



WASHINGTON, D.C. OFFICE
flour mill building
1000 potomac street nw
suite 200
washington, d.c. 20007-3501
TEL 202 965 7880 FAX 202 965 1729

anchorage, alaska
beijing, china
new york, new york
portland, oregon
seattle, washington
GSBLAW.COM

GARVEY SCHUBERT BARER

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Please reply to BRAD C. DEUTSCH
bdeutsch@gsblaw.com
TEL EXT 1793

March 3, 2017

ORIGINAL

Our File No. 20680-00200

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room TW-A325
Washington, DC 20554

Accepted / Filed

MAR - 3 2017

Federal Communications Commission
Office of the Secretary

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Re: Main Studio Waiver Request
FM Station with Erroneously Assigned Call Sign KCTI-FM
Facility ID No. 91220, Gonzalez, Texas

Dear Ms. Dortch:

On behalf of Texas Public Radio ("TPR"), licensee of AM radio station KCTI(AM), Gonzalez, Texas (Facility ID No. 24564), we are writing to oppose Sun Radio Foundation's ("Sun Radio") letter request for a Main Studio Waiver filed on February 21, 2017, for radio station Facility ID No. 91220, Gonzalez, Texas ("the FM Station"). The Commission should not provide the FM Station with a waiver of the Main Studio Rule until the Commission corrects its ministerial error by rescinding secondary call sign KCTI-FM and assigning another call sign to the FM Station.

On March 8, 2016, the secondary call sign KCTI-FM was erroneously assigned to the FM Station without authorized consent from primary call sign station KCTI(AM). Because neither Sun Radio, nor Maranatha Church of Laredo Incorporated ("Maranatha"), the prior licensee of the FM Station, was ever properly authorized to use the "KCTI-FM" secondary call sign, the FM Station's call sign change should never have been granted.

As the Commission is aware,¹ as soon as TPR discovered the invalid call sign assignment, TPR immediately sought to resolve the issue without Commission involvement. In fact, the General Partner of the former licensee of KCTI(AM) (*i.e.*, Gonzalez Communications, a Texas Limited Partnership)

¹ TPR filed a letter with the Commission on December 22, 2016, insisting that the Commission rescind the erroneous call sign assignment. Sun Radio filed a response to TPR's letter on January 19, 2017, to which TPR replied on February 13, 2017.



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attempted at that time to correct the situation without Commission involvement.² Unfortunately, because of Sun Radio's obstinacy, it has not been possible to resolve this matter privately.

Now, Sun Radio has filed a request that the Commission grant a Main Studio Waiver for the FM Station. The Commission should not, however, take any action that would allow the FM Station to become further entrenched under the invalid "KCTI-FM" secondary call sign. TPR strenuously objects to the waiver until the Commission voids the erroneous call sign assignment discussed above.

Respectfully Submitted,

TEXAS PUBLIC RADIO

GARVEY SCHUBERT BARER
1000 Potomac Street NW, Suite 200
Washington, DC 20007
(202) 965-7880

Brad C. Deutsch
Aaron S. Edelman
Its Attorneys

cc: Tammy Love, Media Bureau, Video Division, Call Sign Desk (via email)
David Brown, Media Bureau, Video Division (via email)
Michael Wagner, Media Bureau, Audio Division (via email)
Mary Mann, Gonzalez Communications, a Texas Limited Partnership (via email)
Dan J. Alpert, *Counsel to Sun Radio Foundation and Maranatha Church of Laredo Incorporated* (via email)

GSB:8478529.4

² See Exhibit B attached to TPR letter dated December 22, 2016 ("I won't mince words here. What is going on?!?!? Undo whatever "deal" you arranged with O'Neil (which you had no authority to make) and provide written proof immediately to all parties that this has been taken care of. Assure Joyce that we will not need legal council as she is completely in the right legally (not to mention ethically)").