

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In re Matter of

CENTRO CRISTIANO DE VIDA ETERNA

For Modification of Construction Permit for  
FM Translator K287BQ, Alvin, TX  
(Proposing Houston, TX)

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) File No. BPFT-20160930AHI  
) Fac. ID No. 148244  
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**Accepted / Filed**

To: Office of the Secretary  
Federal Communications Commission  
Attn: The Chief, Audio Division, Media Bureau

**DEC - 6 2016**

Federal Communications Commission  
Office of the Secretary

**REPLY TO OPPOSITION TO INFORMAL OBJECTION**

Roy E. Henderson ("Henderson"), licensee of Station KTWL, Hempstead, Texas, by its attorneys hereby respectfully replies to the Opposition to Informal Objection, filed by the above-captioned FM translator licensee ("Centro") on November 22, 2016. In support hereof, Henderson states as follows:

1. The Opposition relies heavily on a letter from the "Senior Engineer" of Nikon, the antenna manufacturer whose antenna is at issue here. But the key assertion in the letter directly contradicts a similar communication from the vice president of the same company with the same last name (Piagentini). Presumably, the two declarants are related, personally and professionally, but curiously, Centro does not clarify this point. Indeed, the Opposition does not even mention the manufacturer's vice president's email attached to the Supplement to Informal Objection.

2. Whatever the answer to this riddle, the fact is that the vice president's email confirms the concerns of Henderson's consulting engineer, Gil Moor, that Centro intends in reality to utilize its customized, exotic antenna as an omni-directional antenna unless the

Commission demands a proof of performance from the translator licensee<sup>1</sup>. Mr. Moor notes that nowhere in the Opposition or its supporting Engineering Report does Centro even mention the obligation to protect co-channel KTWL<sup>2</sup>. Further, Mr. Moor projects massive interference unless Centro specifies an exact azimuth and furnishes a precise description of the null its ostensibly directional facility will achieve, there is no assurance that null will comply with the translator's permit or FCC rules<sup>3</sup>. Also, the tower's orientation must be factored in and Centro does not address that factor. Nor does Centro address the gain inevitably caused by directionalization. In Mr. Moor's view, this will lead to operation with excessive power<sup>4</sup>. Since Centro already proposes a healthy 99 watts ERP at almost 1500 feet, the translator's proposed modification is "major", necessitating careful review before the FCC signs off on it.

3. Doug DeLawder, Centro's engineer, states in an Exhibit to the Opposition that a proof of performance "is a burden that the FCC does not require of FM secondary stations (translators, boosters and Low-power FM)." Mr. DeLawder cites no authority for his open-ended assertion. It is erroneous. As Mr. Moor states in his Technical Comments, Section 74.1235 (i) of the FCC's rules, which is included in Section 74 of Title 47, is applicable to translator modification applications. It expressly authorizes the FCC to require a directional proof of performance where appropriate. This procedure is not mandatory, but it is discretionary, rendering Mr. DeLawder's statement a misreading of the rule.

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<sup>1</sup> See Technical Comments.

<sup>2</sup> Id.

<sup>3</sup> Id.

<sup>4</sup> Id.

4. Henderson once again implores the Commission to condition any construction permit granted to Centro to require real world evidence that its antenna will not interfere with co-channel KTWL.

Respectfully submitted,

Roy E. Henderson

By: 

John C. Trent, Esq.  
Howard M. Weiss, Esq.  
His Attorneys

December 6, 2016  
Putbrese Hunsaker & Trent, P.C.  
200 S. Church Street  
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**Technical Comments**  
**In reply to**  
**Opposition to Informal Objection**  
December 2016

These Technical Comments are in reply to the Opposition to Informal Objection filed by Centro Cristiano de Vida Eterna ("Centro") and filed on behalf of Roy E. Henderson. Centro is attempting to relocate K287BQ to serve Houston, TX.

In Centro's Opposition, much information is presented about directional FM antennas. What is not presented is how to mount the proposed Nicom BKG77 antenna to protect KTWL's licensed site and KTWL's CP site. The licensed site is at an azimuth of 327.8 degrees and the CP is at an azimuth of 333.8 degrees.

Please note that nowhere in the Centro application (BPFT-20160930AHI) does Centro mention KTWL and the need to protect them. There is no allocation study and there is no demonstration of clearance to KTWL. It is agreed that minimalistic applications are routinely accepted, but this lack of even mentioning KTWL demonstrates the low priority Centro gives to KTWL.

Attached are exhibits demonstrating interference to KTWL if Centro operated their translator with a non-directional antenna. *This is a train wreck that Henderson is attempting to preclude.* With reference to the KTWL licensed site, 37,562 persons would receive interference over 403.74 SQ KM. With reference to the KTWL CP site, 33,721 persons would receive interference over 322.59 SQ KM.

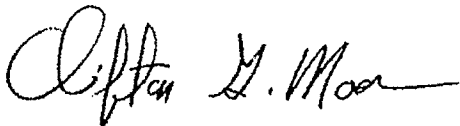
Without an antenna manufacturer specifying an exact azimuth, how can any member of the broadcast community double check to ensure the antenna is mounted in the correct direction? Without an actual proof of performance, how can any member of the broadcast community be confident that this make and model of tower shields KTWL properly to produce the prescribed null? Without a proof of performance, no party knows how far to stand off the antenna from the tower.

The antenna is to be mounted on ASR 1028555. The orientation of the tower sides and legs are already known. Will this preexisting orientation be acceptable to make a directional pattern to protect KTWL? Finally, directional antennas have a gain greater than non-directional antennas. In the event that the proposed BKG77 antenna is indeed declared to be directional, what is the new directional antenna gain? The party conducting the directional proof of performance normally calculates the gain of directional antennas. Without a proof of performance and an actual gain factor, this installation will most likely operate with an excessive power greater than

99 Watts. Operation with excessive power is of concern to everyone, including the IF relationship that limits the Effective Radiated Power to 99 Watts<sup>1</sup>.

The translator Centro is requesting is a major translator station. Yes, it is only 99 Watts but when the center of radiation above ground is 457 meters (1499.3 feet) this becomes a major station. Henderson urges that care be utilized when allocating a major station that can inflict unwanted interference to broadcast neighbors and their listeners. Henderson continues to urge Paragraph 74.1235(i) be used by the Commission to require a directional proof of performance be made on the Nicom non-directional antenna to ensure protection to KTWL and IF station KTBZ-FM. Granted, this is an additional step for the secondary station owner, but it is Henderson's goal to continue to serve the thousands of listeners within the KTWL 60 dBu without unwanted interference from a co-channel secondary service.

Under penalty of perjury, all statements contained herein are thought to be accurate and true to the knowledge of the undersigned.

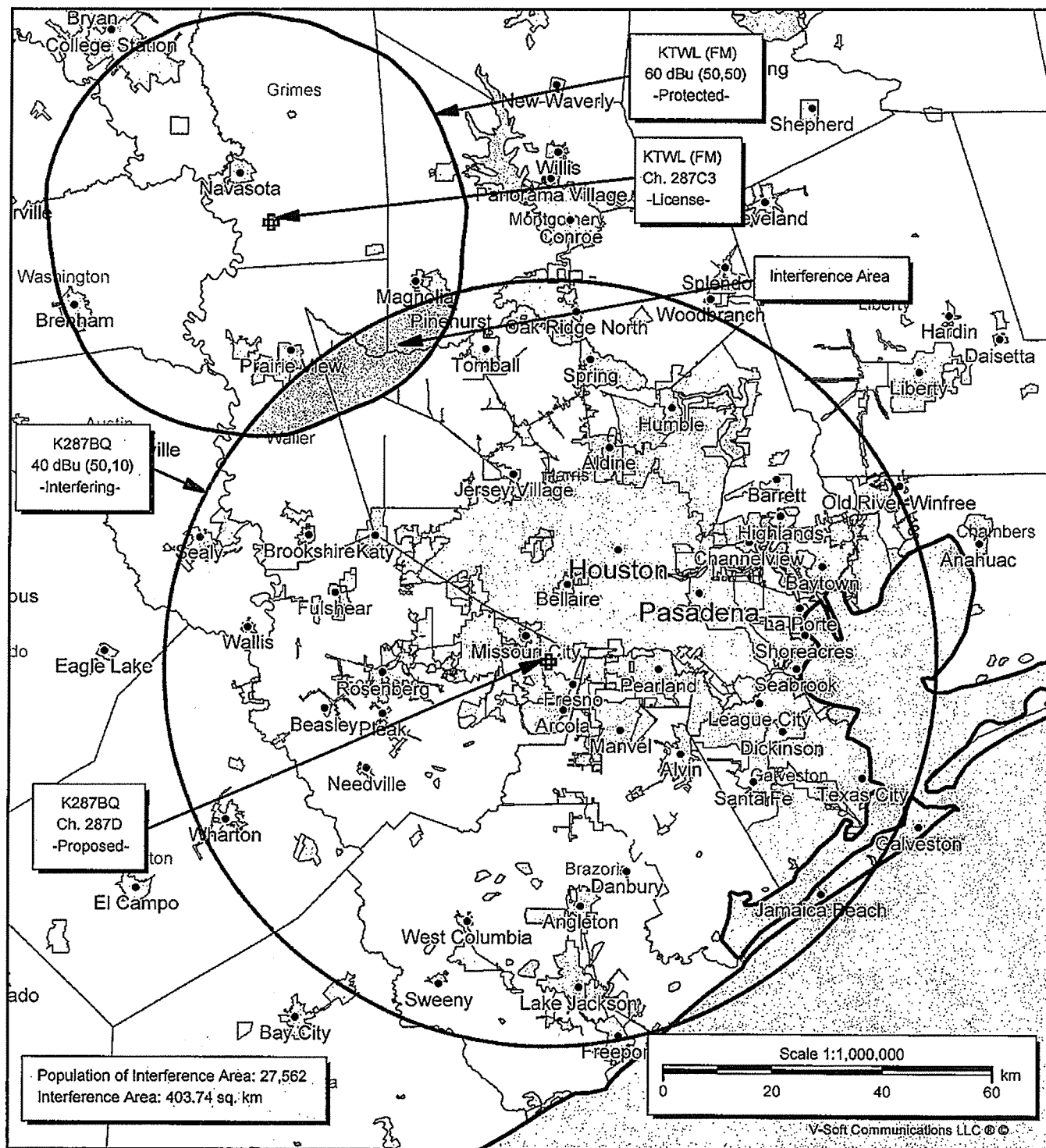
A handwritten signature in black ink, appearing to read "Clifton G. Moor". The signature is fluid and cursive, with the first name "Clifton" being more prominent and the last name "Moor" following in a similar style.

Clifton G. Moor, President  
Bromo Communications, Inc.  
Technical Consultant to Roy E. Henderson

December 2, 2016

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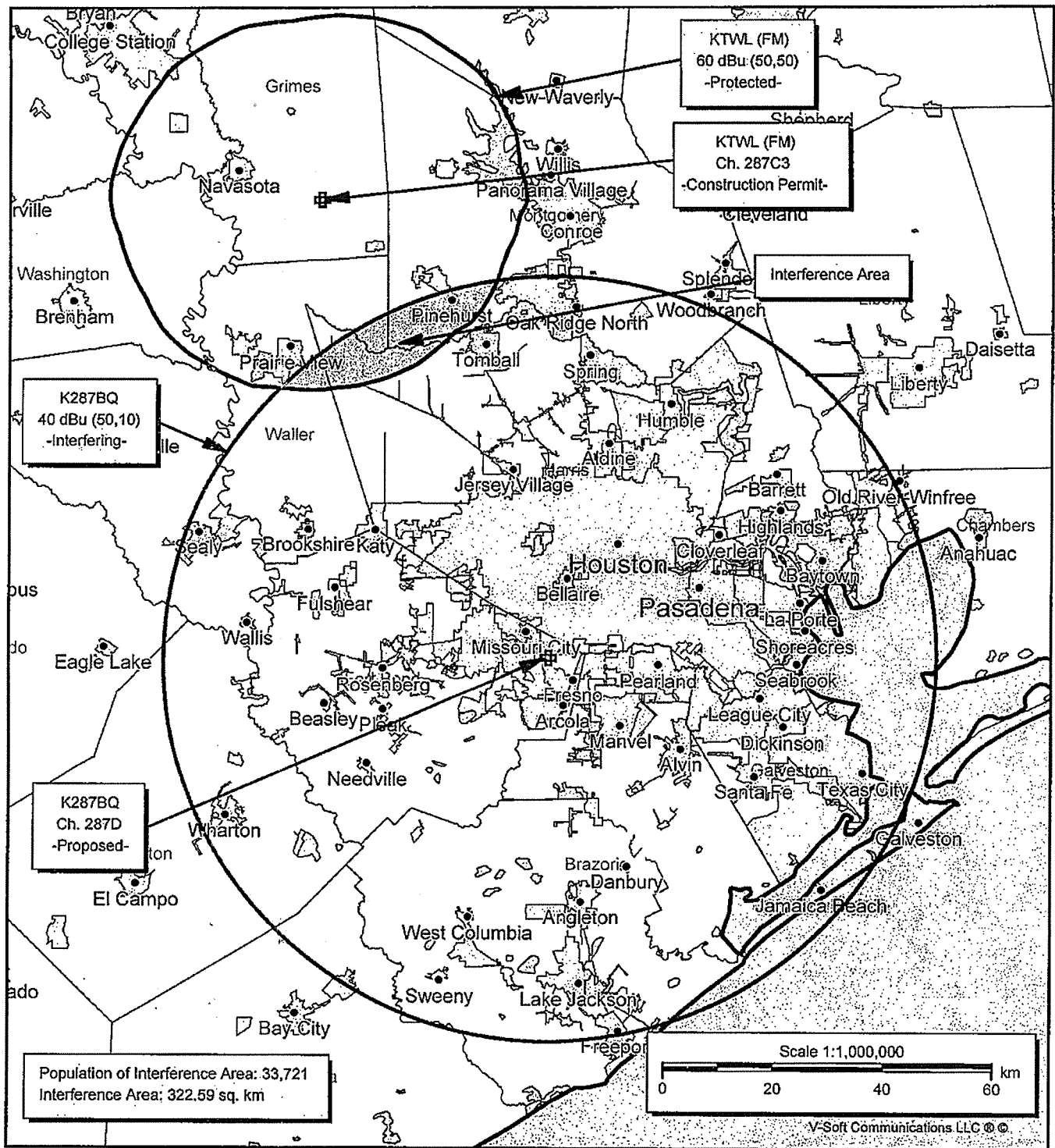
<sup>1</sup> IF relationship is to KTBZ-FM, 233C, Houston, TX owned by AMFM Texas Licenses, LLC.



**Interference to KTWL (FM) (License)**  
**Non-Directional Translator K287BQ (BPFT-20160930AHI)**  
**Channel 287D - 105.3 MHz**  
**Houston, Texas**

**Bromo Communications, Inc.**

December 2016



**Interference to KTWL (FM) (Construction Permit)**  
**Non-Directional Translator K287BQ (BPFT-20160930AHI)**  
**Channel 287D - 105.3 MHz**  
**Houston, Texas**

**Bromo Communications, Inc.**

December 2016

**CERTIFICATE OF SERVICE**

I, David E. Hinderer, a legal assistant in the law offices of Putbrese Hunsaker & Trent, P.C., do hereby certify that copies of the "REPLY TO OPPOSITION TO INFORMAL OBJECTION" have been sent via first class, U.S. mail, postage prepaid, this the day of October, 2016, to the following:

Peter H. Doyle, Chief  
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David E. Hinderer