

MAJOR CHANNEL CHANGE REQUEST JUSTIFICATION

In its filing herein, Applicant has requested FM Channel 251D (98.1 MHz) as an alternative to its licensed FM Channel 296D (107.1 MHz) frequency. Applicant respectfully requests that the Commission allow this non-adjacent channel change in order to avoid causing interference to full power FM broadcast station WBYP 107.1 FM at Belzoni, Mississippi (Facility ID 28117), as follows:

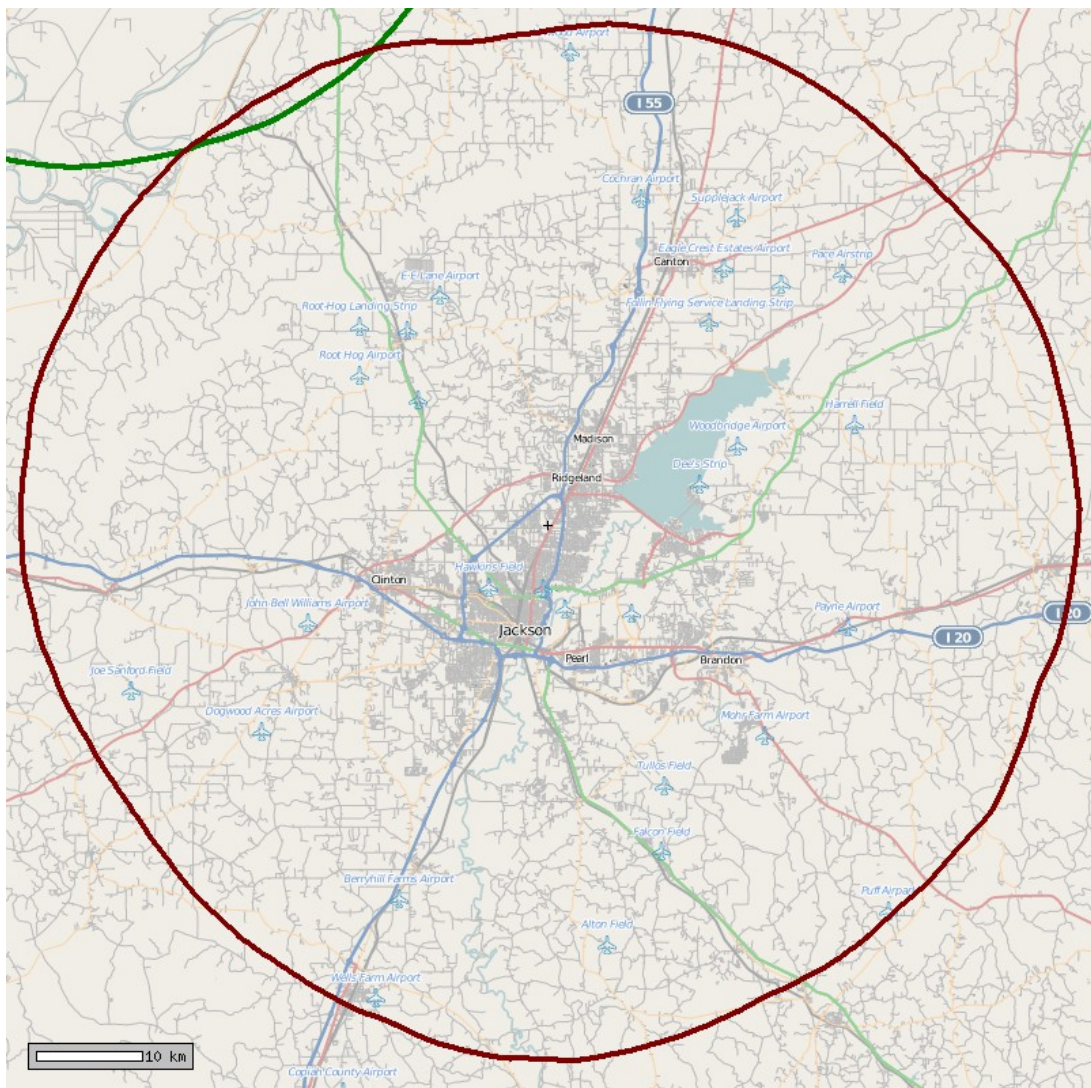


FIGURE 1: The above map depicts the proposed F(50,10) 40 dBu interfering contour of FM translator station W296DD 107.1 FM at Jackson, Mississippi (Facility ID 156564, dark red contour, center) as a full 250 Watt facility versus the F(50,50) 60 dBu primary service contour of FM broadcast station WBYP 107.1 FM at Belzoni, Mississippi (Facility ID 28117, green contour, top-left). If W296DD were to increase in power from its currently-authorized 195 Watts of effective radiated power ("ERP") to 250 Watts ERP at its current antenna location and height, then significant prohibited interference would occur to WBYP 107.1 FM. Therefore, Applicant respectfully requests a channel change from FM Channel 296D to FM Channel 251D, where no such interference will occur to WBYP, or any other broadcast authorization whatsoever.

If the Commission were to allow W296DD to relocate from FM Channel 296D to FM Channel 251D, then several key interference issues would be resolved and/or lessened.

As an initial matter, W296DD has been subject to an ongoing and unresolved Commission interference complaint case with station WBYP 107.1 FM at Belzoni, Mississippi. Applicant has submitted three supporting documents to give context to this claim.

The first attached document is a complaint letter from Zoo-Bel Broadcasting, licensee of WBYP 107.1 FM, addressed to the Commission on September 25th, 2017. The letter contains twelve listener complaints of interference from W296DD to WBYP.

The second attached document is the Commission's October 11th, 2017 directive letter to New South Radio, demanding that New South Radio (the former licensee of W296DD) take corrective actions to resolve the interference complaints or cease operation of W296DD.

The third attached document is a settlement agreement dated August 15, 2018, between Zoo-Bel Broadcasting and New South Radio, which asked the Commission to withdraw all interference complaints as a result of New South Radio's then-intended purchase of Zoo-Bel's WBYP. In the settlement agreement, Zoo-Bel wrote that, "in the unlikely event that the aforesaid transaction fails to close, Zoo-Bel expressly reserves the right to thereafter refile the Complaint." The WBYP transaction *did* fail to close, and Zoo-Bel has subsequently requested that the Commission reinstate the complaint, as interference is still taking place.

If the Commission were to allow W296DD to relocate from FM Channel 296D to FM Channel 251D, then the still-ongoing interference problems between W296DD and WBYP would become moot.

Finally, Applicant notes that a significant portion of the F(50,10) 40 dBu interfering contour of W296DD lies within the F(50,50) 45 dBu contour of WBYP 107.1 FM, thereby subjecting the FM translator to potential future claims of interference under the Commission's revised FM translator interference mitigation guidelines. If W296DD were allowed to move from FM Channel 296D to FM Channel 251D, then W296DD's F(50,10) 40 dBu interfering contour would not infringe upon WBYP's F(50,50) 45 dBu contour, or any other broadcast station's 45 dBu contour whatsoever. Therefore, Applicant respectfully requests that the Commission grant the requested channel and power changes proposed herein.