

**FEDERAL COMMUNICATIONS COMMISSION
445 12TH STREET SW, WASHINGTON, DC 20554
Media Bureau/Audio Division**

Re: Star Over Orlando, Inc., WRSO (AM), Orlovista, Florida

Facility ID 129548 BP-201605323AAT TCNS ID 153720

Dear Mr. Son Nguyen

The above referenced application was filed over a year ago and we are still waiting for a grant.

Star Over Orlando, Inc.,(Star) licensee of WRSO(AM) has responded to the four questions raised by Son Nguyen, Supervisory Engineer, Audio Division, Media Bureau, regarding the following issues:

- 1. an Archeology study on the site and the notification of Tribal Nations of the proposed construction;**
- 2. the tower lighting requirements for the proposed towers;**
- 3. the status of endangered species on the specific site;**
- 4. and the question of what impact the proposed towers would pose to wetlands.**

Star complied with the archeology study by notifying all the tribes in the TCNS data base as requested by the FCC.

We received 8 responses made by the various tribes. One tribe requested we notify them if any relics or artifacts are found during construction but did not want to go any further. Another

Tribe said that 'we have no interest in reviewing the report'. Six tribes responded by asking for the archeology reports. I personally mailed them out to each of the tribe members by Federal Express.

After receiving these reports, the tribes did not want to proceed with their review unless they received payment in advance. Payments ranged from \$ 500.00 to \$ 1,600.00.

No where in any FCC rule does it state that monies are to be paid to any tribe except when they are hired as consultants by the applicant.

Further adding to this unfair practice was an e-mail I received from the Muscogee (Creek) Nation who received the archeology study from me and wanted a double payment of \$ 800.00(for a total of \$ 1,600.00) when she learned there were two towers. The Seminole Tribe of Florida also noted that they required a fee per tower for them to perform their review. This tribe's fee was slightly less at \$ 500.00 per tower.

I questioned the first tribe by an e-mail I sent confirming that there was only one site and the number of towers did not matter. I told my contact, TCNS Co-Ordinator Anne Edwards Martel that borings were made at various points throughout the 10 acre property and at each specific tower site as well as at the equipment building.

She said I should talk to her superior, Raelyn Butler. I tried several times by phone as well as by e mail and got no response.

I was told Ms. Butler was on vacation, I tried several times again after she was due back at work and received no response.

The following tribes asked to receive each an archeology report prepared by Prentice Thomas and Associates, Inc. in Mary Esther, Florida: Seminole Tribe of Florida, Coushatta Indian Tribe, Micoosukee Tribe of Florida, Seminole Nation of Oklahoma, Muscogee Nation, Eastern Shawnee Tribe in Oklahoma and the Thlopthlocc Tribal Town.

Payments ranged from \$ 500.00 to \$ 1,600.00. Star has not made any payments to any of the tribes, as pre-payment of fees is not required under the Commission's rules. An exhibit is attached that summarizes the tribes and the responses that I received. See Exhibit "Parties of Interest in Star Over Orlando TCNS 153720"

Several times during my correspondence I asked for a waiver and or a reduction in the amount being charged by the tribes but received only one response from the tribes. 'Asking us to reduce our fees or waive them is like asking the construction crew to build the towers without being paid. It's also like asking the surveyor to do the survey without payment'. This response from Anne Edwards-Martel TCNS Coordinator-Cultural Preservation of the Muscogee (Creek) Nation would have made sense, if the tribe had performed any work. It made no sense whatsoever before they even reviewed the report to determine if there was a potential that culturally relevant sites were impacted by the proposed towers.

The asking of payments/fee's by the tribes have created a major barrier for applicants like me who are struggling with their AM Stations.

Commissioners have stressed the importance of helping AM Stations stay on the air.

The fee payments are a deterrent for anyone to move forward with ways to improve their facilities and lower operating costs to help them continue serving the public interest.

The proposed towers do not require lighting as they are exempt from the FAA and FCC's rules. A letter to this effect is attached.

The endangered species study has been redone using the more recent data, as requested by Mr. Nguyen.

Finally, in the matter of the wetlands, Star has answered that question raised by addressing the issue with the St. Johns Water Management District (SJWMD) and the Florida Department of Environmental Protection (FDEP). (SEE ATTACHMENT)

Both agencies have approved the construction of the two tower AM Array, the engineering and construction as set forth in our application with the FCC.

SJWMD issued an approval after an on site inspection of the 10 acre site accompanied by our environmental consultant Mark Auxley of Bio-Tech in Orlando and received e mail approval.

(SEE ATTACHMENT)

An application was filed with the FDEP by Dave Schmitt, our local engineer working with FDEP as well as the City of Orlando. (See Attachment)

Dave Schmitt is working with the City on road access to the site and we have already received a clearing permit.

NOTE: ALL THIS WORK AND MONEY SPENT BY THE APPLICANT (STAR) SHOULD BE ENOUGH TO CONVINCE THE FCC THAT (STAR) HAS DONE EVERYTHING IN ITS POWER TO WORK WITH THE INDIAN TRIBES FOR THEIR REVIEW AND THE SJWMD AS WELL AS THE FDEP TO GAIN APPROVAL

STAR IS REQUESTING THAT THE FCC IMMEDIATELY GRANT ITS APPLICATION TO CONSTRUCT A TWO TOWER, 199' FOOT ARRAY ON ITS 10 ACRE SITE IN ORLANDO WITHOUT ANY FURTHER DELAYS. THE APPLICATION HAS BEEN PENDING NOW FOR ALMOST TWO YEARS.

RESPECTFULLY SUBMITTED,


**CARL COMO TUTERA, PRESIDENT (STAR OVER ORLANDO INC.,)
LICENSEE OF WRSO AM**

Parties of interest in Star Over Orlando
TCNS ID 153720

- 1) Linda P Langley - **Coushatta Indian Tribe** - (PO Box: 10) Elton, LA - llangley@coushattatribela.org
Our research and review fee is **\$500.00** per TCNS application
- 2) Miccosukee Tribe of Indians of Florida
If the applicant/tower builder receives no response from the Miccosukee Tribe of Indians of Florida within 30 days after notification through TCNS, the Miccosukee Tribe of Indians of Florida has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder,

however, must immediately notify the Miccosukee Tribe of Indians of Florida in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.
- 3) Compliance Review Supervisor Bradley M Mueller - **Seminole Tribe of Florida** - 30290 Josie Billie Hwy PMB 1004 Clewiston, FL A Project Assessment fee of **\$500** will be charged for each tower **LEE THOMAS EMAILED REPORT DIRECTY ON 3/16/17.**
- 4) Historic Preservation Officer Theodore Isham - **Seminole Nation of Oklahoma** - (PO Box: 1498) Wewoka, OK - isham.t@sno-nsn.gov If the Applicant/tower builder receives no response from the Seminole Nation of Oklahoma within 30 days after notification through TCNS, the Seminole Nation of Oklahoma has no interest in participating in pre-construction review for the site. The Applicant/tower builder, however, must IMMEDIATELY notify the Seminole Nation of Oklahoma in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law. Letter of interest received. **Fee \$800.00**
- 5) TCNS Coordinator Anne Edwards-Martel Ms - **Muscogee (Creek) Nation** - Highway 75 & Loop 56 (PO Box: 580) Okmulgee, OK Our administrative review fee for 106 reviews is **\$800.00** for all new, collocations, addendums, and Positive Train Control. Please submit check with hard copy and CD copy.
- 6) TCNS Coordinator Travis Patton - **Eastern Shawnee Tribe of Oklahoma** - 70500 East 128 Road Wyandotte, OK Please submit a fee of **\$550.00 per/TCNS project**, for administration, data processing, handling, research and review
- 7) THPO Emman Spain - **Thlopthlocco Tribal Town** - P.O. Box 188 Okemah, OK - thpo@tttown.org; thlopthloccotribaltowntowers Our fee is **\$800.00** per site

Tally:	Seminole Nation of OK	\$800.00
	Thlopthlocco	\$800.00
	Eastern Shawnee Tribe of Oklahoma	\$550.00
	Muscogee (Creek) Nation	\$800.00
	Seminole tribe of Florida	\$500.00
	Coushatta Indian Tribe	\$500.00

7. THPO Emman Spain - Thlopthlocco Tribal Town - P.O. Box 188 Okemah, OK - thpo@tttown.org; thlopthloccotribaltowntowers@gmail.com - 918-560-6198 (ext: 113).

Details: Thlopthlocco is requesting consulting party status on any proposed projects that the Federal Communications Commission undertakes in our Area of Historic Interest.

As a contractor, you are aware of expenses that are incurred to provide your professional services. The Thlopthlocco Tribal Town is also being asked to provide a professional service and therefore, should be compensated for their expertise. Our fee is \$800.00 per site. You will receive an invoice, and review will commence upon receipt of both payment and the review materials. Payments should include the TCNS number(s) on the memo, and should be mailed to Thlopthlocco Tribal Town, c/o Finley & Cook, Attn: Jeanie Willis, 601 N. Broadway, Shawnee, OK 74801

If tribal representatives should have to travel to the site area, mileage, per diem and lodging, should be paid for by the Cell Tower Contractor. Form 620 or 621 are required for reviews to be completed, as well as archeology reports. Any site maps, previous archeological surveys, findings, photographs, etc., are required for review, and can be attached to the TCNS filing, or sent via email to thlopthloccotribaltowntowers@gmail.com with a CC to thpo@tttown.org. Please indicate the TCNS number in the subject line of the email.

Subj: **WRSO AM Radio Station Site in Orange CO, FL**
Date: 4/28/2017 1:59:45 P.M. Eastern Daylight Time
From: tpatton@estoo.net
To: carlcomo@aol.com

Hi Carl,

My name is Travis Patton and I am with the Eastern Shawnee Tribe of Oklahoma managing the Cell Tower program for our department. We have received your packet for the proposed tower project, however the TCNS number listed 129548 is invalid. If we can figure out the assigned TCNS number, I can submit your project for review.

Thank you,

Travis Patton

TCNS Coordinator

Eastern Shawnee Tribe of OK

918-666-2435 Ext. 1860

918-541-8306 Cell

70500 E 128 Rd.

Wyandotte, OK 74370

IMPORTANT NOTICE: This e-mail message is intended to be received only by persons entitled to receive the confidential information it may contain. E-mail messages from ESTOO.net may contain information that is confidential and legally privileged. Please do not read, copy, forward, or store this message unless you are an intended recipient of it. If you have received this message in error, please forward it to the sender and delete it completely from your computer system.

Subj: **Re: WRSO AM Radio Station Site in Orange CO, FL**
Date: 4/28/2017 3:10:54 P.M. Eastern Daylight Time
From: CarlComo@aol.com
To: tpatton@estoo.net

Hi Travis, sorry for the information on the TCNS number. The number I believe is valid is TCNS # 153720.

Can you give that number a try and let me know if it works.

On other thing, this tower site is for a FCC Radio Station now on the air at a different location in Orlando on 810 AM.

We are moving 1/2 mile to the east of our present site and downsizing our facility due to economic reason.

Best Wishes,

**Carl Como Tuteria
386 566 4299**

In a message dated 4/28/2017 1:59:45 P.M. Eastern Daylight Time, tpatton@estoo.net writes:

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My name is Travis Patton and I am with the Eastern Shawnee Tribe of Oklahoma managing the Cell Tower program for our department. We have received your packet for the proposed tower project, however the TCNS number listed 129548 is invalid. If we can figure out the assigned TCNS number, I can submit your project for review.

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Subj: **Review fee**
Date: 5/5/2017 4:13:11 P.M. Eastern Daylight Time
From: emartel@mcn-nsn.gov
To: CarlComo@aol.com
CC: raebutler@mcn-nsn.gov, stephen.delsordo@fcc.gov

Mr. Tutera,

Good afternoon, I am in receipt of your request to review TCNS 129548. Our review fee is the cost for us to review this project and send it to you. Our policy is that we don't waive these fees because they go towards our operating costs. I will need to receive payment for this project before I can give clearance for the project to begin. Please make your payment out to the Muscogee (Creek) Nation. The address is listed in my signature below.

Anne Edwards-Martel

TCNS Coordinator-Cultural Preservation
Muscogee (Creek) Nation
P.O. Box 580 | Okmulgee, OK 74447
T 918.732.7639
F 918.758.0649
emartel@mcn-nsn.gov
www.MCN-nsn.gov



Subj: **TCNS 129548**
Date: 5/5/2017 4:26:09 P.M. Eastern Daylight Time
From: emartel@mcn-nsn.gov
To: Carlcomo@aol.com
CC: raebutler@mcn-nsn.gov, stephen.delsordo@fcc.gov

Mr. Tuteru,

I failed to send this invoice with my last communication. Again we must receive payment before the review can be completed.

Thank you,

Anne Edwards-Martel

TCNS Coordinator-Cultural Preservation

Muscogee (Creek) Nation

P.O. Box 580 | Okmulgee, OK 74447

T 918.732.7639

F 918.758.0649

emartel@mcn-nsn.gov

www.MCN-nsn.gov



Subj: **RE: TCNS 129548**
 Date: 5/5/2017 5:27:58 P.M. Eastern Daylight Time
 From: emartel@mcn-nsn.gov
 To: CarlComo@aol.com
 CC: stephen.delsordo@fcc.gov, raebutler@mcn-nsn.gov

Mr. Tuteru,

I understand your frustration. Our fees are per tower. And you are building two 199 ft towers. Asking us to reduce our fees or waive them is like asking the construction crew to build the towers without being paid. It's also like asking the surveyor to do the survey without payment. I have included the FCC in my communication to you. I am also enclosing my supervisors name and contact information. I am not authorized to reduce or waive fees. Our policy is that we don't waive fees. We are a business just like you are and I am uncertain why our business is expected to waive fees when your contractors and surveyors are also not expected to waive their fees. As it stands. I will not clear the project for construction until you speak with my supervisor who will have the final decision. She will be out of the office until May the 15th working out of state. Her name is Raelyn Butler and she can be reached by email at raebutler@mcn-nsn.gov. or you can call her secretary and leave a message with Johnnie Wesley at 918-732-7733. Until this dispute is resolved the invoice stands as is and all payments can be made to the information listed on the invoice.

Please try to have a good weekend,

Sincerely,

Anne Edwards-Martel

TCNS Coordinator-Cultural Preservation

Muscogee (Creek) Nation

P.O. Box 580 | Okmulgee, OK 74447

T 918.732.7639

F 918.758.0649

emartel@mcn-nsn.gov

www.MCN-nsn.gov



From: CarlComo@aol.com [mailto:CarlComo@aol.com]

Sent: Friday, May 05, 2017 4:08 PM

To: Elizabeth Martel

Subject: Re: TCNS 129548

Anne Edwards-Martel, The fee you're charging is one site. This is outrageous.

I am going to notify the FCC of the payment you are requesting.

It is our study, we paid for it and I am sending it to you as a matter of courtesy.

There are no relics or artifacts pertaining to your Indian Nation on our site. It's in the report.

It was performed by a professional and reputable Archeology Firm in Florida.

The two towers are right next to each other. You can see where the towers will be located on the site as well as where the study was performed.

You need to reduce your price before I'll consider sending you any fee.

We are not a major broadcast concern who can afford this unusually high cost. It's a family owned business.

Carl Tuter

In a message dated 5/5/2017 4:26:09 P.M. Eastern Daylight Time, emartel@mcn-nsn.gov writes:

Mr. Tuter,

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Subj: **RE: TCNS 129548**
 Date: 5/5/2017 5:53:37 P.M. Eastern Daylight Time
 From: emartel@mcn-nsn.gov
 To: CarlComo@aol.com
 CC: stephen.delsordo@fcc.gov, raebutler@mcn-nsn.gov

Again, Mr. Tutero,

I will let your conversation between you and Mr. DelSordo be your conversation. I believe we are charging a fair fee you are building two FULL size towers. Your archaeology study probably cost three times our fee, and I have given you my supervisors name and telephone number. She has the final decision. Once your dispute is settled with her. I will be glad to honor what her decision is. I do not have the authority to waive the fees. Thank you for sending the invoice to Mr. DelSordo, it was not my intention to exclude him from having the invoice as the FCC has all of the information on file (to my knowledge) as to what fees each tribe charges. I will allow my supervisor to handle the rest of your concerns.

Have a good weekend Mr. Tutero.

Respectfully,

Anne Edwards-Martel

TCNS Coordinator-Cultural Preservation
 Muscogee (Creek) Nation
 P.O. Box 580 | Okmulgee, OK 74447
 T 918.732.7639
 F 918.758.0649
emartel@mcn-nsn.gov
www.MCN-nsn.gov



From: CarlComo@aol.com [mailto:CarlComo@aol.com]
Sent: Friday, May 05, 2017 4:42 PM
To: Elizabeth Martel
Cc: carm810@gmail.com
Subject: Re: TCNS 129548

Think how many Tribes I am dealing with asking for their review of the study for the towers and some sort of fee.

Why even the Tribe in Florida asked for no payment only that if anything was found in construction they want to be notified.

I may stay where I am at because no one and I mean no one told me of the Archeology Study needed for this grant for the past year while under review at the FCC.

You did not send the invoice to Mr. Delsordo at the FCC but I did and he asked me weeks ago if he thought the fee's were exorbitant.

The difference between contractors, tower erectors, water management district people is they provide us information and labor, we are providing you with the report/study paid by us.

You must have known the application called for 2 - 199' towers with no guy wires.

Finally, what is your Tribes association with the site, the area and the State of Florida?

This report benefits you not me. It's telling you that the study found no relics or artifacts on the property.

Now, will you be coming to Florida and the site and preparing you own Archeology Study?

Let's be fair about this.

Carl Como Tuter

In a message dated 5/5/2017 5:27:58 P.M. Eastern Daylight Time, emartel@mcn-nsn.gov writes:

Mr. Tuter,

I understand your frustration. Our fees are per tower. And you are building two 199 ft towers. Asking us to reduce our fees or waive them is like asking the construction crew to build the towers without being paid. It's also like asking the surveyor to do the survey without payment. I have included the FCC in my communication to you. I am also enclosing my supervisors name and contact information. I am not authorized to reduce or waive fees. Our policy is that we don't waive fees. We are a business just

like you are and I am uncertain why our business is expected to waive fees when your contractors and surveyors are also not expected to waive their fees. As it stands, I will not clear the project for construction until you speak with my supervisor who will have the final decision. She will be out of the office until May the 15th working out of state. Her name is Raelyn Butler and she can be reached by email at raebutler@mcn-nsn.gov, or you can call her secretary and leave a message with Johnnie Wesley at 918-732-7733. Until this dispute is resolved the invoice stands as is and all payments can be made to the information listed on the invoice.

Please try to have a good weekend,

Sincerely,

Anne Edwards-Martel

TCNS Coordinator-Cultural Preservation
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To: Elizabeth Martel

Subject: Re: TCNS 129548

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I am going to notify the FCC of the payment you are requesting.

It is our study, we paid for it and I am sending it to you as a matter of courtesy.

There are no relics or artifacts pertaining to your Indian Nation on our site. It's in the report.

It was performed by a professional and reputable Archeology Firm in

Florida.

The two towers are right next to each other. You can see where the towers will be located on the site as well as where the study was performed.

You need to reduce your price before I'll consider sending you any fee.

We are not a major broadcast concern who can afford this unusually high cost. It's a family owned business.

Carl Tuter

In a message dated 5/5/2017 4:26:09 P.M. Eastern Daylight Time, emartel@mcn-nsn.gov writes:

Mr. Tuter,

I failed to send this invoice with my last communication. Again we must receive payment before the review can be completed.

Thank you,

Anne Edwards-Martel
TCNS Coordinator-Cultural Preservation
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INVOICE

Muscogee (Creek) Nation

Cultural Preservation Office

P.O. Box 580

Okmulgee, OK 74447

Phone: 918-732-7733

Invoice No: 01002-2017

Invoice Date: May 5, 2017

Bill To:

Carl Como Tuter, President

Star Over Orlando

357 Ocean Shore Blvd

Ormond Beach, FL 32176

DATE	TCNS #	SITE NAME	SITE ADDRESS	AMOUNT
05/05/2017	129548	(2) 199'ft towers	3604 New Hampshire Orlando, FL	\$1600.00

*Review fee is \$800 per tower**FCC Form 620/621 Cultural Resources Review Service Fee*

Balance Due	\$1600.00
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Questions concerning this invoice:

Call: Anne Edwards-Martel

918-732-7639

MAKE ALL CHECKS PAYABLE TO:

Muscogee (Creek) Nation

P.O. Box 580

Okmulgee, Oklahoma 74447

Subj: **FW: Oates Creek - Wetland Line Review**
Date: 5/11/2017 11:31:08 A.M. Eastern Daylight Time
From: mark@bio-techconsulting.com
To: dave.schmitt@dseorl.com, carlcomo@aol.com

Here is the email from SJRWMD indicating they reviewed and approved the wetland line as flagged. Dave, let me know if you need anything else for the 10/2 permit from FDEP

Mark Ausley | Project Manager
Bio-Tech Consulting Inc.
O: 407.894.5969 | C: 407.760.9157
www.bio-techconsulting.com
[@BioTechConsult](#)

From: David Eunice [mailto:deunice@sjrwmd.com]
Sent: Thursday, May 11, 2017 11:30 AM
To: Mark
Cc: Alex Aboodi; Rick Sobczak; Lindsey Porter
Subject: RE: Oates Creek - Wetland Line Review

Mark, thank you for meeting with me on-site for the review of the delineated wetland and surface water limits. I agreed with the wetland and surface water limits that were flagged in the field. Please be aware that the review of the wetland and surface water limits is not a binding determination, if you want a binding determination the owner can petition for a Formal Wetland and Surface Water Limits Determination through the District.

David Eunice
St. Johns River Water Management District

From: Mark [mailto:mark@bio-techconsulting.com]
Sent: Wednesday, May 10, 2017 11:15 AM
To: David Eunice <deunice@sjrwmd.com>
Subject: Oates Creek - Wetland Line Review

Dave,

As a follow-up to the Oates Creek wetland line review this morning I wanted to get confirmation that the wetland line was reviewed and approved as delineated.

Thanks

Mark Ausley | Project Manager
Bio-Tech Consulting Inc.
O: 407.894.5969 | C: 407.760.9157
www.bio-techconsulting.com
[@BioTechConsult](#)

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this [link](#)

Notices

- Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at <http://www.sjrwmd.com/lobbyist/>



Florida Department of
Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Ryan E. Matthews
Interim Secretary

**SELF-CERTIFICATION FOR
A STORMWATER MANAGEMENT SYSTEM IN UPLANDS SERVING
LESS THAN 10 ACRES OF TOTAL PROJECT AREA AND
LESS THAN 2 ACRES OF IMPERVIOUS SURFACES**

Owner(s)/Permittee(s):	Oates Creek LLC
File No:	0354007001EG
File Name:	PROPOSING TWO RADIO TOWERS
Site Address:	3604 W New Hampshire Orlando FL - 32808
County:	Orange
Latitude:	28° 33' 59.0457"
Longitude:	-81° 25' 9.5787"
Total Project Area:	9.6
Total Impervious Surface Area:	0
Approximate Date of Commencement of Construction:	06/07/2017
Registered Florida Professional:	Dave Schmitt
License No.:	48274
Company:	Dave Schmitt Engineering Inc

Date: May 12, 2017

Dave Schmitt certified through the Department's Enterprise Self-Service Application portal that the project described above was designed by the above-named Florida registered professional to meet the following requirements:

- (a) The total project area involves less than 10 acres and less than 2 acres of impervious surface;
- (b) Activities will not impact wetlands or other surface waters;
- (c) Activities are not conducted in, on, or over wetlands or other surface waters;
- (d) Drainage facilities will not include pipes having diameters greater than 24 inches, or the hydraulic equivalent, and will not use pumps in any manner;
- (e) The project is not part of a larger common plan, development, or sale; and
- (f) The project does not:
 - 1. Cause adverse water quantity or flooding impacts to receiving water and adjacent lands;

- 2.Cause adverse impacts to existing surface water storage and conveyance capabilities;
- 3.Cause a violation of state water quality standards; or
- 4.Cause an adverse impact to the maintenance of surface or ground water levels or surface water flows established pursuant to s. 373.042 or a work of the district established pursuant to s. 373.086, F.S.

This certification was submitted before initiation of construction of the above project. The system is designed, and will be operated and maintained in accordance with applicable rules adopted pursuant to part IV of chapter 373, F.S. There is a rebuttable presumption that the discharge from such system will comply with state water quality standards. Therefore, construction, alteration, and maintenance of the stormwater management system serving this project is authorized in accordance with s.403.814(12), F.S.

In accordance with s. 373.416(2), F.S., if ownership of the property or the stormwater management system is sold or transferred to another party, continued operation of the system is authorized only if notice is provided to the Department within 30 days of the sale or transfer. This notice can be submitted to:

FDEP Central District
3319 Maguire Blvd
Orlando, FL 32803

This certification was submitted along with the following electronic documents:

File Description
Final Eng. Plan

If you have submitted this certification as a Florida Registered Professional, you may wish to sign and seal this certification, and return a copy to the Department, in accordance with your professional practice act requirements under Florida Statutes.

I, Dave Schmitt, License No. 48274, do hereby certify that the above information is true and accurate, based upon my knowledge, information and belief. In the space below, affix signature, date, seal, company name, address and certificate of authorization (if applicable).



This sealed certification may be submitted to the Department, either electronically (as an attachment in Adobe PDF or other secure, digital format) at Dep.selfcerts@dep.state.fl.us, or as a hardcopy, at the postal address below:

FDEP Central District
3319 Maguire Blvd
Orlando, FL 32803

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/media/radio/audio-division

PROCESSING ENGINEER: HUONG K CHAU
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SEP _ 8 2016

Mr. Carl Como Tuteria
Star Over Orlando, Inc.
357 Ocean Shore Boulevard
Ormond Beach, Florida, 32176-9046

Re: Star Over Orlando, Inc.
WRSO(AM), Orlovista, Florida
Facility Identification Number: 129548
BP-20160523AAT

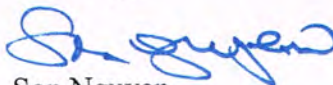
Dear Mr. Tuteria:

This is in reference to the above-captioned application for WRSO(AM), Orlovista, Florida to move transmitter site.

A preliminary review of the application reveals that the environmental statement is not acceptable. As a result, we recommend that ITV Review the checklist prepared by the Wireless Telecommunications Bureau (see web Page http://wireless.fcc.gov/siting/EA_Checklist.pdf) to support all environmental statement conclusions.

Further action on the subject application will be withheld for sixty days (60) from the date of this letter in order to provide an opportunity to file a curative electronic amendment. Failure to respond or file an amendment within this time period will result in the dismissal of the application pursuant to Section 73.3568 of the Rules.

Sincerely,



Son Nguyen,
Supervisory Engineer
Audio Division
Media Bureau

cc: Matthew Folzert (via email only)

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET SW
WASHINGTON DC 20554

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NOV 15 2016

Mr. Carl Como Tutera
Star Over Orlando, Inc.
357 Ocean Shore Boulevard
Ormond Beach, Florida, 32176-9046

Re: Star Over Orlando, Inc. ("SOOI")
WRSO(AM), Orlovista, Florida
Facility Identification Number: 129548
BP-20160523AAT

Dear Mr. Tutera:

This is in reference to the above-captioned application for WRSO(AM), Orlovista, Florida to move transmitter site.

On October, 28, 2016, SOOI filed a request for additional time until January 6, 2017 to respond to the staff September 8, 2016 deficiency letter requesting for an amendment.

Accordingly, further action on the subject application will be withheld until January 6, 2017 to provide SOOI an opportunity to file an amendment. Failure to respond or file an amendment within this time period will result in the dismissal of the application pursuant to Section 73.3568 of the Rules.

Sincerely,



Son Nguyen,
Supervisory Engineer
Audio Division
Media Bureau

cc: Matthew Folbert (via email only)

Subj: **Fwd: WRSO - AM - BP-20160523AAT**
 Date: 6/5/2017 5:12:36 P.M. Eastern Daylight Time
 From: bobjr@dlr.com
 To: njh@CommLawGroup.com
 CC: CarlComo@aol.com

Begin forwarded message:

From: Son Nguyen <Son.Nguyen@fcc.gov>
Date: March 8, 2017 at 15:00:57 EST
To: "Bob du Treil, Jr." <bobjr@dlr.com>
Cc: Stephen Delsordo <stephen.delsordo@fcc.gov>, Joelle Gehring <Joelle.Gehring@fcc.gov>, Michael Wagner <Michael.Wagner@fcc.gov>, Huong Chau <Huong.Chau@fcc.gov>
Subject: RE: WRSO - AM - BP-20160523AAT

Bob,

The application Environmental Assessment need to be on PN for comments. Also, we don't have enough information to make the Finding of No Significant Impact ("FONSI") that we need to make in order to grant this application. Below are things we need you to submit while the Notice period is running:

<!--[if !supportLists]-->1) <!--[endif]-->To notify all Tribal Nations who have an interest in this site. The best way to do that is through the Commission's TCNS program: http://wireless.fcc.gov/outreach/index.htm?job=tower_notification. This is very important. The Cultural Resources Survey done by the applicant's consultant is good work, but the only way to be certain that we've accounted for the interest of ALL Tribal Nations is to ask the applicant to notify Tribal Nations with an interest in the site area through TCNS. The applicant should provide the documented results of its TCNS contacts in an amendment to the application. TCNS makes it easy for them.

<!--[if !supportLists]-->2) <!--[endif]-->To amend the application to specify and describe any tower lighting. If there is no lighting required, that is fine, but it must be clearly stated in the application.

<!--[if !supportLists]-->a. <!--[endif]-->If there is lighting required, the applicant needs to commit to use down-shielded motion-sensor security lights. This should not be a problem, as most already use them.

<!--[if !supportLists]-->3) <!--[endif]-->To augment the EA's section on protected species potentially found at the site. The Consultant used outdated information sources.

<!--[if !supportLists]-->a. <!--[endif]-->The consultant should use the Fish and Wildlife Service's Information for Planning and Conservation ("IPaC") service: <https://ecos.fws.gov/ipac/> and prepare a table of the IPaC results with a short description of whether the site provides habitat for each listed species. If the site is determined to provide a habitat for any of the listed species, the applicant/consultant should informally consult with the USFWS.

<!--[if !supportLists]-->b. <!--[endif]-->It should amend the application providing the documented results of its IPaC study and any consultation with USFWS.

<!--[if !supportLists]-->4) <!--[endif]-->The Applicant should amend the application to provide copies of the necessary wetland permits from the City of Orlando, US Army

Corps of Engineers, and the St. Johns River Water Management District (SJRWMD) ("Environmental Resource Permit") and the floodplain permit it must receive in order to commence construction of the towers in a floodplain. We want our application to contain a complete record!

I am including the email of Steve Delsordo, Federal Preservation Officer, and Dr. Joelle Gehring of the Wireless Bureau if you have any questions.

Son Nguyen

From: Bob du Treil, Jr. [<mailto:bobjr@dlr.com>]
Sent: Wednesday, March 08, 2017 10:08 AM
To: Son Nguyen <Son.Nguyen@fcc.gov>
Subject: RE: WRSO - AM - BP-20160523AAT

Hi Son,

I was just speaking with our client, Carl Como, a few moments ago, who said he had spoken with you about the WRSO application.

He said that you had indicated that the legal department requires the WRSO application to go on public notice for environmental. I was not aware of this requirement for a Form 301 application.

I am writing just to clarify and make sure it is understood that the proposed towers are less than 200-ft in height and do not require antenna structure registration. Under this scenario, is it required for special notice?

Best wishes,

-Bob

Louis R. du Treil Jr.

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