

WESTSIDE PUBLIC RADIO OF SAN JOAQUIN COUNTY

Received & Inspected

AUG 28 2017

FCC Mailroom

August 24, 2017

Federal Communications Commission
Attention: Chief, Audio Division, Media Bureau
Washington, D.C.

RE: KBCC (89.5 FM), Tracy, California
FCC Facility ID 176022

**PETITION STATING OPPOSITION TO TRANSFER OF ASSIGNMENT
PER FCC FILE NO. BALED – 20170801AJL
COVER LETTER**

TO WHOM IT MAY CONCERN:

Please find enclosed an original and one copy of Westside Public Radio's petition opposing the transfer of Radio KBCC (formerly KYNJ) of Tracy, California, from Peace and Justice Network of San Joaquin County to Delta 2000, per the above entitled assignment application.

The parties have requested expedited handling of the application. However, the petitioner respectfully requests that the Commission studies this matter in careful detail, based on several acts of subterfuge committed by the current licensee in "stashing" the station's license to protect their other interests.

Thank you very much for your consideration.

Respectfully,



David F. Jackson
Project Director
Westside Public Radio

Phone: 209-839-1385

Email: kpsr@westsideproject.net

1852 West Eleventh Street, Suite 200
Tracy, California 95376-3736

2017 AUG 28 P 2:42

RECEIVED

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Received & Inspected

AUG 28 2017

FCC Mailroom

In Re the Matter of:)
)
Non-Commercial FM Broadcast Station) FCC File No. BALED-20170801AJL
KBCC, Tracy, California)
) Facility ID No. 176022

To: Chief, Audio Division, Media Bureau

**OPPOSITION TO ASSIGNMENT OF LICENSE FOR
NON-COMMERCIAL FM RADIO STATION KBCC TO DELTA 2000
FROM PEACE AND JUSTICE NETWORK OF SAN JOAQUIN COUNTY**

Westside Public Radio of San Joaquin County¹ (“WPR”), as petitioner, submits this letter of opposition requesting that the Federal Communications Commission (“FCC” or “Commission”) deny the present *Application For Consent To Assignment Of Broadcast Station Construction Permit Or License* filed by Peace and Justice Network of San Joaquin County (“PJN” or “Peace and Justice Network”), headquartered in Stockton, California, for the sale of non-commercial FM broadcast station KBCC (FCC Facility ID No. 176022; formerly KYNJ²) to Delta 2000, headquartered in Antioch (Contra Costa County), California.

WPR contends that Peace and Justice Network engaged in the deliberate, willful and flagrant misrepresentation of their operation of this radio station over a four-year period³ in order to

¹ — Westside Public Radio, a California nonprofit corporation, is located in Tracy, California, the city of license for KBCC-FM. Westside Public Radio has not at any time owned or operated a radio station of any type.

² — The station’s call letters were changed from KYNJ to KBCC on 31 July 2017.

³ — In the “*Memorandum Opinion and Order: Comparative Consideration of 59 Groups of Mutually Exclusive Applications for Permits to Construct New or Modified Noncommercial Educational FM Stations filed in the October 2007 Filing Window*,” adopted by the FCC on 5 February 2010, PJN was “tentatively selected to be awarded a construction permit for a new NCE FM station in Tracy, California” in Group 34 (see *MO&O*, page 39); this station would become KYNJ. A condition of this order required PJN’s “compliance with Section 73.7005 of the Commission’s Rules, 47 C.F.R. § 73.7005, which sets forth a four-year holding period for applicants that are awarded permits by use of a point system.”

protect their preferred ownership of a low-power FM (“LPFM”) station, KXVS-LP (FCC Facility ID No. 195758), located in their hometown, Stockton, California.

Peace and Justice Network simply filed a continuous string of Silent Special Temporary Authorizations (“Silent STAs”) for KYNJ – a total of six over the mandated four-year “holding period” – in order to run out the clock and receive the license for their preferred station, KXVS-LP, with no intention of operating KYNJ or serving its community of license.

Further, WPR contends that PJN never placed KYNJ/KBCC on the air in Tracy under the terms of its license, and falsely claimed that it “resumed operations” from its licensed facility following two separate Silent STAs, a direct and willful violation of the terms of its license, which should result in the cancellation of both PJN’s license for KYNJ/KBCC and its Construction Permit (“CP”) for KXVS-LP.

BACKGROUND

In March 2010, Peace and Justice Network was granted a construction permit⁴ for KYNJ/KBCC in Tracy. PJN had no known connection with Tracy (located about twenty miles from Stockton); none of its board members resided in Tracy⁵ or its neighboring communities and, subsequent to obtaining the CP, the organization did not open an office or studio in Tracy.

In addition, the “listening area” of the proposed station in Tracy did not include Stockton, which was beyond the reach of its signal, contradicting the qualifying statement⁶ submitted by PJN with their application:

“A proposed radio channel for Stockton, California would provide broader public outreach and would widen the educational forum ... related to the goals and mission of the PJN SJC. ... A radio station would greatly enrich the lives of the people in the listening area.”

Subsequent to being granted the CP for KYNJ, the opportunity arose for PJN to obtain an LPFM

⁴ — See FCC File No. BNPED - 20071022AOK.

⁵ — Of the eight board members listed as “Parties to the Application” for KYNJ, seven were residents of Stockton. One resided in Valley Springs (Calaveras County), Calif.

⁶ — See second page of “*EXHIBIT 2: FORM 340, SECTION II, QUESTION 4(b)*.” The exhibit was included as Attachment 2 with PJN’s application for KYNJ. (See attached exhibit for Footnote 6.)

in their hometown, Stockton, which they applied for during the FCC's 2013 Filing Window.⁷

The FCC granted the license for KYNJ in Tracy on 30 April 2013. *On the very same day*, PJN Chairperson Margaret Christie Kelley ("Kelley") filed for a Silent STA⁸, the first of six over the next four years, claiming:

"STATION HAS BEEN RUNNING OF GENERATOR (*sic*) WHICH HAS IN PRACTICE PROVED TO BE TECHNICALLY PROBLEMATIC. LICENSEE WOULD LIKE TO CEASE OPERATIONS TEMPORARILY TO RECONFIGURE EQUIPMENT INSTALL A SOLAR OPTION."

It should be noted that the licensed KYNJ transmitter site, located in the hills west of Tracy and known as "Cumulus Corral Hollow" or "Black Butte," is served with electricity via a local public utility, which also powers co-located commercial FM broadcast station KHKK⁹ (owned by Cumulus Media and licensed to Modesto, Calif., with main studios in Stockton); at no time was KHKK taken off the air for this reason.

As their initial Silent STA for KYNJ neared its expiration date, PJN (under Kelley's signature) filed for an extension¹⁰ on 4 January 2014, claiming:

"LICENSEE NEEDS ADDITIONAL TIME TO COMPLETE POWER SUPPLY ISSUES."

(By this time, PJN had already applied with the FCC, on 14 November 2013, to construct their LPFM station in Stockton; the CP would be granted on 26 September 2014¹¹. This station would become KXVS-LP.)

On 29 April 2014 — one day before the second Silent STA for KYNJ would expire — Kelley reported to the FCC:

"FACILITY, PREVIOUSLY SILENT, RETURNED TO AIRWAVES 04/29/2014."

The petitioner, a longtime resident of Tracy¹² who also drives past the KYNJ transmitter site on

⁷ — See FCC File No. BNPL - 20131114BXL.

⁸ — See FCC File No. BLSTA - 20130430ADU.

⁹ — FCC Facility No. 11240. KHKK operated via an STA from an alternate site in 2007, long before KYNJ was supposedly housed there.

¹⁰ — See FCC File No. BLESTA - 20140106AZF.

¹¹ — See FCC File No. BNPL - 20131114BXL.

¹² — The petitioner resides and works in Tracy, Calif., about five miles from the KYNJ/KBCC transmitter site, nearly in the center of the station's 60 dBu Service Contour.

nearly a daily basis, steadfastly contends that *the station did not resume operations on this day*, nor did it operate on a regular schedule *at any time* in the two months that followed. (If it did actually return to the airwaves, it *did not operate* from the licensed site, and *not with the licensed power*, and was *completely inaudible* in its city of license.)

On 1 July 2014 – only two months after claiming to have “returned to the airwaves” – Kelley filed for yet another Silent STA for the Tracy station,¹³ its *third* in a year. However, it appears that the lack of power at the site was no longer an issue, as she claimed:

“STATION WILL GO SILENT IN TRANSITION TO ASSIGNMENT TO ANOTHER LOCAL COMMUNITY GROUP. LICENSEE IS PURSUING DIVESTITURE OF THIS NCE LICENSE IN PREPARATION FOR A LOW POWER FM PERMIT THAT IT APPLIED FOR THAT IS SHORTLY TO BE GRANTED.”

It should be clearly noted that no other “local community group” was ever named in this purported “assignment” – although Westside Public Radio made an offer and was rebuffed by PJN, which was well aware that divesting itself of KYNJ would jeopardize its efforts to secure their preferred LPFM in Stockton.

On 17 December 2014, PJN filed for its *fourth* Silent STA,¹⁴ with Kelley this time claiming:

“APPLICANT PLANNING TO ASSIGN FACILITY DUE TO TRANSITION TO LPFM PERMITTING/LICENSING PROCESS. ADDITIONAL TIME IS NEEDED TO ASSIGN FACILITY TO NEW LICENSEE. MORE PREPARATION TIME IS NEEDED FOR THE ASSIGNEE.”

Again, no “new licensee” was established by PJN.

During this silent period, Westside Public Radio contacted Kelley and PJN Board Chair Richard Blackston¹⁵ (“Blackston”) with an offer to purchase the station, as well as to provide broadcast equipment and a nearby transmitter site in Tracy,¹⁶ in order to return KYNJ to the air and begin serving its city of license.

¹³ — See FCC File No. BLSTA - 20140701ACE.

¹⁴ — See FCC File No. BLESTA - 20141217ADH.

¹⁵ — Blackston, despite being PJN’s board chairman and claiming to be unaware that PJN’s radio station was for sale, is listed as Contact Representative on the present Consent To Assignment application.

¹⁶ — The transmitter site, at the foot of Chrisman Road, south of Tracy, is owned by Entravision. It is within the city limits, approximately 4.5 miles south of KYNJ’s licensed site at Corral Hollow.

After numerous inquiries went unanswered, Blackston replied to WPR on 25 August 2016 via email,¹⁷ contradicting Kelley’s claim that “more preparation time is needed for the assignee” (hence rendering it a “willful false statement”):

“This is the first that I have heard that we would like to sell our radio station.”

The following day, after apparently discussing this matter with PJN’s board, Blackston contacted WPR via email¹⁸ with the following statement:

“I am very much aware of the details of the radio station but I was unaware that we were trying to sell the station. It has always been my understanding that we are raising money to enhance the station and make it a voice for progressive causes here in the central valley of California.”

In addition, Margaret Christie Kelley responded to WPR via email¹⁹ on 13 September 2016 with a simple, declarative statement:

“We are not interested in selling, thank you.”

After a follow-up message via email from WPR on 14 September 2016 pointing out that PJN was required by law to divest itself of one or the other of its stations, Blackston responded²⁰ on the same day:

“The Peace and Justice Radio Station [KYNJ] is not for sale and has never been for sale. ... Also your comments about selling the station have not shown respect for our organization or those involved so it would be best if we all consider this situation done and over and we all move on to make improvements in our respected communities.”

Via email, the petitioner responded to Blackston, noting that the ownership of a full-power NCE FM station and an LPFM station by the same licensee is a violation of FCC regulations, to which Blackston promptly replied:²¹

“I stand by my statement and the station is not for sale. If you have further concerns you can address them with the FCC.”

¹⁷ — Email from Blackston to David Jackson, 25 August 2016.

¹⁸ — Email from Blackston to David Jackson, 26 August 2016.

¹⁹ — Email from Kelley to David Jackson, 13 September 2016.

²⁰ — First email from Blackston to David Jackson, 14 September 2016.

²¹ — Second email from Blackston to David Jackson, 14 September 2016.

Two days later, Ms. Kelley sent a follow-up email message²² to WPR, expanding on her brief previous remark, this time explaining:

“I am sorry for not getting back to you, I have been out of town and trying to keep track of things, but apparently I missed some important communications. I was pleased and sorry to see the email about the FCC regulations and what we may or may not have in place. We appreciate your concern, you may not know it but we are an all volunteer group that has worked for many years to get a community radio station going in the central valley. The majority of us are learning what it takes to make this work.”

Less than two weeks later, on 27 September 2016, PJN filed for its *fifth* Silent STA, blaming “equipment replacement” this time as its reason (rather than the sale of the station), with Kelley claiming:

“SILENT STA REQUESTED. FACILITY EQUIPMENT REPLACEMENT REQUIRES STATION TO BE SILENT UNTIL EARLY 2017.”

From September to the date of this petition, PJN did not respond to any further inquiries from WPR.

On 24 April 2016, Kelley filed for an extension of the Silent STA,²³ this time claiming:

“LICENSEE IS STILL WORKING TO COMPLETE EQUIPMENT REPLACEMENT.”

Finally, on 1 August 2017 – one day after filing to change the station’s call letters from KYNJ to KBCC – Blackston filed yet another STA request, this time to return the station to the air from a temporary location on the roof of the West Valley Mall²⁴ in Tracy, with engineering data provided by Frank Sterling (“Sterling”), who has also been associated with KLSN-LP (FCC Facility ID 194303), located in Oakley, California, which serves eastern Contra Costa County.²⁵

²² — Email from Kelley to David Jackson, 16 September 2016.

²³ — See FCC File No. BLESTA - 20170424AAW.

²⁴ — See FCC File No. BSTA - 20170801AJK. West Valley Mall, a large regional shopping center, has never housed a transmitter or antenna for a broadcast radio station, but apparently will allow the construction of this facility on a temporary basis, despite the availability of eleven established American Tower sites within the station’s 60 dBu Service Contour.

²⁵ — The Oakley station, with which Sterling is affiliated, also serves the city of Antioch within its 60 dBu Service Contour. The proposed assignee of the license for KBCC, with which Sterling is also affiliated, is headquartered in Antioch. Sterling is also a resident of Antioch, with no known connection to Tracy. (See attached exhibit for

On the same day, PJN filed the present application to transfer the license to KYNJ/KBCC to Delta 2000 of Antioch, Calif., at the sale price of one dollar.²⁶

Peace and Justice Network's longstanding intention became abundantly clear when it was spelled out the details of its lack of "operation" in Exhibit 9 of the present application, headed "HOLDING PERIOD":

PERMIT WAS NOT AUTHORIZED PURSUANT TO AN AUCTION. HOWEVER, THE ORIGINAL CONSTRUCTION OERMIT (*sic*), NO. 20130328AKC CONTAINED A SPECIAL OPERATING CONDITION, STATING THAT THE AUTHORIZATION WAS NOT ASSIGNABLE UNTIL FOUR YEARS HAD ELAPSED FROM THE DATE OF ISSUANCE APRIL 30, 2013). (*sic*) **NECESSARILY SOME BUT NOT ALL OF THIS PERIOD WAS 'OPERATION.'** SAID HOLDING PERIOD EXPIRED ON APRIL 30, 2017.

In the same application, PJN (with Blackston listed as contact representative), after vigorously denying it for several years, finally admitted that it was fully aware of its legal obligation. Nonetheless, PJN chose to "stash" the KYNJ license, and now is asking for "expedited action" in having the sale of KYNJ/KBCC and the licensing of KXVS-LP approved by the Commission, claiming in Exhibit 6 (under "OTHER OWNERSHIP - REQUEST FOR EXPEDITED CONSIDERATION") of the present application:

ASSIGNOR PEACE AND JUSTICE NETWORK IS THE PERMITTEE OF KXVS-LP, STOCKTON, CA, FACILITY ID 195758. **COMMISSION RULES BAR THE COMMON OWNERSHIP OF AN LPFM AND ANY OTHER BROADCAST FACILITY. IT IS THUS NECESSARY THAT THIS ASSIGNMENT BE CONSUMMATED BEFORE KXVS GOES ON THE AIR.** THE KXVS CONSTRUCTION PERMIT EXPIRES ON SEPTEMBER 26, 2017.²⁷ THE STATION IS FULLY CONSTRUCTED AND **AN APPLICATION FOR LICENSE WILL BE SUBMITTED AS SOON AS POSSIBLE AFTER THE CONSUMMATION OF THIS ASSIGNMENT.** FOR THIS REASON EXPEDITED ACTION OF THE PRESENT APPLICATION IS RESPECTFULLY REQUESTED.

Footnote 25.) All of these groups have also been represented by the attorney Michael Couzens, a widely-known proponent of community broadcasters.

²⁶ — Several weeks earlier, Westside Public Radio had sent a written proposal to Peace and Justice Network's board, offering approximately \$16,000 for the station, along with taking full financial responsibility for acquiring the required broadcasting equipment, studios, and a transmitter facility for the station. PJN did not reply.

²⁷ — Meanwhile, the most recent in the string of KYNJ/KBCC Silent STAs dictates that this station's "broadcast license ... will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., September 17, 2017," creating a timing issue of major proportions for its licensee.

CONCLUSION

It is the steadfast belief of the petitioner that:

1. The Peace and Justice Network of San Joaquin County and its board of directors committed a series of premeditated and willfully deceptive acts to “stash” the license of KYNJ/KBCC during the FCC-mandated four-year “holding period” in order to protect their preferred ownership of KXVS-LP in Stockton, despite numerous offers from a local organization to provide PJN with equipment and facilities with which to operate the station;
2. PJN falsely claimed that KYNJ had “resumed operation” from its licensed transmitter location in Tracy, and with its authorized power and equipment, on two separate occasions following Silent STAs; and
3. PJN then filed with the FCC to sell the unwanted (yet quite valuable) KYNJ/KBCC license – *for one dollar* – to a group from Antioch, Calif., with no connection to the station’s city of license, signaling a clear intention by the group to move the station from Tracy to Antioch, leaving Tracy without a locally owned and operated radio station of any kind.²⁸

The petitioner respectfully requests that:

1. The assignment of the KBCC license from Peace and Justice Network to Delta 2000 (on BALED-20170801AJL) be denied by the Commission based on the willful false statements made by PJN’s representatives on their previous FCC filings, and by their continued pattern of lies regarding their planned operation of the station;
2. The license for KBCC be expired and deleted as a result of PJN’s failure to operate the station as required under the terms of that license;

²⁸ — Delta 2000’s “Educational Purpose Exhibit” from the present assignment application details the organizations commitment to developing a radio station in their home community, Antioch, Calif., and east Contra Costa County, with no mention of serving Tracy and southern San Joaquin County. (See attached exhibit for Footnote 28.)

3. The FCC makes assurances that the allotment for the station in Tracy, Calif., will become available to a local organization in the future; and
4. That PJN's construction permit for KXVS-LP in Stockton (on BNPL-20131114BXL) also be cancelled as a result of the organization's repeated deceptive actions in "stashing" the KYNJ/KBCC license to disguise their true intentions.²⁹

Respectfully submitted by:



David F. Jackson
President and Project Director
Westside Public Radio of San Joaquin County

²⁹ — If required, WPR will file a separate petition requesting cancellation of PJN's CP for KXVS-LP for the reasons described herein.

**SUPPLEMENTARY EXHIBITS FOR
PETITION TO DENY**

FCC File No. BALED – 20170801AJL

KBCC (89.5 FM) Tracy, California

Facility ID No. 176022

Submitted By:

Westside Public Radio of San Joaquin County

Petitioner

- CONNECTIONS, San Joaquin County's Alternative Newspaper produced and distributed freely providing educational articles on a wide variety of issues
- Presentation of films and/or speakers on a wide variety of topics concerning local, national and international events including nuclear development, current events, election campaigns and governmental proceedings, environmental issues, and social justice topics including health care, immigration, youth and poverty, education, and gender orientation.
- Annual participation in Earthday, educating the public on environmental responsibility a
- and the Mayor's Youth Fair educating youth regarding jobs and careers in stewardship of the city, state and global community.
- Sponsor of the Peaceful Holiday Fair encouraging alternatives to consumerism and violent or hurtful toys.
- Talking it Through and The Reality Show, local television shows providing a forum for a wide range of community members and organizations to discuss current local and international issues
- The PJN SJC Center provides educational media promoting art, diversity, science, and education

A proposed radio channel for Stockton, California would provide broader public outreach and would widen the educational forum for speakers, music, and discussion related to the goals and mission of the PJN SJC. As an educational tool a local noncommercial educational broadcast would reach a larger audience, draw in a more diverse group which would provide a broader curriculum for education. A radio station would greatly enrich the lives of the people in the listening area.

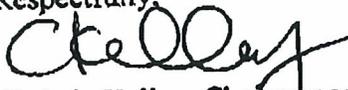
PROPOSED EDUCATIONAL PROGRAM

Peace and Justice Network of San Joaquin County intends to utilize the proposed facility to extend its educational mission to the airwaves by carrying:

- Public affairs programming dealing with art, environment, current affairs, diversity, and media education.
- Political news and information and opinion
- Local cultural events
- News/views of local high school and college youth
- Interviews and talk shows including a wide range of views
- Live presentations of community speakers and events
- A diversity of musical programming
- Debates, independent news, and issues of concern to the community.

The radio program will basically expand its current program to fully actualize its original intent prescribed in its mission.

Respectfully,



Christie Kelley, Chairperson
Peace and Justice Network of San Joaquin County

FOOTNOTE 6 — Exhibit 2 from Peace and Justice Network's application for KYNJ, Tracy, California: the educational "qualifying statement," noting its intention to "enrich the lives of the people in the listening area" with the "proposed radio channel for Stockton, California." PJN's own engineering report showed that KYNJ's signal could not reach Stockton, twenty miles distant from the city of license.

Re: KYNJ Radio Station Inquiry

To kpsr@westsideproject.net <kpsr@westsideproject.net>

Der David Jackson,

I am not Ms. Kelly from the Peace and Justice Network but rather Richard Blackston, the chairperson of the Peace and Justice Network of San Joaquin County. This is the first that I have heard that we would like to sell our radio station. I will share your email with the rest of the Board of Directors at our monthly meeting being held on the first Thursday of the month at the Center. I will contact you after the meeting and share with you the results of the meeting. It is also a public meeting and you are welcomed to attend if you like.

Richard Blackston

On Thu, 8/25/16, kpsr@westsideproject.net<kpsr@westsideproject.net> wrote:

Subject: KYNJ Radio Station Inquiry
To: SJCOUNTYPEACE@GMAIL.COM
Date: Thursday, August 25, 2016, 10:13 AM

Dear Ms. Kelley,

I am writing once again to ask whether your organization is interested in selling its station in Tracy.

We have lined up volunteers to run the station here in Tracy, have the equipment necessary to operate it, and have access to a transmitter site here as well.

In your STA filing with the FCC in December 2014, it is noted that your organization has been seeking a buyer. We have contacted you several times by email, postal mail and phone to express our interest in regard to this matter, but have yet to receive the courtesy of a reply from anyone in your organization.

This radio station would greatly benefit the youth of Tracy, with both skills training and entertainment. With the station having been mostly off the air during the entire course of its existence, I feel that it is a valuable asset that could be put to immediate use here.

I appreciate your consideration, and look forward to a reply at your earliest opportunity.

Re: KYNJ Radio Station Inquiry

To Richard Blackston <richardblackston@yahoo.com> •
kpsr@westsideproject.net <kpsr@westsideproject.net> Copykelleyno2@sbcglobal.net

I am very much aware of the details of the radio station but I was unaware that we were trying to sell the station. It has always been my understanding that we are raising money to enhance the station and make it a voice for progressive causes here in the central valley of California.

On Thu, 8/25/16, kpsr@westsideproject.net<kpsr@westsideproject.net> wrote:

Subject: Re: KYNJ Radio Station Inquiry
To: Richard Blackston
Cc: kelleyno2@sbcglobal.net
Date: Thursday, August 25, 2016, 9:42 PM

Dear Mr. Blackston,

Thank you very much for your reply. I had cc:ed my message to the email addresses on your organization's FCC application for the Tracy station, which is how it reached you. (I am also copying Ms. Kelley on this message.)

Christie <kelleyno2@sbcglobal.net>

9/13/2016 9:05 PM

Re: KYNJ Radio Station Inquiry

To kpsr@westsideproject.net • Richard Blackston <richardblackston@yahoo.com>

We are not interested in selling, thank you.

Sent on my Samsung Galaxy S@ 5

----- Original message -----

From: kpsr@westsideproject.net

Date: 9/13/16 2:45 PM (GMT-08:00)

To: Richard Blackston <richardblackston@yahoo.com>

Cc: kelleyno2@sbcglobal.net

Subject: Re: KYNJ Radio Station Inquiry

Good afternoon!

I'm checking in to see if your board discussed the situation with KYNJ in Tracy, and any plans by your organization to divest from ownership in the station.

Re: KYNJ Radio Station Inquiry

To Christie <kelleyno2@sbcglobal.net> • Richard Blackston <richardblackston@yahoo.com> • kpsr@westsideproject.net <kpsr@westsideproject.net>

D.J.

The Peace and Justice Radio Station is not for sale and has never been for sale. You were invited to attend the board meeting two weeks ago and we did not see you. Also your comments about selling the station have not shown respect for our organization or those involved so it would be best if we all consider this situation done and over and we all move on to make improvements in our respected communities. We at the Peace and Justice Center wish you nothing but the best. You may see our public records on the first Thursday evening between the hours of 6:00 to 7:00 pm. This is an hour before the board meeting and it when the center is open for viewing our public records. We do not have staff that mans the office except for that time period.

Richard

On Wed, 9/14/16, kpsr@westsideproject.net <kpsr@westsideproject.net> wrote:

Subject: Re: KYNJ Radio Station Inquiry
To: [Christie](#), [Richard Blackston](#)
Date: Wednesday, September 14, 2016, 7:11 AM

Good morning!

As I mentioned previously, you probably aren't interested in selling KYNJ. But you are legally required to divest the station in order to operate your new Stockton station.

Re: KYNJ Radio Station Inquiry

To Christie <kelleyno2@sbcglobal.net> • Richard Blackston <richardblackston@yahoo.com> •
kpsr@westsideproject.net <kpsr@westsideproject.net>

I stand by my statement and the station is not for sale. If you have further concerns you can address them with the FCC.

On Wed, 9/14/16, kpsr@westsideproject.net<kpsr@westsideproject.net> wrote:

Subject: Re: KYNJ Radio Station Inquiry
To: [Christie](#), [Richard Blackston](#)
Date: Wednesday, September 14, 2016, 8:31 AM

Dear Mr. Blackston,

Thank you very much for your reply. I sincerely apologize for giving you the feeling of being disrespected. That was not my intention.

The feeling I get from you, however, is that you are not clear on the situation.

Has somebody informed you that PJNSJC can legally own two radio stations? If so, that person is mistaken. It is a violation of FCC regulations and your license for the station in Tracy for you to also hold the license for the LPFM in Stockton.

Community Radio

To kpsr@westsideproject.net <kpsr@westsideproject.net>

Dear Mr Jackson,

I am sorry for not getting back to you, I have been out of town and trying to keep track of things, but apparently I missed some important communications. I was pleased and sorry to see the email about the FCC regulations and what we may or may not have in place. We appreciate your concern, you may not know it but we are an all volunteer group that has worked for many years to get a community radio station going in the central valley. The majority of us are learning what it takes to make this work. I will bring your concerns to the board meeting again to discuss your concerns and will get back to you. Please bear with us as we work on this and please connect directly with me.

Sincerely,
Christie Kelley

Aug 25 at 10:13 AM

Dear Ms. Kelley,

I am writing once again to ask whether your organization is interested in selling its station in Tracy.

We have lined up volunteers to run the station here in Tracy, have the equipment necessary to operate it, and have access to a transmitter site here as well.

In your STA filing with the FCC in December 2014, it is noted that your organization has been seeking a buyer. We have contacted you several times by email, postal mail and phone to express our interest in regard to this matter, but have yet to receive the courtesy of a reply from anyone in your organization.

This radio station would greatly benefit the youth of Tracy, with both skills training and entertainment. With the station having been mostly off the air during the entire course of its existence, I feel that it is a valuable asset that could be put to immediate use here.

I appreciate your consideration, and look forward to a reply at your earliest opportunity.

KBCC STA TRANSMITTER SITE
WEST VALLEY MALL, TRACY, CALIFORNIA
PER GEOGRAPHIC COORDINATES IN BSTA-20170801AJK



FOOTNOTE 24 – KBCC STA transmitting facility on
the roof of the West Valley Mall in Tracy, California.

Media class to prepare residents for new community radio station

By Rocio Hernandez-Zarate rhernandez-zarate@bayareanewsgroup.com

Tuesday, June 30, 2015

ANTIOCH -- A new class centered on community radio will allow East Contra Costa County residents to produce programming centered on the interests and issues of their cities.

Beginning in August, students will learn radio basics, write and record their own stories and put all their skills together to develop original shows. "Having such an outlet where young people and community groups can share their their stories, it just brings people more awareness in the own neighborhood," said Frank Sterling, Content Creators and Engineering Training Program class instructor.

His students will ultimately have the opportunity to work at KLSN 92.9 FM, a new community radio station set to go on air in 2016.

"Community radio is not just talking about the community," Sterling said. "It's the community itself gaining skills in media, sharing their stories with each other and the end goal is enlightening each other."

Unlike other commercial radio stations, KLSN will depend greatly on the financial support and volunteers from the area it will serve: Oakley, Antioch and Brentwood.

Christopher Ponsano, KLSN project manager, said the new station will give the community a chance to show itself what it has to offer.

Because East Contra Costa County is rich with music, culture, diversity and resources, he expects the station will have a great variety for listeners.

Sterling is looking for people with interests in learning media skills, especially those from local organizations, youth, women and people of color to apply.

He is accepting five to 10 students because of limited radio equipment. The application deadline is Sunday and at least two spaces are currently reserved for bilingual Spanish-English speakers.

Sterling said because there is a large Spanish-speaking population in the East Bay, he wants to be sure that there is programming in KLSN serving this community.

"I think it would be a huge disservice to the area if KLSN goes on air and we aren't ready with Spanish-speaking broadcasting," Sterling said. "I feel it's very important."

Ponsano hopes the class and station will also partner with local schools in the future.

"The impact on these kids' lives will be huge," Posano said. "The amount of self-confidence that being on the air can build that stays with you all your life is immeasurable."

Contact Rocio Hernandez-Zarate at 925-952-2617. Follow her at [Twitter.com/rocioldz19](https://twitter.com/rocioldz19).

TO SIGN UP

Email Frank Sterling at rivertowncommunityradio@gmail.com for an application for classes, which begin Aug. 3. A one-time \$50 supply fee is asked, but not required for the class.

EDUCATIONAL PURPOSE STATEMENT:

DELTA 2000, A 501(C) 3 ORGANIZATION BASED IN EAST CONTRA COSTA COUNTY, OPERATES THE RIVERTOWN RESOURCE CENTER FOUNDED IN PARTNERSHIP WITH COUNTY AND LOCAL MUNICIPAL AGENCIES, AND HOSTS A NETWORK OF LOCAL NONPROFIT AND PUBLIC SERVICE ORGANIZATIONS. OVER THE PAST TWO DECADES WE HAVE ASSISTED NUMEROUS NONPROFITS, GUIDED START UPS, AND SERVED AS FISCAL SPONSOR, INCLUDING FOR THE 'RIVERTOWN COMMUNITY RADIO' TRAINING PROGRAM INITIALLY DEVELOPED THROUGH THE ANTIOCH UNIFIED SCHOOL DISTRICT, AND NOW OPEN TO HIGH SCHOOL & COLLEGE STUDENTS, ADULTS, SENIORS, AND NONPROFIT MEMBERS ACROSS THE EAST COUNTY AREA.

SINCE 2013, RESOURCES WERE SECURED TO ESTABLISH AN IN-HOUSE RADIO PRODUCTION AND TRAINING STUDIO. PLANS ARE BEING DEVELOPED TO ESTABLISH ADDITIONAL FACILITIES IN NEIGHBORING COMMUNITIES ACROSS THE REGION.

THROUGH ONGOING ACTIVITIES WITH OUR NETWORK OF COMMUNITY ORGANIZATIONS, WE WILL UTILIZE THE NONCOMMERCIAL FM RADIO LICENSE TO FURTHER OUR GOAL TO ENGAGE AN INCREASINGLY DIVERSE POPULATION. BY PROVIDING VITAL INFORMATION ABOUT LOCAL SERVICES & RESOURCES, CULTURE, MUSIC, AND CIVIC ACTIVITIES, WE WILL LEVERAGE FM RADIO AND SOCIAL MEDIA PLATFORMS TO INCREASE OUR REACH OF SERVICE AND EDUCATION, HIGHLIGHT THE LOCAL NONPROFIT COMMUNITY, OFFER A SHOWCASE FOR LOCAL ARTISTS AND MUSICIANS, PROVIDE A PLATFORM FOR LOCAL JOURNALISTS AND SUBJECT MATTER EXPERTS, AND COVER COMMUNITY EVENTS.

FOOTNOTE 28 — Delta 2000's "Educational Purpose Exhibit" from the present assignment application, detailing the organization's commitment to local programming in its home community, Antioch, California, in eastern Contra Costa County.

Frank Sterling, listed as "Engineer" on the most recent STA filing by KBCC, is also the Content Creators and Engineering Training Program class instructor for Delta 2000's "Rivertown Community Radio" project, mentioned in this exhibit.

The organization's services do not extend to San Joaquin County — and least of all to southern San Joaquin County — which KYNJ/KBCC is licensed to serve.

This exhibit alone foreshadows that Delta 2000 fully intends to apply to move the station's city of license to Antioch, a city already served by a local LPFM station with which the group is already affiliated.