



915 E. Market, HU Box 10765, Searcy, Arkansas 72143
501-279-4886 * KVHU@harding.edu

2019 MAR 25 PM 2:02

MARCH 15, 2019

Received & Inspected

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554

MAR 25 2019

FCC Mailroom

In regard to KVHU's interference complaint regarding Little Rock FM translator K237GW, I have attached two emails from parties contacted by Victory Radio. Both individuals indicate they received a questionnaire from Victory Radio AFTER the deadline for submitting the questionnaires. I wanted to make sure their questionnaires were included in the record submitted by Victory Radio.

One of the emails is from John Hardy. Mr. Hardy submitted his questionnaire late because he received it in the mail after the deadline. He also sent me a copy of his completed questionnaire, which is included here.

The second email is from Travis Thompson. Mr. Thompson also submitted his questionnaire late because he received it in the mail after the deadline. Mr. Thompson was also concerned about the threatening language of the email from Victory Radio — especially the line: "I would not want you to commit a crime because of lack of knowledge in this matter."

Thank you for your consideration of these matters.

Sincerely,

Dutch Hoggatt
KVHU General Manager
dhoggatt@harding.edu
501-279-4886



Dutch Hoggatt <dhoggatt@harding.edu>

FW: Forms requested by Habibi Broadcasting RE: Interference

4 messages

Harty <jharty@centurytel.net>

To: kvhu@harding.edu

Wed, Mar 13, 2019 at 6:16 AM

To Whom It May Concern:

In regards to the interference form I filled out, Habibi Broadcasting sent the attached forms for me to complete and return. They were sent to me on 2/28/19 and received on 3/7/19 as the certified tracking number will bear out. This is one day past their deadline for receiving replies. I thought that a bit strange so I decided to send a copy to you. This form was dropped in the mail yesterday, 3/12/19.

US Mail Certified Mail tracking number: 7016 1370 0000 6506 7676

Thank you,
John Harty, P.E.
100 Hunt Drive
Cabot AR 72023

Scanned from a Xerox multifunction device.pdf
408K

QUESTIONNAIRE FOR INTERFERENCE COMPLAINANTS

Re: Interference Complaints Submitted to Federal Communications Commission in connection with FM Translator Station K237GW (95.3 FM), Little Rock, Arkansas and Radio Station KVHU (95.3 FM), Judsonia, Arkansas

George S. Flinn, Jr., the FCC licensee of Radio Station KVHU (FM), Judsonia, Arkansas ("KVHU"), operating on 95.3 MHz, has filed a complaint with the Federal Communications Commission ("FCC") and a request to compel FM Translator Station K237GW ("95.3 MHz"), operated by Habibi's Broadcasting, LLC ("HBL" or "Licensee") at Little Rock, Arkansas, to terminate operations. The matter is currently pending before the FCC. Under the rules of the FCC, HBL is required to investigate the allegations of interference (if any) to KVHU from K237GW, which also operates on 95.3 MHz, and where necessary, if such interference is occurring, take steps to remediate it by working with listeners who have complained to the FCC in the filing of KVHU. You are one of those complainants. In order to have your complaint considered, you are required to cooperate with HBL by submitting responses under oath to the inquiries below as soon as possible and in no event later than March 6, 2019. Please return your responses to HBL in the postage prepaid self-addressed envelope provided herein.

This form was received at my residence on 3/7/2019, as your return receipt will verify.
Should you have any questions, please feel free to contact Mr. Alvin Simmons at (501) 765-2914 or at his e-mail address: alvsim4317@gmail.com.

Thank you in advance for your cooperation.

1. Name: John Harty
2. Address: 100 Hunt Dr.
Cabot AR 72023
3. Telephone Number: Home: 501-941-7628 Mobile: 573-820-8310
4. E-mail Address: jharty@centurytel.net Preferred: _____
(Home or Office)
5. Do you have an Employment, Business, Professional, Contractor, or Familial Relationship with George S. Flinn, Jr., KVHU or any other radio station owned by George S. Flinn, Jr.? NO
- If so, please indicate relationship: _____
6. Do you have an Employment, Business, Professional, Contractor, or Familial Relationship with Harding University? NO

I am sharing a copy of this letter with KVHU along with the date of receipt.

If so, please indicate relationship: _____

7. Are you a regular listener of KVHU? yes

If so, how many hours per week do you estimate you listen to that station?
1-2

8. Approximately when did you start listening to KVHU? 2014

9. Where do you typically listen to KVHU? (your car, someone else's car, your home, your office, etc.) Car

10. Where were you listening to KVHU when you experienced the interference about which you complained to the FCC? (Please provide as much specificity as possible, i.e., in what town or city, on what roads or streets, landmarks like the Safeway or the Museum, etc.) South side of Cabot AR

11. How long did the interference last? Ongoing

12. Has the interference occurred on other occasions? If so, when?

Ongoing - occurs regularly

13. If you recall, what were the weather conditions when you experienced the interference? any manner of weather

14. What kind of receiving equipment were you using when the interference occurred? Ford stock radios, Kenwood receiver (2012 model)

Do you know the model and serial number of the equipment?

If so, please provide. _____

Would you meet with a representative of HBL to address possible technical solutions to your problem described in your complaint? yes.

15. How did you come to submit your complaint to the FCC? Having been annoyed at the interference for several months, I heard an announcement on KVHU regarding interference in my area so I decided to act.
Who provided you with the complaint form? KVHU emailed the form to me.
Did anyone assist you in completing the form? If so, who? NO assistance

required. I am a licensed PE who works in telecom engineering, including wireless transmitters. AR 15653

Did you complete the form or did a third party complete the form before you signed it? I completed it.

Who dated the form? I dated it.

Who, if not you, stated where you were when the interference you experienced was present? I stated where I experience interference.

Did you discuss your responses on the form with anyone before you signed it? NO.

If so, whom? NO one.

Were you instructed or did anyone try to persuade you to modify your responses before you signed and dated the complaint form? _____

No one attempted, not would they have been successful had an attempt been made.

16. Please describe the interference.

While listening to KVHU, another station bled over into KVHU's assigned frequency of 95.3 MHz.

Were you able to hear KVHU at all? Intermittently, for seconds at a time.

What other stations could you hear if any? I have not heard station identification from the secondary signal, so I really cannot say. I'd need to record the demodulated signals to determine what station. I could borrow some equipment from work

17. Are you aware that your declaration has been submitted to the FCC under and give penalty of perjury? Yes. it a g.

Were you promised anything of value in return for your execution of the complaint and your grant of permission to KVHU to use the complaint in a filing at the FCC? NO.

I hereby declare that the above responses are true and complete to the best of my knowledge and belief.

Signature: John Harty

Printed Name: John Harty

Date: 3/11/2019

Travis Thompson <thompson@harding.edu>
To: Dutch Hoggatt <dhoggatt@harding.edu>

Good morning, again!

By the way, I filled out the questionnaire and returned it to Victory Radio.

The "info" in the prologue of the questionnaire said that it must, in all circumstances, be returned by March 6. I received it via certified mail - signed for - on March 7, one day after the deadline.

The "contact person" e-mail me in a rather veiled threatening manner - saying that I was breaking the law by completing the questionnaire. I will forward that e-mail to you.

Travis

From: Alvin Simmons <alvsim4317@gmail.com>
Date: Thu, Feb 28, 2019 at 7:15 PM
Subject: Questionnaire for interference complaints
To: <thompson@harding.edu>

Hi Mr. Thompson,

I am required by the FCC to send you the questionnaire which should be arriving via UPS mail tomorrow or the next day or so.

If you wish to proceed with your complaints to shut down our station K237GW 95.3FM Little Rock fill out the questionnaire and return it to me in the self-addressed envelope provided. We will report back to the FCC in a few days with the results.

First, my I apologize for any interruption of your radio listening pleasure, if we are the cause, it was never our intention. We were granted the license for 95.3 in Little Rock Last year via a special offer from the FCC. I felt like a miracle had happened, when we won. We submitted and met all requirements of the FCC before we were permitted to go on air. Our assigned location is in North Little Rock 50 miles from KVHU in Judsonia. We had no control over the frequency 95.3 and truthfully had never heard of KVHU.

On a personal note to you, we simulcast on 100.9 and 95.3 the same programming. I noticed that your email address is Harding University, which by law disqualify your complaint because you work for Harding University which has an LMA for KVHU. But please check this information, I would not want you to commit a crime because of the lack of knowledge in this matter. I have also informed Dutch that it was against the law to run those ads on the radio asking for complaints.

Keep the Faith
Alvin Simmons PharmD
Mobile: 5017652914