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2018 MAY 30 PM 2:04

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In Re:

Common Frequency, Incorporated,
Prometheus Radio Project, and
Center for Media Action

Received & Inspected

MAY 29 2018

FCC Mailroom

Application for NEW FM translator, WTRW Incorporated
File No. BNPFT-20180425ABA

Channel 97.9 MHz (translator for WGBW-AM, Denmark, WI)
Green Bay, Wisconsin (Construction Permit Requested)

MOTION TO DENY 'INFORMAL OBJECTION'

Comes now, Mark Heller, as President and Sole Stockholder of WTRW Incorporated, licensee of WGBW-AM, Denmark, Wisconsin with an Answer to an Informal Objection from a group which currently has no standing in our marketplace or coverage area. Although we understand you do not have to live in an any particular area, in order to file an Informal Objection with the FCC.

The joint filers argue for basically a new rule to ensure more spectrum for LPFM's, that the FCC hasn't adopted or even proposed. This has absolutely nothing to do with WTRW's application, which has current standing with the Commission.

When the filers reference the LPFM statute they conveniently leave out that it applies to preserving spectrum for FM translators *equally* (emphasis added) with LPFM.

In any event, it is the kind of argument that should have been raised in a rule making proceeding, either prior ones for LPFMs or for the cross-service FM translators for AM stations, or a future rulemaking, rather than in the context of a set of 1,000 more or less pending applications. The filers want to make this an issue between WTRW Incorporated and its group, which it is clearly not.

When the filers suggest on Page Three of their filing, as a 'standard' adopted by the FCC, that standard applied only to the pending 2003 FM translator filing window applications. WTRW's filing is *NOT* (emphasis added) part of that group.

This last-minute filing, also precludes any mention of the several hundred translators that have been recently granted by the Commission. (Class C and Class D AM broadcast) This now puts current applicants on an 'unequal' footing, as the prior granted parties are not mentioned in the Informal Objection. Where is the "fairness", in this Informal Objection? This filing is deficient.

WTRW Incorporated is seeking immediate relief, in this last minute attempt to disrupt what to date has been an engineering challenge and costly expenditure, to date.

Furthermore, there are no competing, nor operating LPFM's in the greater Green Bay, Wisconsin market. There was a Construction Permit for one, associated with a church, perhaps eight years ago, which was never built. In all of Northeast Wisconsin, the current inventory of LPFMs are, in total:

Call Sign, City of License, Frequency, HAAT, distance from Appl.

WLCJ-LP Marinette, WI	92.5	24 meters	55.2 miles
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WPPS-LP Oconto Falls, WI	92.9	30 meters	30.5 miles
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WRGW-LP Shawano, WI	94.5	4.7 meters	38.2 miles
WTSW-LP Manitowoc, WI	96.3	2 meters	40.9 miles
WOCT-LP Oshkosh, WI	101.9	26.6 meters	51.7 miles
WLWR-LP Marinette, WI	107.7	29.7 meters	55.2 miles

None of the existing stations, operate anywhere near WTRW Incorporated's proposed 97.9 Mhz translator, and you cannot claim to protect frequencies which you have never expressed a desire to apply for, nor operate, especially in a marketplace, where a Construction Permit was apparently granted eight years ago, and never built! Additionally, two of the six licensed LPFMs are severely technically challenged, due to their lack of any height. The coverage area of WTSW-LP in Manitowoc, WI, for example, can be measured in blocks, not miles!

WTRW Incorporated, patiently waited for years, for this open window. It did the proper filings, paid the necessary fees for a Construction Permit, and the Commission, unless it has other good cause and reason to deny this, and give or take 1,000 other qualified applicants who have paid a collective amount in excess of \$805,000 to the Commission, for their Construction Permits. This Informal Objection must be denied, and opposition filers may be given the opportunity, 'post-grant' to make a proper and legal filing for a Petition for Rule Making, like any other party can.

Time is of the essence, in the Commission's ability to grant these translators, as stations in the northern climates will have to deal with winter weather, if this is not resolved in a timely manner.

Respectfully submitted,

WTRW INCORPORATED

A handwritten signature in black ink, appearing to read "Mark Heller". The signature is fluid and cursive, with the first name "Mark" and last name "Heller" clearly distinguishable.

Mark Heller, President and Owner

P.O. Box 100

Denmark, WI 54208-0100

(920) 863-1234

PROOF OF SERVICE

A copy of this Motion to Deny Information Objection, has been mailed to the parties, listed below on May 21, 2018 via First Class Mail to:

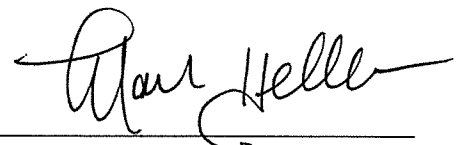
Office of the Secretary
Federal Communications Commission
445 12th Street NW
Washington, DC 20554

ATTN: MEDIA BUREAU

(Original and Four Copies)

And,

Common Frequency Inc
Prometheus Radio Project
Center for Media Action
C/o P.O. Box 42158
Philadelphia, PA 19101

A handwritten signature in black ink, appearing to read "Mark Heller", written over a horizontal line.

Mark Heller