

FEDERAL COMMUNICATIONS COMMISSION
445 12th Street, S.W.
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
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PROCESSING ENGINEER: ROBERT GATES
TELEPHONE: (202) 418-0986
INTERNET ADDRESS: Robert.Gates@fcc.gov

October 9, 2020

Mountain Community Translators, LLC
87 Jasper Lake Road
Loveland, CO 80537

In re: K243BN, Laveen, AZ
File # 121878
Facility ID # 92373

Dear Applicant:

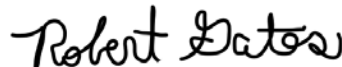
This refers to the above-captioned FM translator application for K243BN, Laveen, Arizona.

An engineering study has revealed the application is a major change application pursuant to 47 C.F.R. § 74.1233(a)(1)(i)(A)(2). Specifically, the Section states that “a major change is any change in frequency except “Upon a showing of interference to or from any other broadcast station, remedial changes to any same band frequency;”. The applicant is proposing channel 220 which is not in the “same band” therefore is a major change. The applicant recognizes this violation and requests a waiver based on interference caused to KIKO-FM, Claypool, Arizona.

When an applicant seeks waiver of the rules, it must plead with particularity the facts and circumstances which warrant such action. *Columbia Communications Corp. v. FCC*, 832 F.2d 139, 192 (D.C. Cir. 1987), quoting *Rio Grande Family Radio Fellowship, Inc. v. FCC*, 406 F. 2d 644, 666 (D.C. Cir 1968 (per curiam)). We have afforded Mountain Community Translators, LLC’s waiver request the “hard look” called for under *WAIT Radio v. FCC*, 418 F. 2d 1153 (D.C. Cir. 1969), but find that the facts and circumstances presented are not sufficient to warrant waiver of 47 CFR § 74.1233(a)(1)(i)(A)(2).

Accordingly, the request for waiver of § 74.1233(a)(1)(i)(A)(2) IS HEREBY DENIED, and the Application File # 121878 IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



for James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau