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

In re Application of

San Tan Educational Media "STEM"

File No. BPL-20180117ACV

Fac. ID No. 192016

Minor Modification Filed

of LPFM Station ) KFXV-LP Mesa, AZ )

Objection to: File No. BPL-20180117ACV

Reply To San Tan Educational Media Opposition

To: Office of the Secretary

Office of the Secretary  
Attention: Audio Division  
445 12th Street, SW,  
Room TW-A325  
Federal Communications Commission  
Washington, DC 20554

2018 MAY 10 AM 10:09

#### INFORMAL OBJECTION REPLY TO OPPOSITION

Len Novin hereby submits its reply to San Tan Educational Media Opposition to Informal Objection filed by Tan Educational Media posted April 9-2018 in the above caption proceeding.

San Tan Educational Media filed for the above-captioned application for consent of a Minor Modification File

No. BPL-20180117ACV filed January 18, 2018 by San Tan Educational Media ("STEM").

Len Novin is now filing a reply to San Tan Educational Media ("STEM") opposition posted April-9-2018 under correspondence.

### **STEM's application File No. BLL-20170710AAT, STEM**

#### **Unauthorized Transfer of Control**

San Tan Educational Media does not produce a scintilla of proof that STEM did not failed to request and obtain Commission consent for its apparent transfer of control to its current board of directors and, therefore, STEM has no Commission authority through its officers or board of directors to operate or control station KFXV-LP, including filing or prosecuting the above-captioned application for minor modification of facilities. Moreover, Ryan Greig falsely, fraudulently and without authorization added Len Novin as one of the directors of STEM with Arizona Secretary of State copy of which are attached to the Len Novin informal objection. STEM offers exhibit A in their opposition which is a settlement agreement wherein Len Novin demands the removal of his name from STEM. STEM exhibit A is merely proof that Len Novin wanted his name removed from the STEM board.

#### **STEM Lack of Candor filing STA BLSTA - 20171121AAA**

STEM president Ryan Greig filed a STA BLSTA - 20171121AAA for the following two reasons:

#### ***THE EQUIPMENT HAS LOST POWER AND SITE ACCESS HAS BEEN DENIED.***

Ryan Greig aforementioned reasons for the STA lacks candor, and is not completely factual, STEM fails to be forthcoming in its duty to disclose the pertinent details of this filing STA BLSTA-20171121AAA. Ryan Greig blatantly manipulated the STA filing and now does not produce a scintilla of evidence within the STEM opposition why STEM failed to disclose the truth as follows: Len Novin notified Ryan Greig that the equipment and tower must be shut down because the underlying application had significant material misrepresentation with intent to deceive the Commission and Maricopa County permit department. Ryan Greig would like the Commission ignore on November 22, 2017 Maricopa County issued a violation notice: "tower beyond the scope of the permit B201703327" Ryan Greig aforementioned reasons for the STA simply lacks candor **see exhibit three** in Len Novin informal objection notice from Maricopa County Building Department.

#### **STEM Eviction from Len Novin Tower Site**

STEM attempt to create a smoke screen and frivolous excuses trying to convince the Commission that Ryan Greig wanted to leave Len Novin site, this is utterly preposterous, STEM was evicted for among other things: on November 22, 2017 Maricopa County issued a violation notice: "tower beyond the scope of the permit B201703327" see exhibit three attached to the Len Novin informal objection, here again STEM opposition to the informal objection fails to produce a scintilla of proof that this notice was not sent from Maricopa County, therefore, Len Novin took action and evicted STEM for this reason and more.

Len Novin hereby objects to the above-captioned application for minor modification of licensed facilities filed by San Tan Educational Media ("STEM") on January 18, 2018 file# BPL-20180117ACV. It is submitted herein that the BPL-20180117ACV STEM opposition to the informal objection does not camouflage STEM's still existing multiple gross violations of the Communications Act of 1934 and Commission rules.

Due to an unauthorized transfer of control, STEM has no Commission authority to file or prosecute the subject application before the Commission. Further, due to STEM's unauthorized operation of KFXV-LP in violation of Section 301 of the Communications Act of 1934, as amended, the Commission has no discretion but to deny or dismiss the above-captioned application under Section 632 of the Act. Finally, this application presents a significant material misrepresentation with intent to deceive when it certified under penalty of perjury "that neither the applicant nor any party to the application has engaged in any manner, individually or with other persons, groups, organizations, or other entities, in the unlicensed operation of any station in violation of Section 301 of the Communications Act of 1934, as amended, 47 U.S.C. Section 301."

As demonstrated by this Petition:

- (1) failed to construct KFXV-LP broadcast facilities authorized by the Commission in File No. BPL-20170206ACD;
- (2) certified falsely under penalty of perjury in the above-captioned application with intent to deceive that the facility was constructed as authorized in the underlying construction permit;
- (3) did not certify the subject Form 319 in compliance with FCC requirements; and
- (4) conducting unauthorized broadcast operations until the STA was filed; and
- (5) transferred control of station KFXV-LP without FCC consent in violation of Section 310(d) of the Communications Act of 1934, as amended; and
- (6) Ryan Greig falsely, fraudulently and without authorization added Len Novin as one of the directors of STEM.

In the above listed items 1-to-6 Ryan Greig President of STEM opposition to the informal objection fails to produce a scintilla of proof that would defeat the violations listed above and included in Len Novin informal objection.

#### **Licensed Survey Len Novin informal objection exhibit six**

Len Novin offered a licensed survey showing that STEM Ryan Greig failed to construct KFXV-LP broadcast facilities authorized by the Commission File No. BPL-20170206ACD **see exhibit six in the Len Novin informal objection.**

STEM opposition to the informal objection now does not produce a scintilla of proof that the licensed survey is not accurate showing incontrovertible proof that STEM Ryan Greig failed to construct KFXV-LP broadcast facilities pursuant to the license.

#### **Identity Fraud Len Novin Informal Objection**

Ryan Greig falsely, fraudulently and without authorization added Len Novin as one of the directors of STEM board. Thus, Ryan Greig acted with intent to deceive Len Novin and benefit from Len Novin prestigious stature in the local community in order to garner access to Len Novin network of business relationships. STEM opposition to the informal objection does not produce a scintilla of proof to Len Novin claim of Identity Fraud. All that STEM offers is a settlement agreement wherein Len Novin demands the removal of his name. STEM offers exhibit A in their opposition which is a settlement agreement wherein Len Novin demands the removal of his name from STEM. STEM exhibit A is merely proof that Len Novin wanted his name removed from the STEM board.

#### **Calcification Typographical Error STEM Eviction from Two Sites**

As a point of calcification within the Len Novin informal objection under "Conclusion" states the following:

STEM president Ryan Greig has now been evicted from two communication sites as a direct result of his failure to comply with the Commission rules. As stated herein STEM president Ryan Greig had committed violations at KFXV- LP at Action Tower Site Permit No. BMPL-20141118ARF The President of Action Tower Mr. Bart Henershott has barred STEM president Ryan Greig from the site. Therefore, STEM president Ryan Greig is not allowed to return to Action Tower Site and STEM president Ryan Greig has been evicted from Len Novin site.

STEM was not evicted from two sites instead STEM was barred from Action Tower and evicted from Len Novin site which is stated in the Len Novin informal objection, therefore the later is a correct statement as follows: As stated herein STEM president Ryan Greig had committed violations at KFXV-LP at Action Tower Site Permit No. BMPL-20141118ARF The President of Action Tower Mr. Bart Henershott has barred STEM president Ryan Greig from the site. Therefore, STEM president Ryan Greig is not allowed to return to Action Tower Site, ***The Action Tower owner has offered a declaration of calcification see exhibit A attached hereto.***

**Ryan Greig stated in his opposition the following:** It is not true that STEM was evicted from Len Novin site instead STEM states that he notified Len Novin that he no longer wanted to work with him. STEM aforementioned statement found in STEM's opposition is a complete lack of candor and is a significant material misrepresentation with intent to deceive the Commission, the following offers proof of STEM lack of candor: STEM president Ryan Greig filed a STA BLSTA - 20171121AAA for the following two reasons:

***THE EQUIPMENT HAS LOST POWER AND SITE ACCESS HAS BEEN DENIED.***

Ryan Greig never mentioned in his STA filing that STEM required an STA because Ryan Greig no longer wanted to work with Len Novin. In fact, Ryan Greig STA makes it very clear that site access has been denied and that was the reason for the STA. In sum, STEM was evicted and denied access, herefore, STEM current opposition lacks candor, moreover, it is obvious that Ryan Greig new feeble excuse why STEM was supposedly not evicted is a utter fraudulent statement to the Commission.

This is a continuation of Ryan Greig bad acts. In short, Ryan Greig is now attempting to deceive the Commission with his outright attempt to rewrite history. Ryan Greig filing on the STA BLSTA-20171121AAA clearly shows he was evicted and access was denied despite all these facts Ryan Greig is now lying to cover up being evicted from Len Novin site.

**DOUG PELLEY STATEMENT within Len Novin informal objection**

***STEM urges that Pelley statement is not true. The Action Tower owner has offered a declaration of calcification see exhibit A attached hereto.***

**Violations County**

Ryan Greig is attempting again to produce a useless document found in Ryan Greig opposition exhibit C. This exhibit C is irrelevant and unrelated to the damages caused by STEM.

Ryan Greig should have provided to the Commission a copy of his fraudulently filed application with the county. Here are the accurate facts concerning Ryan Greig Bad Acts. Ryan Greig filed a fraudulent application with Maricopa County for a Ham Tower knowing that STEM operation was a FM radio station conducting business. Maricopa County levied a fee, which Len Novin had to pay to Maricopa County because STEM filed a fraudulent application. As stated in Len Novin declaration "I have been severely harmed by Ryan Greig as a direct result of Ryan Greig numinous violations with the county and Commission I'm facing costs close to \$10,000 (ten thousand dollars) see part of legal expenses attached **exhibit seven and Maricopa County fine for \$4,000 fine exhibit eight.**" which are found within Len Novin informal objection

Ryan Greig is not being truthful or honest with the Commission about all his bad acts including the filing a fraudulent application with Maricopa County for a Ham Tower knowing that STEM operation was a FM radio

station conducting business on Len Novin site. Maricopa County levied a fee which Len Novin had to pay to Maricopa County because STEM filed a fraudulent application for a amateur tower.

Len Novin hereby submits proof that Ryan Greig filed a fraudulent application with Maricopa County for a amateur radio Tower, Ryan knowingly filed this fraudulent amateur application instead of filing for a FM radio station conducting business. Ryan Greig filed and signed a Planning & Development Department Building Activity Application wherein Ryan Greig was required to provide a detailed work description: Ryan Greig filed in the detailed work description the following: putting up an amateur radio tower see **attached hereto exhibit B**

Simply put, Ryan Greig knowingly filed a fraudulent application attempting to avoid the possible higher fees and processing time STEM filed for amateur radio tower, as a direct result of the STEM fraudulent application Len Novin was financially damaged. As stated within Len Novin opposition declaration "I have been severely harmed by Ryan Greig as a direct result of Ryan Greig numerous violations and aforesaid fraudulent Planning & Development Department Building Activity Application with the county, I'm facing costs close to \$10,000 (ten thousand dollars) see part of legal expenses attached **exhibit seven and Maricopa County fine for \$4,000 fine exhibit eight.**" which are found within Len Novin informal objection



Respectfully  
Len Novin  
4/25/18

*The Action Tower owner has offered a  
declaration of calcification see  
Exhibit A attached hereto.*

## Bart Hendershott Declaration

I am Bart Hendershott, President of Action Tower Company, which owns, operates and leases the Action Tower Site in Mesa, Arizona. On August 8, 2017 I signed a declaration under penalty of perjury, which is true and correct and is made apart of Len Novin informal objection against San Tan Educational Media Inc. Licensee of KFXV-LP, 991 MHz channel 256), Mesa, Arizona see exhibit 4 attached to the Len Novin informal object.

I recently filed a statement that was made apart of the KFXV- LP: see exhibit B which was made a-part of San Tan Educational STEM opposition to the Len Novin informal objection. The sole reason for the statement was to clarify that San Tan Educational Media Inc was not evicted from my site, in short, the terms of Action Tower lease was complete with KFXV-LP and they moved to Len Novin site, also Len Novin has provided the aforementioned calcification in his reply to STEM opposition to Len Novin informal objection, moreover, as a point of clarification Rocket Radio Inc. is a tenant at my site, and may provide feedback concerning the site operation as a tenant, however, Rocket Radio Inc. does not make any ultimate decisions for Action Tower.

Action Tower site engineering has encountered numerous violations while San Tan Educational Media Inc. Licensee of KFXV-LP, 991 MHz channel 256), was operating at Action Tower Site. Moreover, Doug Pelley who runs site engineering for Action

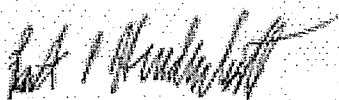
Tower has filed a Declaration, which is made apart of the Len Novin informal

EXHIBIT A

object see exhibit five in the Len Novin, and to the best of best is knowledge is accurate and correct Doug Pelley Declaration is supported by engineering data, and exhibits.

The only scenario wherein San Tan Educational Media Inc. Licensee of KFXV-LP, 99.1 MHz channel 256) could return to my site is if San Tan Educational Media Inc. Licensee of KFXV-LP, 99.1 MHz channel 256), promised to comply with their FCC license while operating at Action Tower site, and if they do not comply I would evict San Tan Educational Media Inc. Licensee of KFXV-LP, 99.1 MHz channel 256), Mesa, Arizona.

"The foregoing is true and correct, to the best of my personal knowledge, information, and belief, under penalty of perjury."

  
Bart Hendershott

4/25/18

*Exhibit A*



# Planning & Development Department Building Activity Application wherein

Ryan Greig was required to provide a detailed work description:

Ryan Greig filed in the detailed work description the following: putting up an amateur radio tower

**See attached hereto exhibit B**



Planning & Development Department  
BUILDING ACTIVITY APPLICATION

ONE  
STOP  
SHOP

|   |   |                   |   |                   |   |   |   |
|---|---|-------------------|---|-------------------|---|---|---|
| PARCEL #  | 22-0-05-013D  |                   | CROSS STREETS:  |                   | Brown Rd + N 104th St.                        |   |   |
| Is the property on Septic?  |   |                   | <input checked="" type="checkbox"/> Yes or No (circle one)                        |                   |   |   |   |
| Are there any Code violations on this property?   |   |                   | <input checked="" type="checkbox"/> Yes or <input checked="" type="checkbox"/> NO |                   |   |   |   |
| Is there any other construction occurring on the property right now?  |   |                   | <input checked="" type="checkbox"/> Yes or <input checked="" type="checkbox"/> NO |                   |   |   |   |
| Is your driveway tying into a Maricopa County right-of-way?   |   |                   | <input checked="" type="checkbox"/> Yes or No                                     |                   |   |   |   |
| CONSTRUCTION SITE ADDRESS:  | 1318 N. 104th Street                                  |                   | City & Zip:   | Mesa AZ 85207     |   |   |   |
| OTHER INFO:   | SUBDIVISION<br>MOBILE HOME PARK (with Space or Lot #) |                   |   |                   |   |   |   |
| DIRECTIONS TO JOB SITE:   |   |                   |   |                   |   |   |   |
| Exit 202 at Brown Rd. Turn left on N. 104th St.   |   |                   |   |                   |   |   |   |
| DETAILED WORK DESCRIPTION: Putting up an amateur radio tower  |   |                   |   |                   |   |   |   |
| EST. VALUATION OF PROJECT \$  |   |                   | 5,000   |                   |   |   |   |
| PROPERTY OWNER -- Last Name:  |   |                   | First Name:   |                   |   |   |   |
| Dean  |   |                   | Michelle  |                   |   |   |   |
| Mailing Address: 1318 N. 104th St. Mesa, AZ 85207   |   |                   |   |                   |   |   |   |
| Phone #:  |   | Alt #:            |   | Email:            |   |   |   |
| 602-303-5864  |   |                   |   | len1616@gmail.com |   |   |   |
| CIRCLE THE TYPE OF PERMIT(S)  |   |                   |   |                   |   |   |   |
| RESIDENTIAL:  | New   | New w/Basemt      | SP #  | Addition          | <input checked="" type="checkbox"/> Accessory | Alteration                              |   |
| POOL/SPA:   | Production  | SP #              | Custom  | POOL BARRIER:     | New   | Existing                                |   |
| MINOR:  | Electrical  | Plumbing          | Mechanical  | Non-Tech          | Demo  |   |   |
| COMMERCIAL:   | Name of Co.:  |                   | New   | Addition          | Accessory                                     | Sign                                    |   |
|   |   |                   |   |                   |   | Wall or Monument                        |   |
|   |   |                   |   |                   |   | Tenant Imprvmt                          |   |
| GRADING:  | Paving  | Subdiv. Infrastr. | Infrastr  | FENCE             | CMU   | Iron                                    |   |
|   |   |                   |   |                   | Chain   | Pipe                                    |   |
|   |   |                   |   |                   | HT  | LF                                      |   |
| FACTORY BUILT:  | Mobile  | Multi-Sect        | Manuf   | Yr.               | FBB type:                                     | FBB #:                                  |   |
| COMPLIANCE:   | Drainage  | Building          | Group   | Fire              | Code  |   |   |
| UTILITIES TO PROPERTY   |   | Electric Co.:     |   | Gas / Propane:    |   |   |   |
| Water Co.:  |   | Sewer / Septic:   |   | Fire District:    |   |   |   |
| The owner or authorized agent for the owner of the subject lot or parcel guarantees access to Maricopa County personnel for the purpose of building inspections, zoning enforcement and the provision of emergency services. I agree to abide by all of the development laws of Maricopa County. The information and plans provided are correct to the best of my knowledge including recorded lot dimensions and structure locations. I understand filing of an application containing false or incorrect information, with the intent to avoid the licensing requirement of ARS Title 32, is falsification pursuant ARS section 13-2701 and is a class 2 misdemeanor. |   |                   |   |                   |   |   |   |
| Owner / Builder will do the work themselves, with their own employees, for owner's use and not for sale or rental within one year of completion.  |   |                   |   |                   |   | <input checked="" type="checkbox"/> YES | NO  |
| Owner / Applicant is claiming another exemption under ARS, Section 32-1121.A. A signed statement from the Registrar of Contractors verifying exemption must be attached.  |   |                   |   |                   |   | YES                                     | NO  |
| PRINT NAME: Ryan Greig  |   |                   | (Circle One)  |                   | OWNER   | CONTRACTOR                              | <input checked="" type="checkbox"/> AGENT |
| SIGNATURE: Ryan Greig   |   |                   |   |                   |   | DATE: 04-14-07                          |   |

B201703327

APR 21 2017

Exhibit B

**From:** Farhad Tavassoli - PLANDEVX <FarhadTavassoli@mail.maricopa.gov>

**Subject: RE: Questions Building permit number B201703327-Maricopa County Zoning Ordinance**

Correct. An amateur radio tower cannot be used to run a business or generate income.

Farhad Tavassoli, AICP, CFM  
Maricopa County Planning & Development Department  
(602) 506-8358

*Exhibit B*

# CERTIFICATE OF SERVICE

I hereby certify that I have, this 25 day of April 2018, sent, by electronic mail, an electronic copy, and by United States Mail, postage prepaid, a physical copy of the foregoing INFORMAL OBJECTION REPLY TO STEM OPPOSITION, to: STEM president Ryan Greig

San Tan Educational Media

Suite 102-116  
550 W. Baseline Road Mesa, AZ 85210

Signed



Len Novin

Date: 4/25/18