TECHNICAL STATEMENT AND WAIVER REQUEST
K243BN LAVEEN, ARIZONA, CH. 220D
MOUNTAIN COMMUNITY TRANSLATORS, LLC
SEPTEMBER 2020

This Technical Statement is made in support of a minor modification of FM translator station and waiver request for K243BN Laveen, Arizona, facility ID 92373. K243BN seeks to change channels from 243D to 220D. While this non-reserved to a reserved band channel change is not normally allowed under commission rules, a waiver of these rules is hereby being requested because of the unique nature of the current situation with K243BN. See the justification for this waiver request later in this Technical Statement for more details.

K243BN is proposing to remain at its currently licensed transmitter site with the same antenna heights and Effective Radiation Power, with only a mild change with its current directional pattern. K243BN will remain a "fill-in" for KLVK(FM) Fountain Hills, Arizona, facility ID 76329, on channel 206C1. No other changes are being made. The following will show that the new proposed operation of K243BN will meet all of the Commissions technical requirements for an FM translator station operating on its new proposed channel 220D.

The new proposed operation of K243BN specifies a maximum Effective Radiated Power of 0.25 kilowatts (250 watts). It will operate with a directional antenna with an "off the shelf" type antenna, or a Nicom BKG 77 with circular polarization. The antenna will be mounted on an existing non-registered tower, at the Shaw Butte communications tower site, with an overall height of 24 meters above the ground. The antenna will be mounted with a Center of Radiation of 24 meters above the ground, and 669 meters

Above Mean Sea Level. The coordinates of this tower are located at N 33° 35' 39.2", W 112° 05' 10.5", NAD 83.

Figure 1 is a detailed interference study conducted on channel 220D with these new proposed facilities. It shows that the new operation of K243BN will not cause any interference to any existing or proposed FM stations on any of the pertinent same channel or adjacent channels to channel 220 with the exception of second adjacent channel station, KTAR-FM Glendale, Arizona, facility ID 65479, operating on channel 222C and KJZZ(FM) Phoenix, Arizona, facility ID 40095, channel 218C.

The proposed operation of K243BN on 220D is located within the protected 60 dBμ contour of 2nd adjacent channel of KTAR-FM. Figure 2 shows the predicted F(50-50) field strength of KTAR-FM at the proposed K243BN transmitter site is 87.2 dBμ. Therefore, the respective predicted interfering contour F(50-10) generated by the proposed K243BN on channel 220D is an additional 40 dBμ or 127.2 dBμ.

The proposed operation of K243BN on 220D is located within the protected 60 dBμ contour of 2nd adjacent channel of KJZZ(FM). Figure 3 shows the predicted F(50-50) field strength of KJZZ at the proposed K243BN transmitter site is 86.1 dBμ. Therefore, the respective predicted interfering contour F(50-10) generated by the proposed K243BN on channel 220D is an additional 40 dBμ or 126.1 dBμ. Since the interference contour generated by K243BN will be larger towards KJZZ, only the 126.1 dBμ interference contour was studied for any population coverage.

Figure 4 shows the coverage area for the worse case 126.1 dBμ interference contour F(50-10) and shows that there is no population in the area of interference.

Figure 5 is a vertical pattern study using the proposed Nicom BKG-77 antenna system in regards to potential interference to KJZZ(FM). It shows that the predicted interference contour will not reach the ground at any point.

Figure 6 is a satellite map of the K243BN transmitter site. It shows that the "Shaw Butte" communication site is a remote mountain location without any roads open to the general public.

The applicant, Mountain Community Translators, LLC ("MCT"), respectfully requests a waiver of C.F.R. 74.1204(d) of the Commission's rules based on the fact that there is no population within the area of predicted interference. There are no homes nearby the proposed existing tower site, which is a privately owned on 1/2 acres with private locked access. The transmitter building is uninhabited and does not have indoor plumbing. The area around the tower base has restricted access. The site is a dedicated communications tower site on top of "Shaw Butte". Should any unforeseen actual interference be caused, the licensee will immediately cease broadcasting with K243BN until such interference can be eliminated.

Figure 7 is the proposed directional antenna data for the new operation of K243BN on channel 220D.

The proposed operation of K243BN Laveen, Arizona will remain a "Fill-In" operation for KLVK(FM) Fountain Hills, Arizona. Figure 8 shows that the proposed 60 dBμ contour for the proposed K243BN will not extend beyond the present 60 dBμ of KLVK(FM). Since this is a "Fill-In" translator, the maximum ERP will not exceed the maximum permissible ERP of 250 watts in any azimuth.

It was found that the new proposed operation of K243BN Laveen, Arizona on channel 220D, will satisfy all of the required commission rules and regulations for an FM translator station.

Waiver Request

K243BN recently received a letter and notice from the Commission of an "Interference Complaint – Response Required" on September 17th, 2020, (letter No. 1800B3-VM) a copy of this letter is attached at figure 12 for reference. This minor change application for K243BN and waiver request is being filed in response to that letter.

1TV.com, Inc. ("1TV") licensee of KIKO-FM Claypool, AZ, facility ID 11894, filed an "Interference Complaint and Request to Order Immediate Suspension of Operations" on July 2, 2020 against K243BN Laveen, AZ. It identified 19 listener complaints to KIKO-FM allegedly from K243BN.

A relatively recent Report and Order ("R&O") by the Commission, MB-Docket No. 18-119, released May 9th, 2019, adopted proposals to streamline the rule relating to interference caused by FM translators and to expedite the translator complaint resolution process.

One of the new rules under this R&O allows FM Translators to resolve interference issues by changing channels to any available "same-band" frequency using a minor modification application. This ruling just qualified the Commissions long standing policy of granting "displacement" channels to existing translators that were being forced to change channel because of interference to a new primary service.

Under these new rules, MCT is respectfully requesting a waiver of the rule precluding relocation of K243BN from the non-reserved band channel 243D to channel 220D in the reserved portion of the FM band. While the R&O limits this "Band-hopping", good cause and a special exception to this rule can be made in this case without creating a new "precedent" that the Commission might not wish to create.

The first and original Construction Permit ("CP") for K243BN Laveen, AZ or facility ID No. 92373, was issued on December 23, 1999 to Education Media Foundation ("EMF"), a not for profit, non-commercial licensee. The CP file number BPFT-19981217TI. The original call sign was K204DR Laveen, AZ which specified operation on channel 204D (88.7 Mhz) with a non-directional antenna system (see a copy of the CP at Figure 10). It specified operation from the same "Shaw Butte" communications site as K243BN operates from today. It also specified the rebroadcasting of KLVK(FM) Fountain Hills, AZ operating on channel 206C1, or the same primary non-commercial band station that K243BN is currently rebroadcasting. K204DR was constructed and licensed for several years on channel 204D under the provisions of license file number BLFT-20000807ACS.

K204DR was later forced to file for a displacement channel because of filings for new primary stations. A copy of the EMF displacement request filed with minor change application BPFT-20120117ACL is attached as figure 11. This "displacement" application filed by EMF requested a "Band-hop" from the reserved band to the non-reserved band.

Under the R&O, the Commissions main concern is that a "Band-hop" by a translator that was awarded in the non-reserved band are awarded subject to "competitive

bidding" when there is mutual exclusive applications among competing applicants. Whereas reserve band channels translators are allocated through filing windows with mutually exclusive applications being resolved through a point system[1]. While this is a valid argument that applies to most all non-reserve band FM translators, K243BN is unique in that it was originally awarded its original CP as a "reserved band" translator, or K204DR or ***not*** through the non-reserved band process. Thus, the concern of the Commission doesn't apply in this case. In fact, if the same argument was made in the opposite direction, the Commission allowing K204DR to "Band-hop" from the reserved band to the non-reserved band back in July 2012 would now seem to be a contradiction to this new policy since K204DR (now K243BN) was allowed to move from the reserved band to the non-reserved band and not be subject to a potential "competitive bidding" process required for a new non-reserved band translators. Thus, allowing K243BN to go back to a "reserved band" channel would correct what would now seem to be against Commission policy.

MCT conducted an extensive alternate channel availability study from its current licensed transmitter site for K243BN. It was determined that there were no other viable non-reserved channels available for use by K243BN. Figure 9 attached is the results of this non-reserved band channel study listing the primary station that would block or preclude the use by K243BN on each of the potential channels. However, as can be seen with this minor change application, channel 220D (91.9 Mhz) was determined to be available for use by K243BN at its current site and allow it to continue to operate with its currently authorized 250 watts ERP.

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[1] See MB Docket No. 18-119 released May 9th, 2019, paragraph 7 "Band-hopping"

A waiver of the rules to allow K243BN to relocate back to the reserved band would not set and adverse "precedent" case for the Commission since it is a very unique situation. It would be a very rare situation where a translator that was originally awarded to operate in the reserved band was displaced to the non-reserved band (and apparently against new Commission policy), where it then was being displaced again, and the only available channel for possible relocation was in the reserved band. Plus, have the primary station being rebroadcast by the translator has always been a non-commercial station, or KLVK(FM) in this case. This could very well be the only unique case where this situation might exist. Even if it was duplicated, which once again would be a very rare case, the potentially unique exception precedent case ***should*** be allowed by any future FM translator that was originally awarded under the reserve band process, but somehow ended up for a time in the non-reserved band, and then was able to migrate back to the reserved band because of interference issues and where there was an available reserved band channel available. This would seem to be in the spirit of the decision under "Band-hopping" concerns under paragraph 7 of MB Docket No. 18-119.

The predicted 45 dBμ contour of KIKO-FM, the station filing the interference complaint, encompasses the current K243BN transmitter site. This would make any other potential remediation efforts nearly impossible, or cause such a drastic reduction in ERP or increased antenna directivity to protect KIKO-FM inside its new 45 dBμ contour, that it would likely force K243BN to suspend operations altogether.

The proposed operation on K243BN on channel 220D would not be within the 45 dBμ of any other authorized station on channel 219, 220 or 221. Thus, the prospect of

any potential interference complaints by its new operation on channel 220D is unlikely, or at the very least more able to be resolved should any interference complaints arise.

Thus, for the reasons stated above, a waiver of the new translator rules under Docket No. 18-119 is warranted in this case. A grant of this minor change application will not set any large precedent case that the Commission would have to deal with in the future being such a unique and rare situation. It would also seem to be in the same spirit now specified in Docket 18-119 in regards to translator licensing and "Band-hopping" restrictions. Finally, it would be a mutually beneficial solution to the Interference Complaints filed by 1TV licensee of KIKO-FM which recently upgraded to channel 243C or the same channel of operation currently being utilized by K243BN.

FIGURE 1 - DETAILED CHANNEL INTERFENCE STUDY
K243BN LAVEEN, AZ, CH. 220D

REFERENCE CH# 220D - 91.9 MHz, Pwr= 0.25 kW DA, HAAT= 0.0 M, COR= 669 M DISPLAY DATES
33 35 39.20 N. Average Protected F(50-50)= 7.09 km DATA 09-09-20
112 05 10.50 W. Standard Directional SEARCH 09-10-20

CH CITY	CALL STATE	TYPE ANT	AZI <--	DIST FILE #	LAT LNG	PWR(kW) HAAT(M)	INT(km) COR(M)	PRO(km) LICENSEE	*IN* (Overlap in km)	*OUT*
222C Glendale	KTAR-FM * AZ	LIC ___	175.9 355.9	29.06 BLH20040707ABM	33 19 58.20 112 03 50.50	100.000 545	13.2 911	90.2 Bonneville International C	-7.0	-62.3*
218C Phoenix	KJZZ * AZ	LIC ___	176.3 356.3	29.06 BMLED20181213ACW	33 19 57.60 112 03 57.70	100.000 490	12.6 856	87.1 Maricopa County Community	-6.4	-59.2*
220C2 Globe	KVJC AZ	LIC ___	105.7 286.4	120.89 BMLED20120112AFE	33 17 37.20 110 50 11.30	0.660 1035	123.1 2380	49.4 Calvary Chapel Of Twin Fal	-17.5*	22.9
273C Phoenix	KNIX-FM AZ	LIC ___	176.2 356.2	29.05 BMLH19870814KA	33 19 58.10 112 03 55.50	100.000 494	46.4 853	30.7 Ihm Licenses, LLC	28.5R	0.55M
273C Phoenix	KNIX-FM AZ	LIC ___	176.2 356.2	29.05 BMLH19870814KA	33 19 58.10 112 03 55.50	100.000 494	46.4 853	30.7 Ihm Licenses, LLC	28.5R	0.55M
219D Rio Verde	K219DZ AZ	LIC D__	77.6 257.7	26.03 BLFT20010109AAW	33 38 39.10 111 48 43.50	0.010 646	6.4 1225	3.2 Maricopa County Community	6.3	2.1
220C1 Sells	KOHN AZ	LIC D__	182.4 2.4	162.17 BLED20031105AIF	32 07 59.20 112 09 33.40	10.000 505	134.6 1235	55.8 Tohono O'odham Nation	5.2	36.8
221D Wickenburg	K221GE AZ	CP D__	305.6 125.2	74.37 BNPFT20130827AEC	33 58 52.10 112 44 31.60	0.040	4.6 677	3.3 Powell Meredith Communicat	48.0	37.6
220D Camp Verde	K220GI AZ	LIC ___	11.2 191.4	99.02 BLFT19971125TC	34 28 10.10 111 52 30.50	0.010 701	45.5 1997	12.4 Calvary Chapel Of Twin Fal	39.4	41.3
220C Kingman	970822MA AZ	VAC __N	315.0 133.9	253.05	35 11 19.99 114 03 14.84	100.000 600	181.7 1689	77.3	50.5	107.0
221L1 Payson	KCMA-LP AZ	LIC ___	43.8 224.2	98.19 BLL20161005AAA	34 13 47.10 111 20 49.40	0.008 101	1494	74.1 Payson Classical Music Ass		70.5
217D Groom Creek	K217FX AZ	LIC ___	342.3 162.1	95.64 BLFT20131125AZN	34 24 53.10 112 24 16.60	0.010 687	0.2 2441	15.0 Calvary Chapel Of Twin Fal	77.1	79.7
221D Prescott	K221GL AZ	LIC D__	337.6 157.4	107.61 BLFT20170130ACD	34 29 24.10 112 32 01.60	0.120	4.1 2174	2.2 John C. Faick	84.7	78.3
219D Payson	K219KQ AZ	LIC ___	46.6 227.1	112.89 BLFT20040726ADZ	34 17 17.10 111 11 34.40	0.010 305	18.9 1957	12.4 Calvary Chapel Of Twin Fal	81.2	81.8
220C0 Dolan Springs	KLKI AZ	LIC ___	307.8 126.3	305.55 BLED20100125ADU	35 14 55.90 114 44 36.80	30.000 692	187.4 1492	89.0 Educational Media Foundati	96.5	151.0
06 -- Prescott	K06AE-D« AZ	LI D_N	358.7 178.6	121.27 BLDTV-20111114AAT	32 26 27.20 114 45 23.80	0.500	1.9 2347	21.0	23.0R	98.3M
221C2 Green Valley	KCMT AZ	LIC N__	145.4 326.1	213.77 BMLH20160729AND	32 00 11.80 110 47 51.30	50.000 150	91.3 1120	62.2 Arizona Lotus Corp.	100.9	120.8
220B Yuma	KYRM AZ	LIC ___	257.5 76.0	262.17 BLED20000403ABC	33 03 18.10 114 49 39.80	6.300 407	137.6 690	57.7 World Radio Network, Inc.	102.1	136.1
223A Chino Valley	KFLX AZ	LIC N__	342.1 161.9	130.75 BLH20100706IZD	34 42 53.10 112 31 35.60	1.500 174	1.7 1696	19.4 Stone Canyon Of Flagstaff,	110.7	107.9
221L1 Sedona	KUOS-LP AZ	LIC ___	10.6 190.7	143.21 BLL20150526ACE	34 51 46.10 111 47 50.60	0.100 -46	1358	International Metaphysical	119.1	111.4
219C3 Flagstaff	KPUB AZ	LIC ___	13.2 193.5	187.99 BLED19960119KA	35 14 34.00 111 36 42.60	0.500 560	61.9 2818	41.0 Northern Arizona Universit	111.6	126.3
220A Safford	VA4281 AZ	VAC __N	110.3 291.6	236.49	32 50 00.23 109 42 59.30	6.000 100	101.4 1096	39.4	118.4	149.3
221C1 Holbrook	KZUA AZ	LIC ___	50.1 231.2	232.45 BLH20110701AAG	34 55 13.10 110 07 55.40	100.000 78	77.6 1673	48.1 Petracom Of Holbrook, L.L.	142.0	163.7
219A Wellton	KZYU-FM AZ	LIC ___	236.2 55.2	211.23 BLED20130115ADP	32 31 24.60 113 57 24.50	3.800 48	40.4 289	26.4 Hispanic AMerican Christia	147.9	150.3
219L1 Tucson	KVAN-LP AZ	LIC ___	145.2 325.8	187.67 BLL20171227AAL	32 12 04.30 110 56 50.30	0.050 20	804	Global Change Media	154.0	148.5

CH CALL / CITY	TYPE ANT / STATE	AZI <--	DIST / FILE #	LAT / LNG	PWR(kW) / HAAT(M)	INT(km) / COR(M)	PRO(km) / LICENSEE	*IN* (Overlap in km)	*OUT*
219C2 AL4362	___	71.7	242.45	34 15 06.16	50.000	80.2	54.0	148.9	166.1
Springerville	AZ	253.1		109 35 08.35	150	2391			
217C2 KXCI	LIC D__	135.4	183.01	32 24 54.20	0.340	0.5	26.0	161.9	151.8
Tucson	AZ	316.1	BLED19910917KB	110 42 58.30	1110	2646	Foundation For Creative Br		
221L1 KZBX-LP	LIC ___	357.0	183.64	35 14 50.70	0.100		159.0		155.1
Williams	AZ	176.9	BLL20140218AFH	112 11 35.50	-8	2084	First Baptist Church Of Wi		
223C1 KTHQ	LIC ___	71.7	242.45	34 15 06.10	65.000	10.0	73.5	218.9	167.1
Eagar	AZ	253.1	BLH20100426AAW	109 35 08.30	359	2602	Wsk Family Credit Shelter		
217A KSHM	LIC ___	63.3	188.26	34 20 26.10	2.700	1.6	12.9	173.5	174.6
Show Low	AZ	244.3	BLED20110926AEB	110 15 24.40	75	2025	Radio 74 Internationale		
219C2 KNOG	LIC D__	155.5	271.80	31 21 33.40	50.000	64.8	43.7	185.2	191.2
Nogales	AZ	336.2	BLED20120306ABV	110 53 56.30	52	1305	World Radio Network, Inc.		
217A KAWN	LIC ___	38.3	203.91	35 01 36.10	0.300	1.2	7.4	190.0	195.9
Winslow	AZ	219.1	BLED20100504AAY	110 41 52.50	36	1489	American Family Associatio		
222C1 DKSGC	VAC ___	359.1	263.64	35 58 13.94	100.000	9.0	67.1	238.2	195.6
Tusayan	AZ	179.1		112 07 55.59	299	2230	Tusayan Broadcasting Co.,		
220A AL4042	VAC ___	113.3	343.97	32 19 40.30	6.000	93.8	33.7	232.9	264.9
Lordsburg	NM	295.1		108 43 40.18	100	1441			
223A KWQR	LIC ___	124.5	256.98	32 16 01.30	3.000	1.6	13.3	236.2	242.8
Willcox	AZ	305.7	BLED20170310AAR	109 50 02.20	6	1322	Versailles Community Broad		
220AA R17224	ADD ___	164.7	351.56	30 32 23.42	6.000	89.1	28.0	240.3	257.5
Santa Ana	SO	345.2		111 07 12.28	100	836			
217C0 KGHR	LIC D__	14.4	316.95	36 21 26.90	100.000	9.9	72.1	292.6	243.4
Tuba City	AZ	194.9	BLED20060718AAF	111 12 14.50	322	2097	Tuba City High School Boar		
273C3 KUGO	LIC ___	358.3	260.92	35 56 42.90	14.000	46.4	30.7	11.5R	249.4M
Grand Canyon Villag	AZ	178.3	BLH20100902ABL	112 10 19.60	74	2039	Itm, LLC		
223A R17274	VAC ___	156.8	274.65	31 19 07.36	3.000	2.9	24.0	250.3	249.6
Nogales	SO	337.4		110 56 47.30	100	1383			
218B XHSOAFM	USE ___	181.2	322.14	30 41 50.38	50.000	5.1	65.0	294.0	255.1
Caborca	SO	1.2		112 09 31.41	150	450			
222B AL8320	VAC ___	181.2	322.14	30 41 50.38	50.000	5.1	65.0	294.0	255.1
Caborca	SO	1.2		112 09 31.41	150	450			
217AA R17759	VAC ___	208.7	287.48	31 19 00.30	6.000	2.6	28.0	261.8	258.4
Puerto Penasco	SO	27.9		113 32 15.61	100	105			
274B XHQTFM	USE ___	157.0	273.54	31 19 10.36	50.000	46.4	30.7	14.0R	259.5M
Nogales	SO	337.6		110 57 38.31	150	1436			
274B XHQTFM	LIC D__	157.0	273.54	31 19 10.40	9.650	46.4	30.7	14.0R	259.5M
Nogales	SO	337.6		110 57 38.30	-29	1257			
218B XHJCFM	USE ___	252.3	330.84	32 38 37.21	50.000	5.8	65.0	302.4	263.9
Mexicali	BN	70.5		115 27 11.97	150	158			
218B XHJCFM	LIC D__	252.3	330.84	32 38 37.20	14.118	2.6	65.0	305.6	263.9
Mexicali	BN	70.5		115 27 12.00	60	67			
222B R15141	VAC ___	252.3	332.74	32 38 19.21	50.000	5.8	65.0	304.3	265.8
Mexicali	BN	70.5		115 28 21.98	150	157			
223A AL9817	VAC ___	151.6	297.19	31 13 58.38	3.000	1.8	24.0	274.2	272.2
Santa Cruz	SO	332.4		110 36 07.28	100	1601			
219C2 KNAD	LIC ___	6.7	346.74	36 41 50.90	1.000	56.9	36.4	274.5	287.8
Page	AZ	186.9	BLED19991014AAS	111 37 59.50	498	2071	Az Board Of Regents For N.		
222A KWCD	LIC N__	139.1	307.96	31 28 52.30	0.090	0.7	27.8	286.3	279.3
Bisbee	AZ	320.2	BLH20081229AAG	109 57 32.20	649	2173	Ccr-Sierra Vista IV, LLC		
219A KRMC	LIC ___	135.8	344.36	31 20 48.30	6.000	23.5	15.8	300.2	301.3
Douglas	AZ	317.2	BLED20160201AAU	109 33 30.20	-38	1234	World Radio Network, Inc.		
217A KHCK	LIC ___	53.4	321.18	35 17 01.10	0.200	1.0	12.8	307.3	307.1
Houck	AZ	235.0	BLED20110822AEV	109 14 53.30	1	1930	Advance Ministries, Inc.		
218A AL9189	VAC ___	149.5	335.38	30 58 55.40	3.000	1.6	24.0	312.8	310.4
Cananea	SO	330.5		110 18 04.25	100	1670			

CH	CALL	TYPE	ANT	AZI	DIST	LAT	PWR(kW)	INT(km)	PRO(km)	*IN*	*OUT*
CITY		STATE		<--	FILE #	LNG	HAAT(M)	COR(M)	LICENSEE	(Overlap in km)	
274A	R17547	VAC	___	136.0	346.63	31 19 33.38	3.000	46.4	30.7	8.0R	338.6M
Agua Prieta		SO		317.3		109 32 58.24	100	1377			

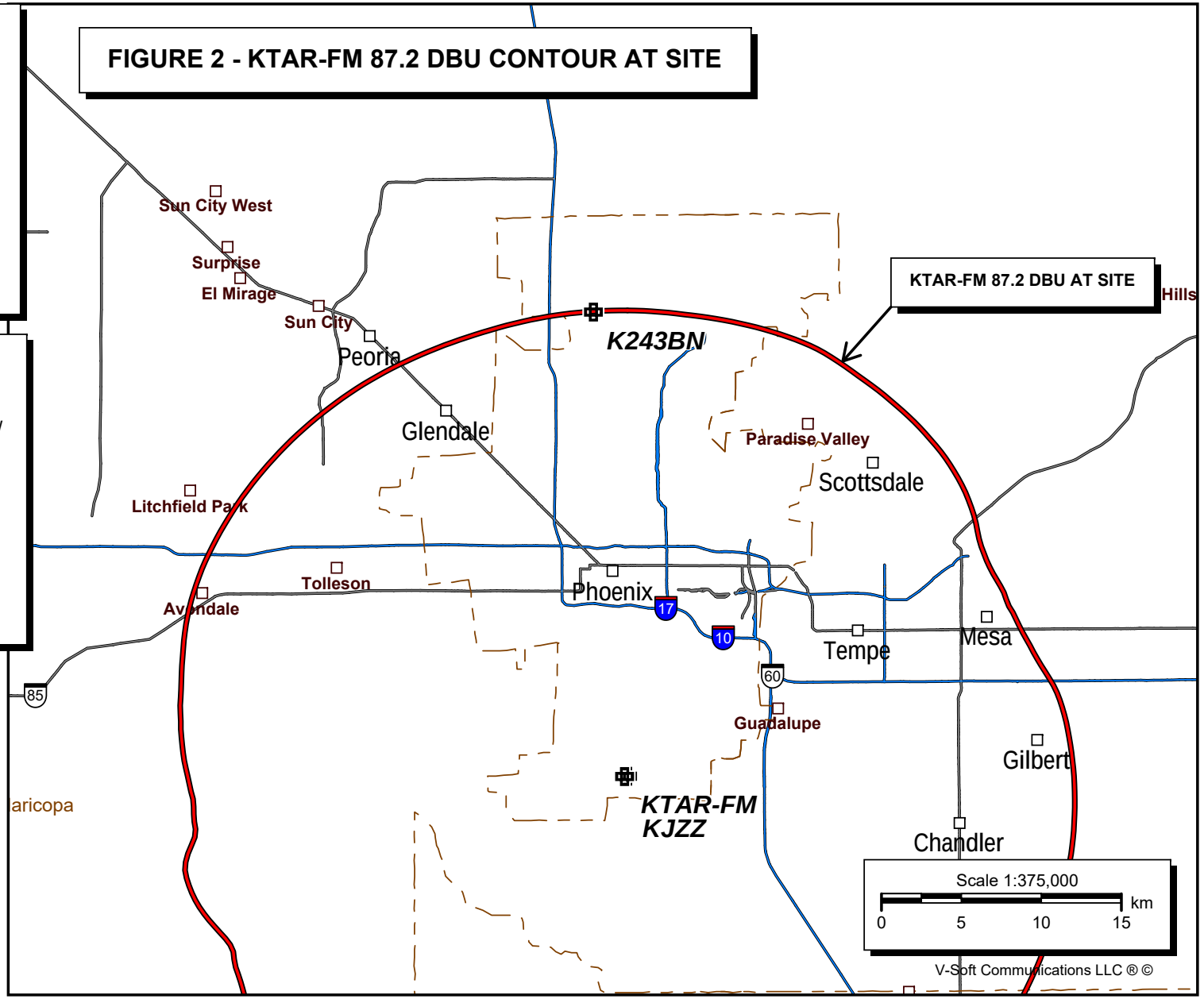
Terrain database is NGDC 30 SEC , R= 73.215 qualifying spacings or FCC minimum Spacings in KM, M= Margin in KM
In & Out distances between contours are shown at closest points. Reference zone= West Zone, Co to 3rd adjacent.
All separation margins (if shown) include rounding.
Ant Column: (D= DA Standard, 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.
« = Station meets FCC minimum distance spacing for its class.
Reference station has protected zone issue: Mexico

* No actual interference will be caused to either KTAR-FM and KJZZ (FM) since the worst case 126.1 dBu contour cover any population. See the Technical Statement for more information.

K243BN
BLFT20171211AAV
Latitude: 33-35-39.20 N
Longitude: 112-05-10.50 W
ERP: 0.25 kW
Channel: 220
Frequency: 91.9 MHz
AMSL Height: 669.0 m
Elevation: 645.0 m
Horiz. Pattern: Directional
Vert. Pattern: No
Prop Model:

KTAR-FM
BLH20040707ABM
Latitude: 33-19-58.03 N
Longitude: 112-03-47.97 W
ERP: 100.00 kW
Channel: 222
Frequency: 92.3 MHz
AMSL Height: 911.0 m
Elevation: 810.0 m
Horiz. Pattern: Omni
Vert. Pattern: No
Prop Model:

FIGURE 2 - KTAR-FM 87.2 DBU CONTOUR AT SITE



K243BN
BLFT20171211AAV
Latitude: 33-35-39.20 N
Longitude: 112-05-10.50 W
ERP: 0.25 kW
Channel: 220
Frequency: 91.9 MHz
AMSL Height: 669.0 m
Elevation: 645.0 m
Horiz. Pattern: Directional
Vert. Pattern: No
Prop Model:

KJZZ
BMLED20181213ACW
Latitude: 33-19-57.43 N
Longitude: 112-03-55.17 W
ERP: 100.00 kW
Channel: 218
Frequency: 91.5 MHz
AMSL Height: 856.0 m
Elevation: 797.0 m
Horiz. Pattern: Omni
Vert. Pattern: No
Prop Model:

FIGURE 3 - KJZZ(FM) 86.1 DBU CONTOUR AT SITE

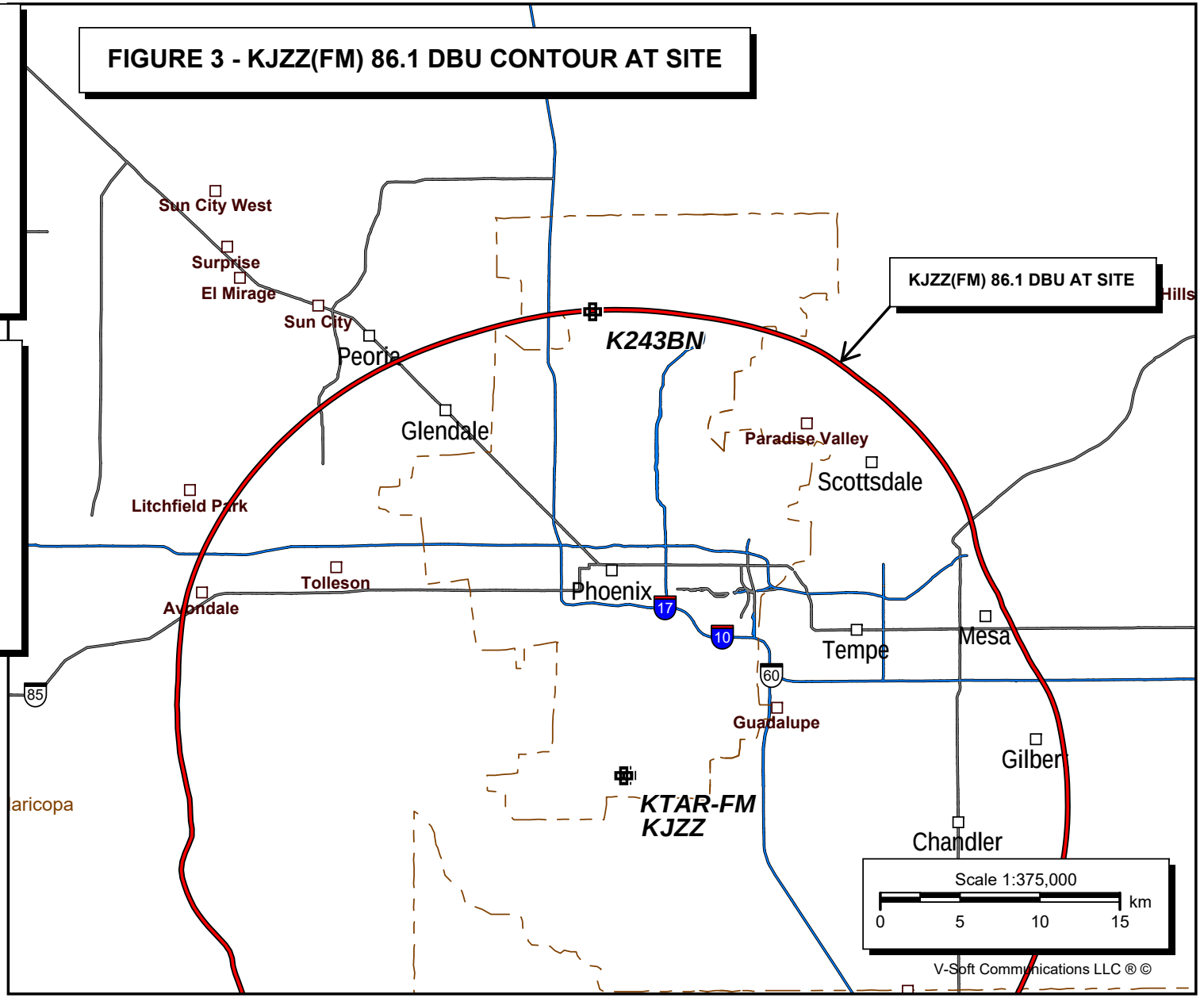


FIGURE 4 - Predicted 126.1 DBU Contour
K243BN LAVEEN, AZ, CH. 220D

Coverage Study - NGDC 30 SEC
09-10-2020

K243BN CH220 D , 0.25 kW, 0.0m HAAT, 669.0m COR AMSL
Interference Contour = 126 dBu. Population = 0

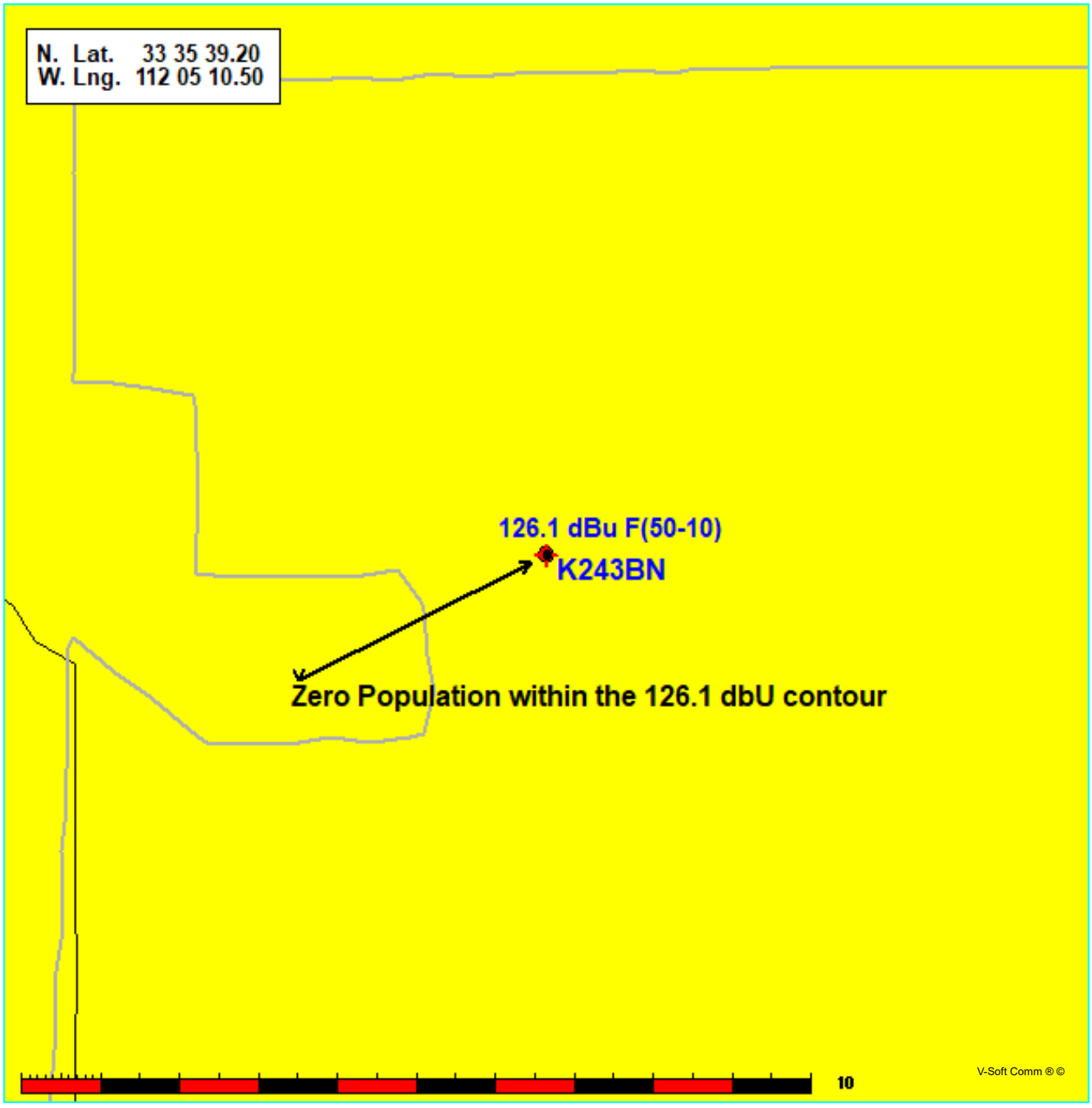


FIGURE 5 - VERTICAL PATTERN STUDY

K243BN LAVEEN, ARIZONA, Showing Protection to KJZZ   , Channel: 218
Geographic Coordinates: N. 33 35 39.20 W. 112 05 10.50
74.1204(d) Study - Using USGS 03 SEC Terrain Database
Translator or LPFM Maximum Licensed ERP = 0.25 kW, Channel: 220
Translator or LPFM Antenna Height AG = 24 meters
K243BN Antenna Azimuth Model =   Vertical Model Name = BKG77

Protected Station's Contour = 86.11765 dBu
Translator's or LPFM's full Interference contour 126.11765

Review Azimuth = 0 Degrees True
Horizontal Relative Field at Review Azimuth = 0.692
Translator/LPFM ERP on the horizontal at Review Azimuth = 0.12 kW
Distance between stations = 29.1 km
Protected Station= KJZZ, 100 kW, 856 M meters COR AMSL

Depression Angle From Degree(Deg)	Vertical Relative Field	Horizontal Relative Field	ERP (kw)	Dist to IX Contour Along Dep. Angle(m)	Dist to IX Contour From Tower Base(m)	Height IX Above Ground (m)
00.00	1.0	0.69	0.1730	045.6185	045.6185	024.000
05.00	0.967	0.69	0.1618	044.1130	043.9452	020.155
10.00	0.871	0.69	0.1312	039.7337	039.1300	017.100
15.00	0.711	0.69	0.0875	032.4347	031.3295	015.605
20.00	0.518	0.69	0.0464	023.6304	022.2053	015.918
25.00	0.31	0.69	0.0166	014.1417	012.8168	018.023
30.00	0.112	0.69	0.0022	005.1093	004.4248	021.445
35.00	0.062	0.69	0.0007	002.8283	002.3168	022.378
40.00	0.198	0.69	0.0068	009.0325	006.9193	018.194
45.00	0.288	0.69	0.0143	013.1381	009.2900	014.710
50.00	0.336	0.69	0.0195	015.3278	009.8525	012.258
55.00	0.349	0.69	0.0211	015.9208	009.1318	010.958
60.00	0.331	0.69	0.0190	015.0997	007.5499	010.923
65.00	0.295	0.69	0.0151	013.4574	005.6874	011.803
70.00	0.246	0.69	0.0105	011.2221	003.8382	013.455
75.00	0.197	0.69	0.0067	008.9868	002.3260	015.319
80.00	0.151	0.69	0.0039	006.8884	001.1962	017.216
85.00	0.122	0.69	0.0026	005.5655	000.4851	018.456
90.00	0.117	0.69	0.0024	005.3374	000.0000	018.663

FIGURE 6 - SATELLITE MAP OF AREA AROUND THE K243BN SITE

Google Maps 33°35'39.0"N 112°05'10.0"W

Imagery ©2016 Google, Map data ©2016 Google 1000 ft

33°35'39.0"N 112°05'10.0"W

33.594167, -112.086111

FIGURE 7 - DIRECTIONAL ANTENNA DATA

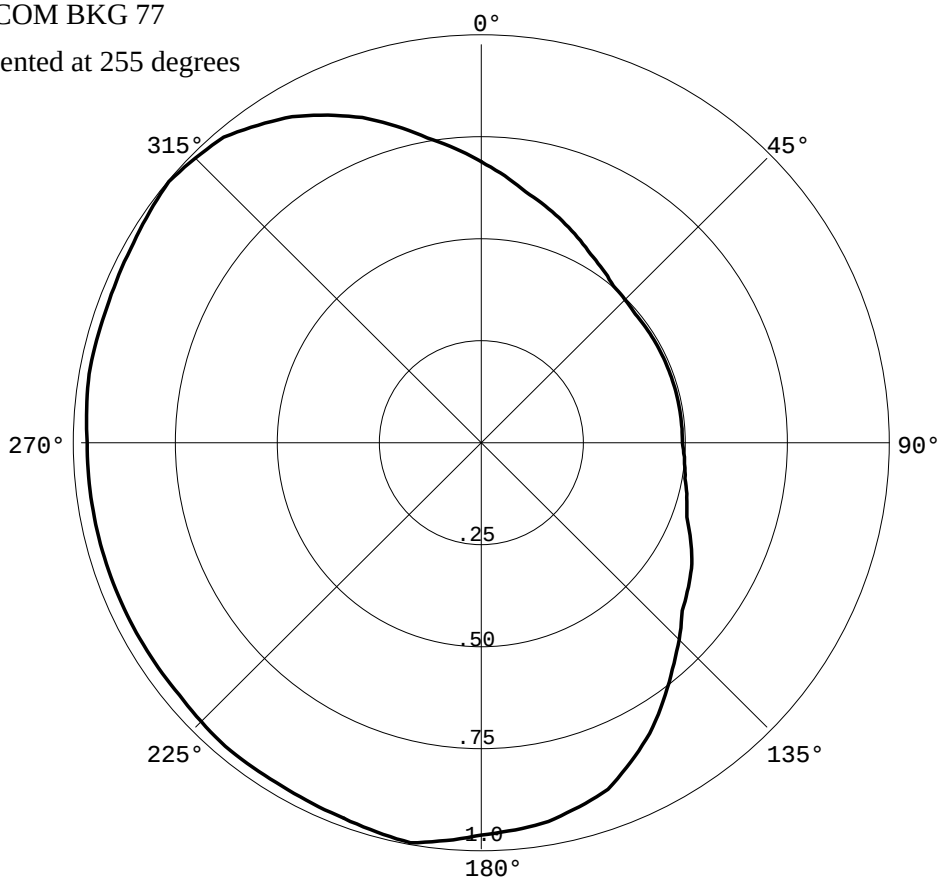
K243BN 09-17-2020 RMS(V)= .811

Azi	Field	dBk	kW
000	0.692	-09.218	0.120
010	0.627	-10.075	0.098
020	0.581	-10.737	0.084
030	0.536	-11.437	0.072
040	0.504	-11.972	0.064
050	0.493	-12.164	0.061
060	0.493	-12.164	0.061
070	0.493	-12.164	0.061
080	0.493	-12.164	0.061
090	0.493	-12.164	0.061
100	0.507	-11.920	0.064
110	0.536	-11.437	0.072
120	0.596	-10.516	0.089
130	0.643	-09.856	0.103
140	0.728	-08.778	0.132
150	0.826	-07.681	0.171
160	0.908	-06.859	0.206
170	0.947	-06.494	0.224
180	0.966	-06.321	0.233
190	1.000	-06.021	0.250
200	0.984	-06.161	0.242
210	0.976	-06.232	0.238
220	0.976	-06.232	0.238
230	0.966	-06.321	0.233
240	0.966	-06.321	0.233
250	0.966	-06.321	0.233
260	0.966	-06.321	0.233
270	0.966	-06.321	0.233
280	0.976	-06.232	0.238
290	0.976	-06.232	0.238
300	0.984	-06.161	0.242
310	1.000	-06.021	0.250
320	0.982	-06.178	0.241
330	0.927	-06.679	0.215
340	0.852	-07.412	0.181
350	0.762	-08.382	0.145

Graph is Relative Field

NICOM BKG 77

Oriented at 255 degrees



K243BN
BLFT20171211AAV
Latitude: 33-35-39.20 N
Longitude: 112-05-10.50 W
ERP: 0.25 kW
Channel: 220
Frequency: 91.9 MHz
AMSL Height: 669.0 m
Elevation: 645.0 m
Horiz. Pattern: Directional
Vert. Pattern: No
Prop Model:

KLVK
BLED20100720AIX
Latitude: 33-35-32.96 N
Longitude: 112-34-48.99 W
ERP: 30.00 kW
Channel: 206
Frequency: 89.1 MHz
AMSL Height: 1232.0 m
Elevation: 1122.0 m
Horiz. Pattern: Directional
Vert. Pattern: No
Prop Model:

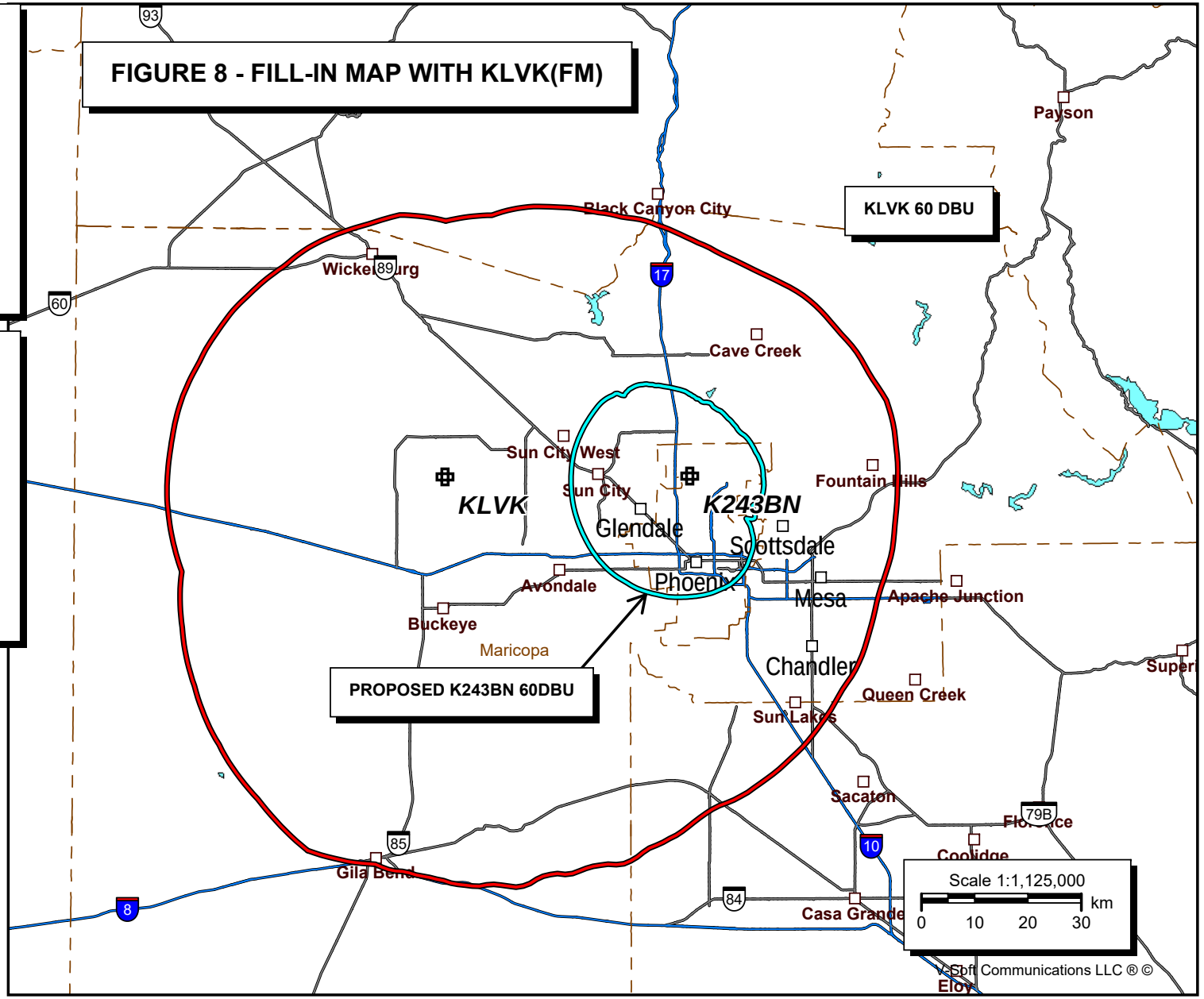


FIGURE 9 – COMMERCIAL FM BAND STUDY

SEARCH CHANNEL - PRECLUDING STATION

CH. 221 -	KTAR-FM	CH. 222C
CH. 222 –	KTAR-FM	CH. 222C
CH. 223 –	KTAR-FM	CH. 222C
CH. 224 –	K224CJ	CH. 224D
CH. 225 –	K225CT	CH. 225D
CH. 226 –	KDKB	CH. 227C
CH. 227 -	KDKB	CH. 227C
CH. 228 –	KDKB	CH. 227C
CH. 229 –	K229DB	CH. 229D
CH. 230 –	KWSS-LP	CH. 230D
CH. 231 –	KWSS-LP	CH. 230D
CH. 232 –	KOOL-FM	CH. 233C
CH. 233 –	KOOL-FM	CH. 233C
CH. 234 –	KOOL-FM	CH. 233C
CH. 235 –	KOAI	CH. 236C
CH. 236 –	KOAI	CH. 236C
CH. 237 –	KYOT	CH. 238C
CH. 238 –	KYOT	CH. 238C
CH. 240 –	KYOT	CH. 238C
CH. 241 –	K241CS	CH. 241D
CH. 242 –	K241CS	CH. 241D
CH. 243* –	KIKO-FM	CH. 243C*
CH. 244 –	KMXP	CH. 245C
CH. 245 –	KMXP	CH. 245C
CH. 246 –	KMXP	CH. 245C
CH. 247 –	KMVA	CH. 248C
CH. 248 –	KMVA	CH. 248C
CH. 249 –	KUPD	CH. 250C
CH. 250 –	KUPD	CH. 250C
CH. 251 –	KUPD	CH. 250C
CH. 252 –	KKFR	CH. 252C
CH. 253 –	KMVP-FM	CH. 254C
CH. 254 –	KMVP-FM	CH. 254C
CH. 255 –	KMVP-FM	CH. 254C
CH. 256 –	K257CD	CH. 257D
CH. 257 –	K257CD	CH. 257D
CH. 258 –	K257CD	CH. 257D
CH. 259 –	KESZ	CH. 260C
CH. 260 –	KESZ	CH. 260C
CH. 261 –	KESZ	CH. 260C
CH. 262 –	KQMR	CH. 262C
CH. 263 –	KSLX-FM	CH. 264C
CH. 264 –	KSLX-FM	CH. 264C

FIGURE 9 (Continued) Page 2 of 2

CH. 265 –	KSLX-FM CH. 264C
CH. 266 –	KNRJ CH. 266C
CH. 267 –	KALV-FM CH. 268C
CH. 268 –	KALV-FM CH. 268C
CH. 269 –	KALV-FM CH. 268C
CH. 270 –	K270BZ CH. 270D
CH. 271 –	KAHM CH. 271D
CH. 272 –	KNIX-FM CH. 273C
CH. 273 –	KNIX-FM CH. 273C
CH. 274 –	KNIX-FM CH. 273C
CH. 275 –	K275CP CH. 275D
CH. 276 –	K275CP CH. 275D
CH. 277 –	KLNZ CH. 278C
CH. 278 –	KLNZ CH. 278C
CH. 279 –	KLNZ CH. 278C
CH. 280 –	KZON CH. 280C1
CH. 281 –	KZON CH. 280C1
CH. 282 –	KAJM CH. 282C
CH. 283 –	KZZP CH. 284C
CH. 284 –	KZZP CH. 284C
CH. 285 –	KZZP CH. 284C
CH. 286 –	KHOV-FM CH. 286C1
CH. 287 –	K287BX CH. 287D
CH. 288 –	KAIZ CH. 288C2
CH. 289 –	KHOT-FM CH. 290C2
CH. 290 –	KHOT-FM CH. 290C2
CH. 291 –	KHOT-FM CH. 290C2
CH. 292 –	KOMR CH. 292C2
CH. 293 –	K294CW CH. 294D
CH. 294 –	K294CW CH. 294D
CH. 295 –	KVVA-FM CH. 296C2
CH. 296 –	KVVA-FM CH. 296C2
CH. 297 –	KVVA-FM CH. 296C2
CH. 298 –	K298CK CH. 298D
CH. 299 –	KMLE CH. 300C
CH. 300 –	KMLE CH. 300C

*KIKO-FM station with current interference complaint despite no interference contour overlap from K243BN.

FIGURE 10 - COPY OF ORIGINAL CP FOR K243BN AS K204DR

United States of America

FEDERAL COMMUNICATIONS COMMISSION
FM BROADCAST TRANSLATOR/BOOSTER STATION
CONSTRUCTION PERMIT

Authorizing Official:

Official Mailing Address:

MOUNTAIN COMMUNITY TRANSLATORS, LLC
1418 BRADLEY AVENUE
CHEYENNE WY 82001

James D. Bradshaw
Associate Chief
Audio Division
Media Bureau

Grant Date: December 23, 1999

This permit expires 3:00 a.m. local time, 36 months after the grant date specified above.

Facility Id: 92373

Call Sign: K204DR

Permit File Number: BPFT-19981217TI

Commission rules which became effective on February 16, 1999, have a bearing on this construction permit. See Report & Order, Streamlining of Mass Media Applications, MM Docket No. 98-43, 13 FCC RCD 23056, Para. 77-90 (November 25, 1998); 63 Fed. Reg. 70039 (December 18, 1998). Pursuant to these rules, this construction permit will be subject to automatic forfeiture unless construction is complete and an application for license to cover is filed prior to expiration. See Section 73.3598.

Name of Permittee: MOUNTAIN COMMUNITY TRANSLATORS, LLC

Principal community to be served: AZ-LAVEEN

Primary Station: KLVK (FM) , Channel 206, FOUNTAIN HILLS, AZ

Via: Satellite

Frequency (MHz): 88.7

Channel: 204

Hours of Operation: Unlimited

Antenna Coordinates: North Latitude: 33 deg 19 min 57 sec

West Longitude: 112 deg 03 min 49 sec

Transmitter: Type Accepted. See Sections 73.1660, 74.1250 of the Commissio

Antenna type: (directional or non-directional): Non-Directional

Major lobe directions (degrees true): Not Applicable

	Horizontally Polarized Antenna:	Vertically Polarized Antenna:
Effective radiated power in the Horizontal Plane (kw):	0.011	0.011
Height of radiation center above ground (Meters):	24	24
Height of radiation center above mean sea level (Meters):	838	838

Antenna structure registration number: Not Required

Overall height of antenna structure above ground: 43 Meters

Obstruction marking and lighting specifications for antenna structure:

It is to be expressly understood that the issuance of these specifications is in no way to be considered as precluding additional or modified marking or lighting as may hereafter be required under the provisions of Section 303(q) of the Communications Act of 1934, as amended.

None Required

Special operating conditions or restrictions:

1 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.

2 Prior to commencing program test operations, FM Translator or FM Booster permittee must have on file at the Commission, FCC Form 350, Application for an FM Translator or FM Booster Station License, pursuant to 47 C.F.R. Section 74.14.

*** END OF AUTHORIZATION ***

FIGURE 11 - COPY OF EMF DISPLACEMENT CHANNEL REQUEST

Educational Media Foundation
5700 West Oaks Boulevard
Rocklin, CA 95765

Exhibit 1
Laveen, AZ

Displacement Application

Educational Media Foundation ("EMF") submits this application in order to change the channel of its licensed translator facility K204DR, Laveen, AZ (BLFT-20000807ACS) from channel 204 to channel 243.

Exhibit 1B demonstrates the prohibited overlap of the protected contour of the licensed facility of K204DR by two applications now pending before the FCC, file numbers BNPED20071016AGQ and BPED20080627ABN.

To alleviate the potential for interference, EMF submits that it is not technically feasible to operate W204DR on its current channel 204 or the 1st, 2nd, or 3rd adjacent channels, or the intermediate frequency channels (see attached Exhibit 1B). In order to continue to provide service to the listeners of W204DR, EMF has chosen channel 243. The primary station, delivery method and antenna of the existing facility will not be changed. The physical location of the translator remains unchanged.

FIGURE 12 - COPY OF FCC INTERFERENCE LETTER TO K243BN

Federal Communications Commission
Washington, D.C. 20554

September 17, 2020

In Reply Refer to:
1800B3-KV

Mountain Community Translators, LLC
c/o Victor A. Michael, Jr.
1418 Bradley Avenue
Cheyenne, WY 82001

1TV.com, Inc.
c/o John Neely, Esq.
Miller and Neely, PC
3750 University Blvd., West
Suite 203
Kensington, MD 20895

In re: K243BN, Laveen, AZ
Mountain Community Translators, LLC
Facility ID No. 92373
File No. BLFT-20171211AAV

Interference Complaint -- Response Required

Dear Counsel:

This letter refers to 1TV.com, Inc.'s (1TV)[1] "Interference Complaint and Request to Order Immediate Suspension of Operations" (Complaint) filed on July 2, 2020. The Complaint alleges interference from FM Translator K243BN, Laveen, Arizona (K243BN or Translator) to the direct reception by the public of the off-the-air signal of KIKO-FM.[2]

In the *Translator Interference Order*,[3] the Commission adopted certain changes to the translator interference complaint resolution process. Among other things, the Commission revised the relevant

[1] 1TV is the licensee of Station KIKO-FM, Claypool, Arizona (KIKO-FM or Complaining Station).

[2] K243BN is licensed to Mountain Community Translators, LLC (MCT or Licensee).

[3] *Amendment of Part 74 of the Commission's Rules Regarding FM Translator Interference*, MB Docket No. 18-119, Report and Order, 34 FCC Rcd 3457 (2019) (*Translator Interference Order*). The *Translator Interference Order* became effective on August 13, 2019. *Effective Date of Amended Rules for FM Translator Interference*, MB Docket No. 18-119, Public Notice, 34 FCC Rcd 7004 (2019).

rules to require that stations complaining of interference must submit a complete interference claim package consisting of specified technical showings along with a required minimum number of rule-compliant listener complaints.[4]

Pursuant to Table 1 of 47 CFR § 74.1203(a)(3) of the Commission's rules (Rules),[5] 1TV is required to submit a minimum of ten rule-compliant listener complaints.[6] 1TV has submitted 19 listener complaints which it claims comply with the Rules.[7]

Based on our review of the Complaint, we conclude that 1TV has submitted a valid interference claim package. In particular, we find that 1TV has exceeded its required showing of ten rule-compliant listener complaints with the following 11 rule-compliant Complainants, along with the required engineering showings:[8] Burgess (driving); Cammarata (driving); T.E. Davis (driving); T. Davis (driving); E. Hooten (driving); Hudgens (driving); Moore (driving); Pyle (driving); Robinson (driving); Sanchez (driving); and O'Neal (driving).[9] With respect to the complaints of J. Hooten, R. Hooten, and T. Hooten, because they reported only interference locations that are duplicative of E. Hooten's reported interference locations,[10] their complaints were not counted towards 1TV's required minimum of ten rule-compliant listener complaints.[11] Regarding the remaining Complainants, we find their complaints to be unacceptable. Specifically, Holley and McDonald reported interference locations that are located outside of KIKO-FM's 45 dBu protected signal strength contour.[12] In addition, the complaints of Listeners 1, 2, and 17 are illegible and, therefore, are unacceptable.[13]

---

[4] 47 CFR §§ 74.1203(a)(3), 74.1204(f); *Translator Interference Order*, 34 FCC Rcd at 3463-3466, 3469-3470, paras. 12-15; 23-24.

[5] 47 CFR § 74.1203.

[6] Although 1TV states that the population within KIKO-FM's 60 dBu protected contour is 957,966 persons, s*ee* Complaint at 3, our independent engineering review found 837,850 persons that are located within KIKO-FM's 60 dBu protected contour. For populations of 500,000 – 999,999, a minimum of ten rule-compliant listener complaints are required; thus, the discrepancy is of no material significance. *See* Table 1 of 47 CFR § 74.1203(a)(3).

[7] Specifically, 1TV has submitted complaints from the following listeners: Illegible Listener Name (Listener 1); Illegible Listener Name (Listener 2); Jayne Burgess (Burgess); Thomas Cammarata (Cammarata); Thomas E. Davis (T.E. Davis); Thomas Davis (T. Davis); Susan Holley (Holley); Edward Hooten (E. Hooten); Jamie Hooten (J. Hooten); Ryan Hooten (R. Hooten); Terri Hooten (T. Hooten); Rachel Hudgens (Hudgens); Jeffrey J. McDonald (McDonald); Linda S. Moore (Moore); Terry L. Pyle (Pyle); Danielle O'Neal (O'Neal); Illegible Listener Name (Listener 17); Laura L. Robinson (Robinson); and Jeydi Sanchez (Sanchez). Complaint, Attach. 1, Listener Complaints. Collectively, these listener complainants will be referred to as the Complainants.

[8] Several of the Complainants reported multiple interference locations such as home, work and driving. In listing the rule-complaint complaints, we have listed in a parenthetical the acceptable interference location(s).

[9] Complaint, Attach. 1, Listener Complaints.

[10] In particular, these complainants each stated, "When listening to 96.5 in the Phoenix AZ area, interference is from the US 60 & I-10 interchange to the west to HWY 51 and 101 in the north to the 202 in the south. The interference gets so bad in the north valley I cannot pick up KIKO. The station bleeding in is from Fountain Hills AZ and is identified by the call sign K-Love." *Id*.

[11] *Translator Interference Order*, 34 FCC Rcd at 3466, para. 15. ("[T]ranslator interference claims must be based on 'separate receivers at separate locations' . . . .").

[12] Complaint, Attach. 1, Listener Complaints.

[13] In the complaints for Listeners 1 and 17, the listener's name, address, telephone number, and date are illegible, and in the complaint for Listener 2, the listener's name and address are illegible. *Id*.

Accordingly, MCT is required to remediate the interference as set forth in the timeline below:[14]

1. **Within thirty days of this letter**, MCT must file:
   - a plan to resolve the interference;[15] or
   - evidence that 1TV's Complaint is not a valid and complete interference claim package.[16]
2. **Within sixty days of submitting a remediation plan**, if one has been submitted, MCT must file either (i) the **jointly** agreed upon interference testing results; (ii) the testing results of the parties mutually agreed upon independent engineer; or (iii) the results from MCT's remediation with the 11 referenced listeners[17] if said listeners elect to participate in the remediation process. No unilateral testing results will be considered.[18] Upon receipt, we will review said information to determine if the interference has been resolved.

[14] *Translator Interference Order*, 34 FCC Rcd at 3468-3469, para 21. ("[T]he staff will direct the complainant station to serve the translator operator with a non-redacted copy of the relevant listener complaints so that the translator operator can verify the basic elements of the complaint, such as the existence of the complainant, current residence at the given address, etc."). Normally we would impose a requirement that 1TV serve the listener complaints on MCT; however, 1TV has already served MCT with the Complaint, thus rendering it unnecessary to impose that condition.

[15] 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. Regarding direct listener remediation, if the listener agrees to allow the translator station to adjust or replace its receiver equipment to address interference, the translator station "must document and certify that the desired station can now be heard on the listener's receiver." *Translator Interference Order*, 34 FCC Rcd at 3472, para. 30. If, however, the listener's equipment is not the cause, or the listener declines to participate in the remediation process, then "the translator operator and the complaining station must work together to resolve the interference complaint using suitable techniques." *Id.* at 3473, para. 32. The "lack of interference can be demonstrated by on-off tests and/or field strength measurements at the relevant site, provided they take place in a manner *acceptable to both parties.*" *Id.* at 3474, para. 33 (emphasis added). If, however, "the parties fail to agree upon appropriate methods and technical parameters to be used for interference testing at a particular site or sites, the parties should engage a mutually acceptable third party engineer to observe or carry out the testing." *Id.*

[16] MCT has "the burden of rebutting the presumption of validity of each complaint." *Id.* at 3468-3469, para. 21. We note that the Commission has stated that the following activities are not evidence of an invalid listener complaint: "(1) social media connections [with the station] . . .; (2) membership in listener clubs or participation in station-run promotions, contests, and events; (3) charitable donations to the station . . . and (4) time contributed volunteering at a station or at a station-run event, so long as the volunteer does not hold a regular position at the station comparable to a station employee." *Id.* at 3467, para. 19 (footnotes omitted). However, "advertisers are deemed to have a financial interest in the station, as are underwriters." *Id.*

[17] Specifically, as noted above, the 11 referenced listeners are Burgess (driving); Cammarata (driving); T.E. Davis (driving); T. Davis (driving); E. Hooten (driving); Hudgens (driving); Moore (driving); Pyle (driving); Robinson (driving); Sanchez (driving); and O'Neal (driving). *See supra* page 2.

[18] The Commission opined that "[a]t any point in the process the parties may also agree that interference has been resolved using any mutually acceptable means; however, any contested data may not be unilaterally presented . . . as a remediation showing (or to dispute a remediation showing)." *Translator Interference Order*, 34 FCC Rcd at 3474, para. 33.

We will withhold further action on the parties' filings during the interference remediation timeline set forth above. Failure to comply with the remediation timeline may result in K243BN being ordered to cease operations.

Sincerely,

/s/

James D. Bradshaw
Senior Deputy Chief
Audio Division
Media Bureau