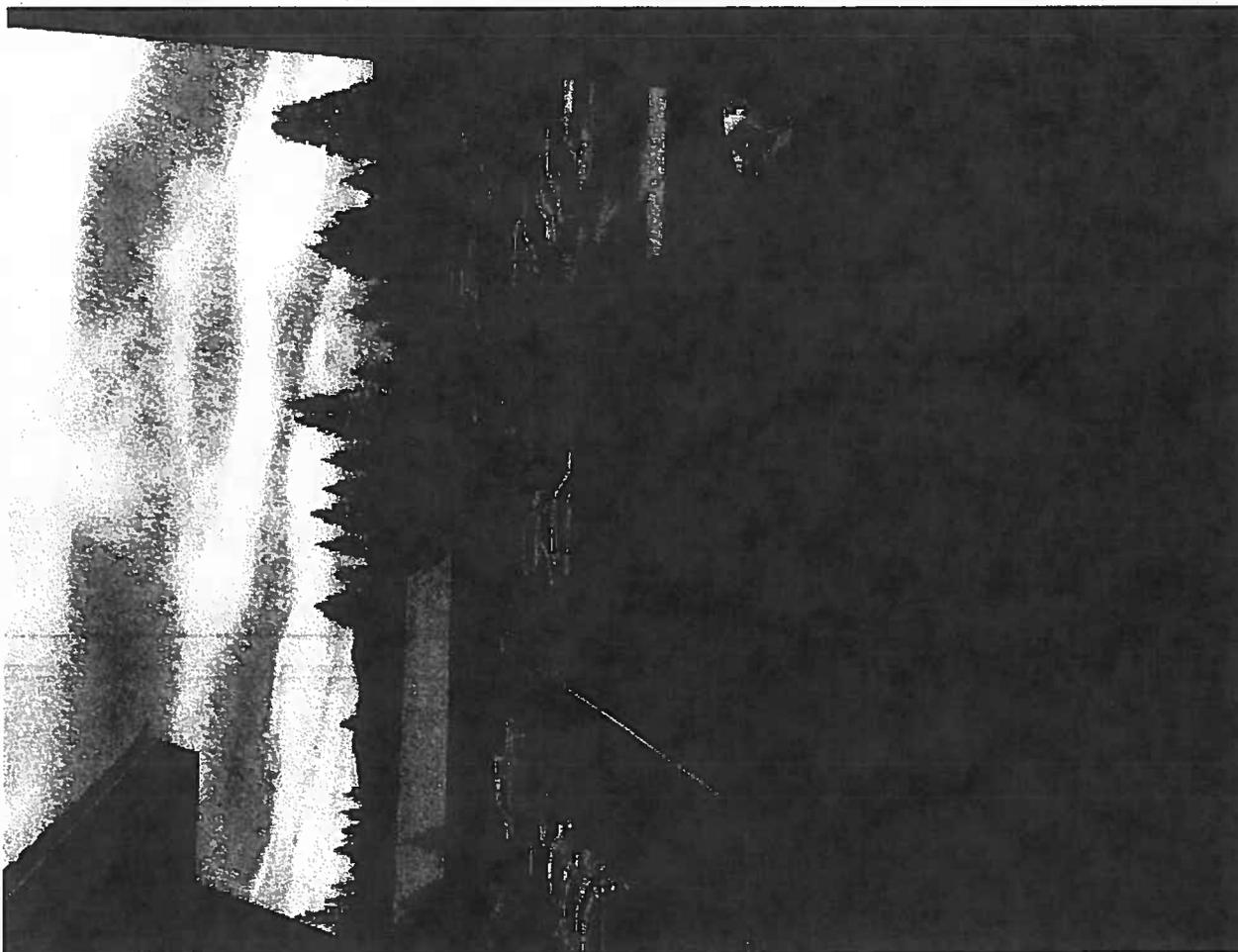
Sent from my time consuming iPhone

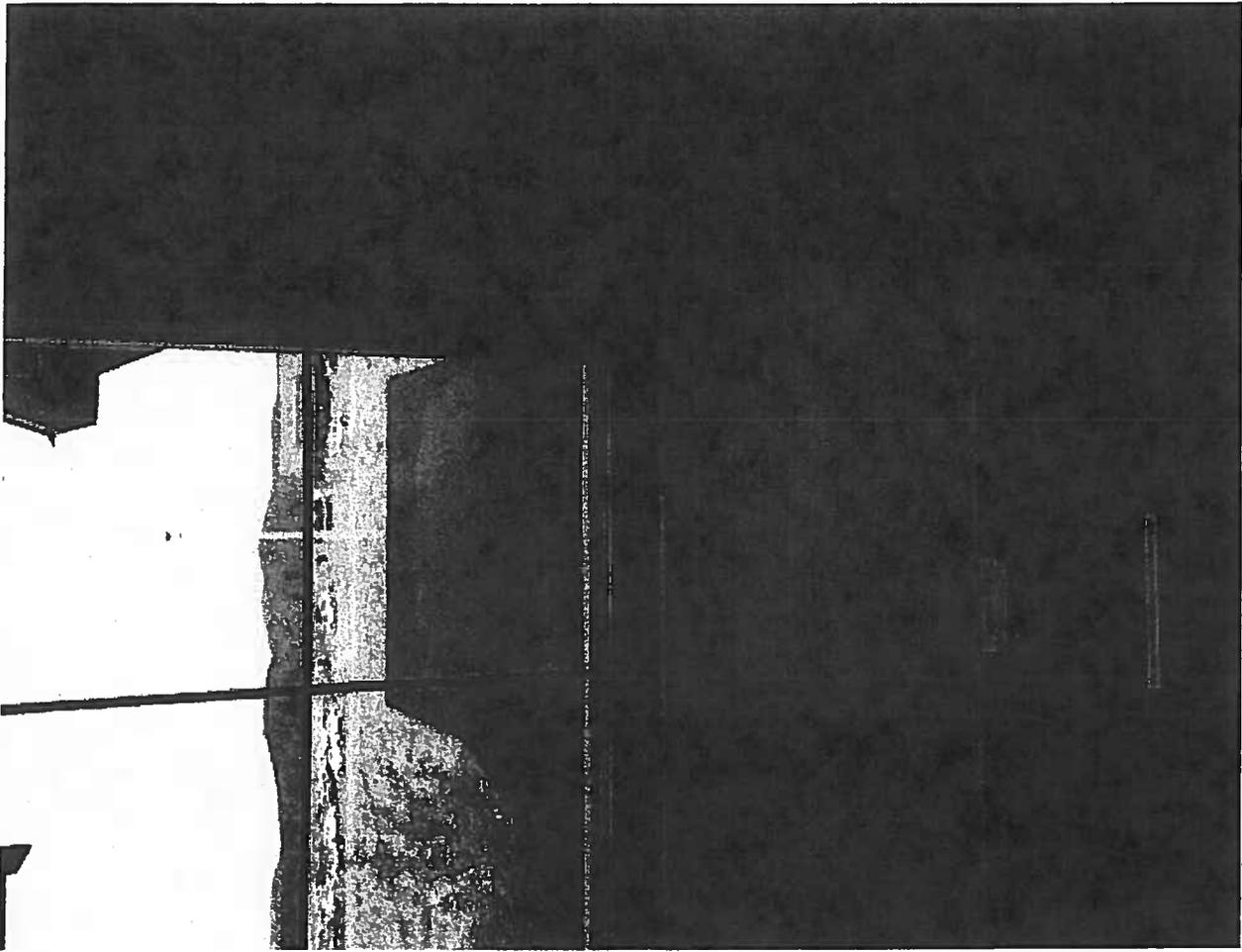
**Aaron Shainis**

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**From:** jerryradio991@gmail.com  
**Sent:** Tuesday, October 08, 2019 7:29 PM  
**To:** Bert Goldman; Aaron Shainis  
**Subject:** 102.5

From the rooftop. West/east. That's a flagpole





Sent from my time consuming iPhone

**Aaron Shainis**

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**From:** jerryradio991@gmail.com  
**Sent:** Tuesday, October 08, 2019 7:29 PM  
**To:** Bert Goldman; Aaron Shainis



Likemoji Inc. 101  
 Mantis Camp 102  
 Mountain Concepts 103A  
 Sherrin Fielder, CPA 104  
 Marsden Architects 105  
 Lohontan Community Association 106  
 Operatives 107/108

**SECOND FLOOR**

Supreme Lending - Conway Lending Team 201  
 Truckee Community Insurance Services 202  
 New Leaders 203  
 OpenPath Investments, LLC 204/205

**THIRD FLOOR**

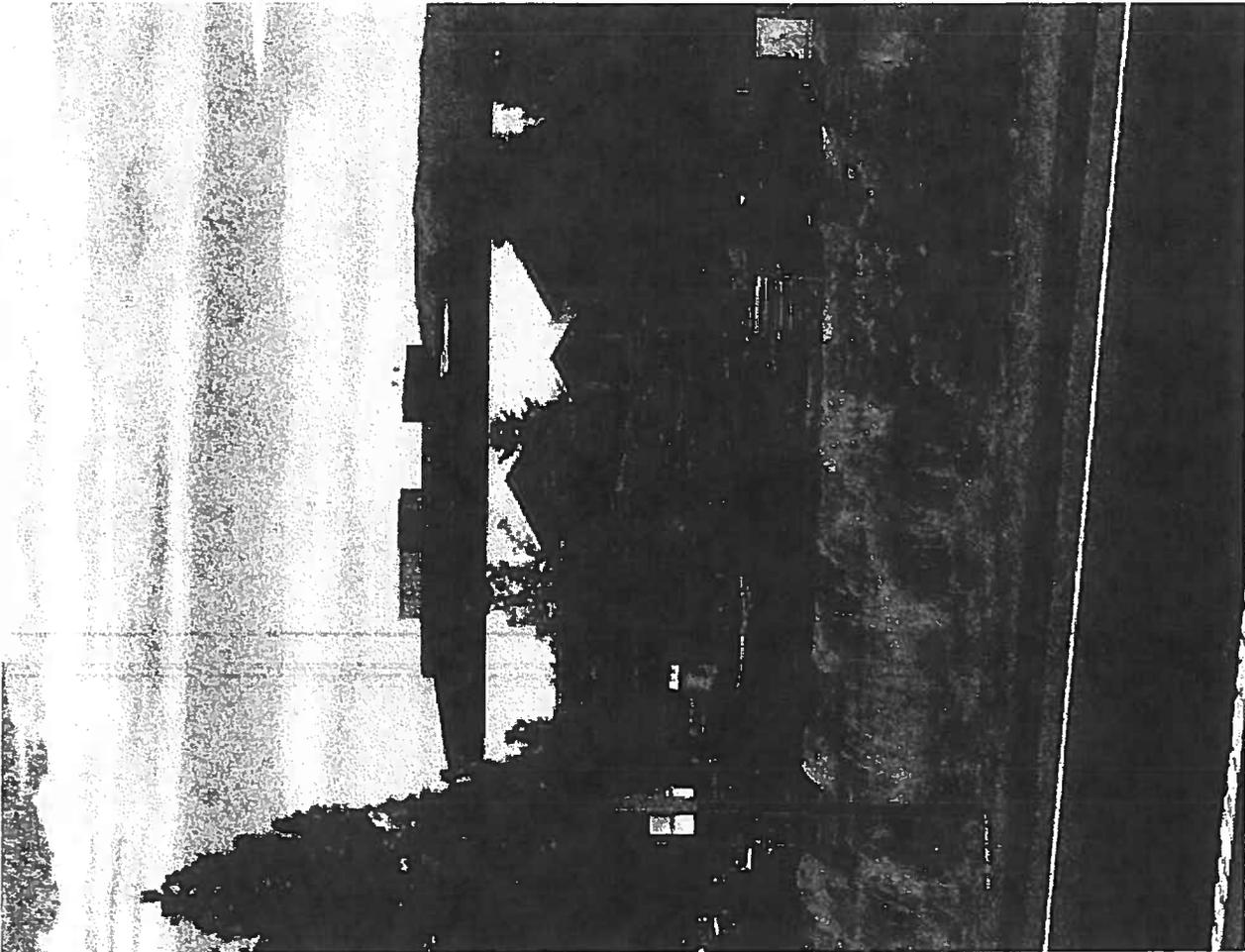
Lydia T. Parlin, Esq.  
 Certified Financial Planner - Advisor  
 Mark David Pezlin - InterMountain Development  
 Catherine Marie Interior Design  
 Dialux Lamiscope  
 Back Bay / NXT LVL

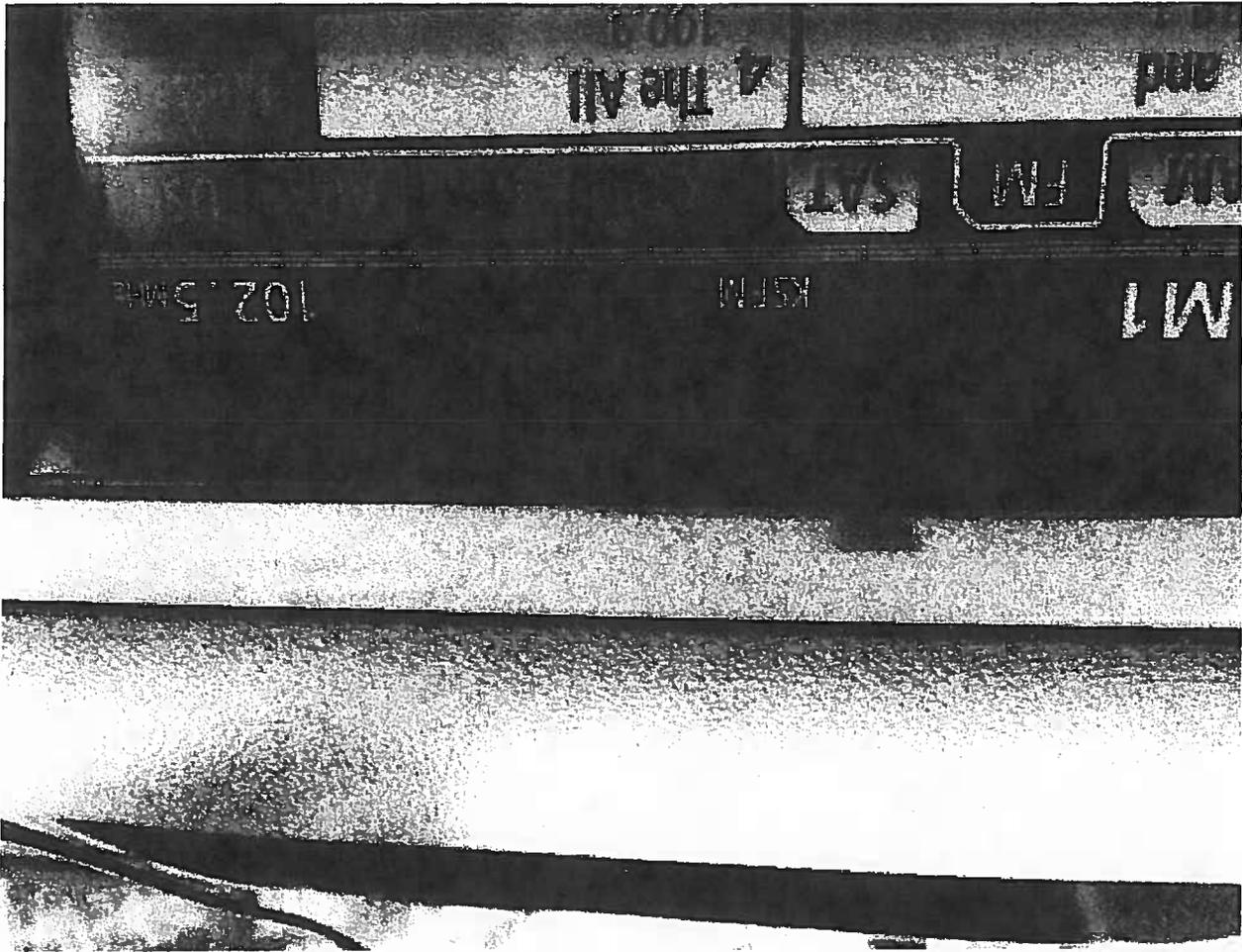
Sent from my time consuming iPhone

**Aaron Shainis**

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**From:** jerryradio991@gmail.com  
**Sent:** Tuesday, October 08, 2019 7:30 PM  
**To:** Bert Goldman; Aaron Shainis  
**Subject:** Across the street looking at rooftop





Sent from my time consuming iPhone

To:[jerry@evansbroadcast.com](mailto:jerry@evansbroadcast.com)

Here are the images for 12242 Business Park Drive in Truckee and the surrounding area.

Craig Moss

