



Federal Communications Commission
Washington, D.C. 20554

November 5, 2019

In Reply Refer to:
1800B3-KV

Creative RF Venture Group, LLC
c/o Francisco R. Montero, Esq.
Fletcher, Heald & Hildreth, PLC
1300 North 17th Street
11th Floor
Arlington, VA 22209

In Re: K272EK, San Antonio, TX
Alicia M. Benavides
Facility ID No. 143204
File No. BLFT-20080922ADO

Interference Complaints

Dear Counsel:

This letter refers to the "Interference Complaint" (Complaint)¹ filed by Peter J. Salazar dba Salazar Consulting (Salazar), then-licensee of Station KSAQ(FM), Charlotte, Texas, (KSAQ(FM) or Complaining Station) and a Supplement (Supplement)² filed on October 20, 2017, by current Station licensee Creative RF Venture Group, LLC (Creative), an entity wholly-owned by Salazar,³ alleging FM Translator Station K272EK, San Antonio, Texas, (K272EK or Station), licensed to Alicia M. Benavides (Benavides or Licensee) is interfering with the reception of KSAQ(FM).

Recently, the Commission adopted certain changes to the FCC's rules (Rules) relating to the translator interference complaint resolution process.⁴ The Commission stated that, once effective, all pending complaints would be decided under the new Rules. The Commission further stated that parties involved in pending proceedings would be given an opportunity to submit supplemental material to address the changes.⁵

¹ See Letter from James D. Bradshaw, Deputy Chief, Audio Division, Media Bureau to Alicia M. Benavides (dated Sep. 19, 2016) attaching the Complaint.

² Collectively, the Complaint and the Supplement will be referred to as the Complaints.

³ See File No. BALH-20161025AAW, granted and consummated on October 31, 2016.

⁴ See Amendment of Part 74 of the Commission's Rules Regarding FM Translator Interference, Report and Order, FCC 19-40, 34 FCC Rcd 3457(2019) (Translator Interference Order).

⁵ *Id.*, FCC 19-40 at 27, ¶ 49.

Our initial review of the Complaints under the revised interference standards reveals that additional information is required. Specifically, in order to continue processing the Complaints the items marked below must be submitted:⁶

1. Listener Showings:

- X Detailed information on the Complaining Station's protected contour and the population located therein;
- X Minimum number of Listeners as determined by the population located within the Complaining Station's protected contour;⁷
- X Signed and dated (within one year of Complaint and all other listener showings) by Listener;
- X Listener's full name, complete address and phone number;
- X Clear, concise, and accurate description of the location where interference is alleged;⁸
- X Statement that Listener listens over-the-air to the Complaining Station at least twice

⁶ An item will be marked as missing the required information if it is missing from one or more Listener showings. In addition, Listener showings that are missing required information will not be counted towards the minimum number of Listeners.

⁷ See 47 CFR § 74.1203 Table 1.

Population within Protected Contour	Minimum Listener Complaints Required for Interference Claim
1-199,999	6
200,000-299,999	7
300,000-399,999	8
400,000-499,999	9
500,000-999,999	10
1,000,000-1,499,999	15
1,500,000-1,999,999	20
2,000,000 or more	25
LPFM stations with fewer than 5,000	3

⁸ In the *Translator Interference Order*, the Commission noted that "[a]ppropriate descriptions include map coordinates, street addresses, street intersections, or other descriptions such as 'along Route XX near mile marker XX' or 'between Exits 1 and 2 on Route XX.' Unacceptable descriptions would include 'on my way to work' or 'downtown,' as they do not inform . . . [if] within its 45 dBu contour or . . . provide sufficient information to resolve the complaint." *Id.*, FCC 19-40 at 10, n.65.

a month;

 X Statement that Listener has no legal, financial, employment, or familial affiliation or relationship with Complaining Station.

2. Technical Interference Showing:

 X Map plotting the specific location of the alleged interference in relation to the Complaining Station's 45dBu contour;

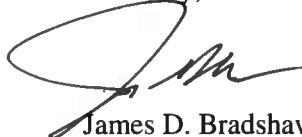
 X Statement that the Complaining Station is operating within its licensed parameters;

 X Statement that the Complaining Station licensee has used commercially reasonable efforts to inform the relevant translator licensee of the claimed interference and attempted private resolution;

 X Undesired/Desired data demonstrating that at each listener location the ratio of undesired to desired signal strength exceeds -20 dB for co-channel situations, -6 dB for first-adjacent channel situations or 40 dB for second- or third- adjacent channel situations, calculated using the Commission's standard contour prediction methodology.

Within thirty (30) days of this letter, Creative must submit the above information and any other information not referenced above that might be required by the Rules. Further action on the Complaints will be withheld for a period of 30 days from the date of this letter to provide Creative an opportunity to respond. Failure to submit the required information will result in the dismissal of the Complaints.

Sincerely,



James D. Bradshaw
Senior Deputy Chief
Audio Division
Media Bureau

cc: Christopher D. Imlay, Esq. (by email)