



**Federal Communications Commission  
Washington, D.C. 20554**

February 5, 2019

*In Reply Refer to:*  
1800B3-KV

The Berkshire Broadcasting Corporation  
c/o Mary N. O'Connor, Esq.  
Wilkinson Barker Knauer, LLP  
1800 M Street, NW  
Suite 800N  
Washington, DC 20036

**In re: W250CH, New Milford, CT**  
File No. BLFT-20170217ABF

Facility ID No. 147329

**Interference Complaint – Response Required**

Dear Licensee:

This refers to the “Complaint” (Complaint)<sup>1</sup> filed on December 18, 2018, by Capstar TX, LLC, as debtor in possession (Capstar), licensee of Station WUCS(FM), Windsor Locks, Connecticut. In the Complaint, Capstar alleges that FM Translator Station W250CH, New Milford, Connecticut (W250CH or Station), licensed to The Berkshire Broadcasting Corporation (Berkshire or Licensee) is interfering with the reception of Station WUCS(FM).<sup>2</sup>

Pursuant to Section 74.1203 of the Rules,<sup>3</sup> W250CH is required to eliminate any actual interference it causes. Therefore, it is necessary for Licensee to submit a detailed report (Interference Response) on each listener complaint, even if an individual listener has previously filed a complaint in a different interference proceeding that Licensee has addressed. For each listener complaint, the Interference Response must include: (1) the name and address of the complainant; (2) specific devices receiving the interference (*i.e.* type of device, manufacturer’s name, model number, and serial number); and (3) any assistance provided by the Station for each device allegedly receiving the interference and whether such interference persists. Each of the listener complaints must be addressed individually.

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<sup>1</sup> All pleadings referenced herein are available at the Media Bureau’s Consolidated Database (CDBS) under the Station’s License Application, File No. BLFT-20170217ABF.

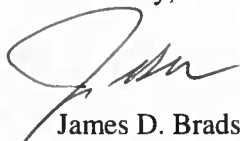
<sup>2</sup> In support of the interference allegations, Capstar includes complaints from seven listeners. Attachment A, Complaint.

<sup>3</sup> 47 CFR § 74.1203.

The Rules regarding FM translators restrict FM translator stations to operate strictly on a secondary basis and limit their service. Section 74.1203(a)(3)<sup>4</sup> of the Rules states that an FM translator station will not be permitted to continue to operate if it causes any actual radio signal interference to the direct reception by the public of the off-the-air signals of any authorized broadcast station.<sup>5</sup> Actual interference is based on listener complaints indicating that the signal they regularly receive is being impaired by the signal radiated by the FM translator station. Section 74.1203(b)<sup>6</sup> of the Rules states that if the interference cannot be properly eliminated by the application of suitable techniques, the operation of the offending FM translator station shall be suspended and shall not be resumed until the interference has been eliminated.

Within thirty days of this letter, Licensee must take appropriate actions required by the provisions of 47 CFR § 74.1203 to resolve all complaints of interference to fulfill its obligations and submit its Interference Response.<sup>7</sup> Further action on the Complaint will be withheld for a period of thirty days from the date of this letter to provide Berkshire an opportunity to respond. Failure to correct all complaints within this time may require Station W250CH to suspend operation pursuant to 47 CFR § 74.1203 of the Rules.

Sincerely,



James D. Bradshaw  
Senior Deputy Chief  
Audio Division  
Media Bureau

Cc: Marissa G. Repp, Esq. (by email)

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<sup>4</sup> 47 CFR § 74.1203(a)(3).

<sup>5</sup> An FM translator station creating actual radio signal interference to any authorized broadcast station is obligated to eliminate the interference, regardless of the location where the impaired signal reception occurs.

<sup>6</sup> 47 CFR § 74.1203(b).

<sup>7</sup> Berkshire also should send a courtesy via email to Kim Varner at kim.varner@fcc.gov and James Bradshaw at james.bradshaw@fcc.gov. Additionally, the obligation to resolve interference complaints is ongoing. Specifically, should any complaints be filed in the future, Licensee must resolve or address those complaints within 30 days of receipt.