

Dale Bickel

From: Dale Bickel
Sent: Tuesday, March 12, 2024 2:04 PM
To: Pippin, F. Scott; kevinyoungers@comcast.net
Cc: Mark Denbo
Subject: W266BW STA request 0000240696 is DISMISSED March 13, 2024

Mr. Kevin Youngers, Mr. F. Scott Pippin:

By means of the STA request, file number 0000240696 filed late March 11, 2024, the licensee is essentially seeking reconsideration of the March 11, 2024 letter to Davis Broadcasting of Atlanta, L.L.C. that required the W266BW (Facility ID 147273) licensed facility to go silent. The STA request provides new information upon which the neither the staff nor the complainants have had a prior opportunity for review and comment. It is not clear whether the complainants were served a copy of this filing.

I understand that Footnote 76 in the March 11 letter indicated that “any request by Davis [the licensee] to operate with reduced temporary facilities on this channel will only be granted upon an acceptable demonstration that the proposed facilities will not cause interference at all of the licensing locations provided by the Commission.” However, in real terms, this STA request makes no physical change in antennas or effective radiated power that might ameliorate the alleged interference. Instead, it attempts to provide new information seeking to exclude the several locations from consideration and thereby the render the existing operation acceptable, with a change in the directional antenna envelope pattern. Such an analysis is outside the scope of an acceptable STA request.

The proper procedure for the licensee to follow is to file a petition for reconsideration of the action that silenced this translator, with such supplemental information as the licensee chooses to provide. A copy of such petition for reconsideration shall be served on the complainants. Requests for STA cannot serve as means to circumvent the need to file a formal petition for consideration.

Consequently, this STA request IS DISMISSED without review. We have made no determination on the merits of this filing. A copy of any future STA request regarding this matter must be served on the complainants, and acknowledgement of such provided in the STA request.

This e-mail is being sent in lieu of a letter for the same purpose, in order to provide the expedited consideration you requested.

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