

STAMP & RETURN

John C. Trent
OF COUNSEL
Lauren A. Colby

David M. Hunsaker
(1944 - 2008)
Keith E. Putbrese
(Retired)

*Not Admitted in VA

*Law Offices of
Putbrese Hunsaker & Trent, P.C.*

*200 South Church Street
Woodstock, Virginia 22664*

www.phlpelaw.com

December 14, 2010

VIA Hand Delivery

Telephone:
(540) 459-7646
Facsimile:
(540) 459-7656

JCT e-mail:
lcoman3@shentel.net
LAC e-mail:
lac@lcolby.com

Federal Communications Commission
Enforcement Bureau
Spectrum Enforcement Division
445 12th Street SW
Washington DC 20554
Attn: Kathryn Berthot, Chief

RECEIVED - FCC

DEC 14 2010

Federal Communications Commission
Bureau / Office

Re: Radio Station KMJ-FM, Fresno, CA (Fac. ID# 26933) and FM Translator K290BF, Modesto, CA (Fac. ID# 142714); FM Translator Interference Complaint

Dear Ms. Berthot:

On behalf of Peak Broadcasting of Fresno License, LLC, ("Peak") the License of KMJ-FM, Fresno, California ("KMJ-FM") we hereby submit this interference complaint pertaining to FM Translator K290BF, Modesto, CA (Fac. ID# 142714). Peak's KMJ-FM is receiving interference 24 hours per day from FM Translator K290BF. Peak has attempted to resolve this matter through contact with K290BF's new Licensee, Threshold Communications, but to no avail. In fact, the Translator Licensee flatly refused to do anything to address the issue until they "hear from the FCC" (see Attachment 1).

In January of 2008 Peak began receiving interference from this co-channelled translator. K290BF's licensee at the time, Horizon Christian Fellowship was made aware of the interference issues by Peak and they promptly terminated broadcasting. Now, with the new Licensee, they have begun broadcasting again. It is submitted that K290BF is operating in violation of 47 CFR 74.1203 of the Commission's Rules. Pursuant to 74.1203, we respectfully request expedited notice by the Commission to the FM translator to suspend operations immediately.

Attached hereto are the most recent complaints from listeners concerning this interference (see Attachment 2).

Please do not hesitate to contact the undersigned if any questions arise concerning this matter, or if you should need any additional information to take action on this complaint.

Very truly yours,


John C. Trent

cc: KMJ-FM Public Inspection File
FCC San Francisco Field Office
Joe Mauk, Peak Engineering

Attachment 1

From: Jim Bryan [<mailto:jim@krvr.com>]

Sent: Monday, December 13, 2010 10:39 AM

To: Mauk, Joe

Subject: RE: Interference to KMJ-FM by Translator K290BF

Mr. Mauk,

We have been advised to continue operating K290BF until we hear from the FCC. If the FCC finds that we are causing interference to your station, we will comply with their orders. We do not want to be causing interference with other broadcasters.

Sincerely,

Jim Arata
Threshold Communications
KRVR-FM / KVIN-AM / K290BF
Modesto, CA

From: Mauk, Joe [<mailto:joe.mauk@peakbroadcasting.com>]
Sent: Monday, December 13, 2010 9:22 AM
To: jim@krvr.com
Subject: Interference to KMJ-FM by Translator K290BF

Mr Arata:

We are in receipt of reception complaints from listeners in the Modesto/Ceres area that they can no longer receive KMJ-FM.

The interference is being caused by K290BF

You were given notice of this condition on Friday 12/10/2010.

There has been ample time for operation of K290BF to terminated.

Do you plan to shut it down, or should I instruct our attorneys to file a formal complaint with the FCC?

Sincerely

Joe Mauk
KMJ-AM | KMJFM | KSKS | KWEY | KMGV
Peak Broadcasting
1071 W. Shaw Ave
Fresno, CA 93711
559/490-5813

Attachment 2

John Trent

From: Mauk, Joe [joe.mauk@peakbroadcasting.com]
Sent: Monday, December 13, 2010 2:15 PM
To: John Trent
Subject: FW: KMJ-FM Interference complaint

From: Jim Daniel [mailto:jim_daniel@hotmail.com]
Sent: Friday, December 10, 2010 7:39 AM
To: Mauk, Joe
Subject: KMJ-FM

KMJ-FM ENGINEERING,

I travel the areas of Stanislaus, San Joaquin, and Northern Merced counties from foothills to foothills in my daily work. I routinely could hear KMJ-FM in Stockton, that's why I spent the money for a new HD radio. I was an avid listener of KMJ-FM from 6:a.m. until early evening. I particularly enjoy your non-sports programing and even participate in KMJ-FM events.

I went away for a few days in mid-November, the week of the 15th. When I returned, I found there was another station broadcasting over KMJ-FM. My first thought was that I had done something to my new HD radio, and I just needed to stop and figure it out. Time went by, I read the manual and did everything I could, still all I could hear was an AM station, which confused me. They announce themselves as AM-920, and it seems my fancy new radio can not tune them out until I get South of Merced.

Is there anything I can do? If so, please contact me:

JIM DANIEL,
1200 FRUITRIDGE DR.,
MODESTO, CA 95351

or call my cell, 408/206-1596

Thanks,

Jim

**"Remember not only to say the right thing in the right place,
but far more difficult still, to leave unsaid
the wrong thing at the tempting moment."
- Benjamin Franklin -**

John Trent

From: Mauk, Joe [joe.mauk@peakbroadcasting.com]
Sent: Tuesday, December 14, 2010 8:13 AM
To: John Trent
Subject: FW: KMJ-FM Interference

From: Mike Gizzard [mailto:mikegizzard@yahoo.com]
Sent: Monday, December 13, 2010 1:23 PM
To: Mauk, Joe
Subject: KMJ-FM

Hi Joe,

I have a friend at work who told me you are the one to write to about the Cigar Dave show and some others I listen to on weekdays, such as Glenn Beck. I am not sure why it was replaced by that sappy music station, but it's a pain. No one else seems to have Cigar Dave unless you get XM radio and no one in this area carries Glenn Beck live. I work mostly in Modesto and Ceres and have not been able to hear KMJ-FM clearly since some time last month. Can you fix it so we can listen again in the Modesto area?

Mike Gizzard
P.O. Box 4695
Stockton, CA 95204
207/644-6835 (fax and message)