

Received & Inspected

FEB - 3 2014

FCC Mail Room

January 29, 2014

Mr. Rodolfo F. Bonacci  
Assistant Chief /Audio Division  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554  
202-418-2722

Dear Mr. Bonacci,

I'm responding to a recent complaint by Danny Ray Boyer concerning application BMPH-20130725ADU and our tower now under construction - ASR # 1289229. The tower was approved by the FAA in July of last year on 07/18/2013 under Aeronautical Study No. 2013-ASW-3931-OE and found to be no hazard to air navigation. An email from my engineer was sent to you on January 22, 2014 that detailed the three NOTAMS issued during the period the tower was over 200' and the strobe light system was being installed and not yet working. As of January 25 the medium intensity strobe system required by the FAA is now installed and is fully operational.

We feel that Mr. Boyer has made another clever yet very deceptive complaint, by suggesting that the tower should be painted red and white (without so stating). He avoided a simple toll-free call to the FAA to check for NOTAMS and light status, but instead went to great lengths to hire a small plane to fly around the tower site and take pictures.

Regarding the alleged broadcast station construction, Saver Media has long realized the need for other revenue to offset its operating costs. Last year *prior to* any tower construction and even before Mr. Boyers first complaint of 09/20/2013, Saver Media contacted a company called Texas Communications here in San Angelo, TX. My engineer can document an email dated August 26, 2013 from Mr. Charles Wojtek - their manager.

It describes a wireless internet hub they would like to install on our tower. It's called a Motorola Canopy System and operates in the 5.2GHz and 5.7GHz parts of the band. We received a copy of their proposed tower lease on January 8, 2014 (before this latest complaint) and are currently reviewing the terms.

Mr. Wojtek can be reached for comment at the following address and phone number :

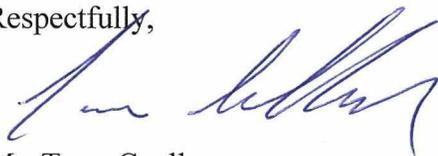
Texas Communications  
902 Arroyo Dr.  
San Angelo, TX 76903  
Ph#: 325-658-3566  
Manager: Charles "Buz" Wojtek  
Email: [bwojtek@texascom.com](mailto:bwojtek@texascom.com)

Keeping in full compliance with its determination of no hazard, Saver Media will have all frequencies approved by the FAA before the Canopy is installed on our tower. We are also looking at other 2-way radio licensees, GPS fleet data and possibly even a cellular phone company as potential tenants on our tower. While we wait for approval, we feel Saver Media does have a right to promote its pending station on Facebook and other internet media as allowed by law. No antenna is mounted on our tower and Saver Media has not broadcast from any illegal station as suggested in this complaint.

In our opinion Mr. Boyer has been the ultimate hypocrite in his efforts to stop us and any other local competition. According to FAA Specialist Chris Shoulders who works in the Ft. Worth, TX. field office (chris.shoulders@faa.gov 817 321-7751) Mr. Boyer's own radio tower ASR 1258793 is not approved for **any** FM broadcast band frequency yet he operates both KLDE and KPEP from his tower apparently in violation of the very rules he has been quoting. We will detail these possible violations by Mr. Boyer in a future letter to the Commissions enforcement bureau.

In summary we feel this objection is without merit, an abuse of process, and is for the sole purpose of delaying and preventing competition in the local radio market. We feel it is in the public interest to have alternate stations with varied programming available for listening and ask that our application be approved as quickly as possible.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Tony Cuellar', written in a cursive style.

Mr. Tony Cuellar  
Saver Media

(325) 812-1967 cell #