

**BEFORE THE
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Bustos Media Holding, LLC)	File No. BNPFT-20180418ABI
)	Facility ID #202942
Application for a new FM Translator)	
On Channel 266, Auburn, Washington)	
To: Honorable Marlene H. Dortch		
Secretary of the Commission		

Request for Waiver &

Addendum 2 to Supplemental Information to Informal Objection

Northwest Rock N Roll Preservation Society (NWR), pursuant to Title 47 USC Section 309(d) and the Commission's Rules, hereby respectfully requests leave to file this Addendum 2 to our previous Supplemental Information to Informal Objection directed against the above captioned application ("Application").

NWR is the licensee of co-channel FM translator K266BM Olympia, Washington, and has standing to file this Addendum.

Per FCC Report and Order 19-40 (paragraph 44) and as provided in 47 C.F.R. Section 1.3, NWR is respectfully requesting a waiver of the 45-dBu contour limit. A waiver will allow NWR to continue broadcasting to its many "determined listeners" who either live in or travel through a zone of predicted interference outside K266BM's 45-dBu contour.

NWR did not previously seek a Waiver, because we believe the Rules regarding interference were clear enough that Bustos would opt to move to a different channel. The unique programming is not available from other radio broadcasters in the Puget Sound area.

To prove a need for a waiver, NWR must provide 20 complaints from listeners outside the 45-dBu contour as well as:

- (1) whether geographic features or power/directionality enhance reception at the relevant locations (supported if possible by field strength testing); and
- (2) how established the listener expectation of service is -- i.e., how long the desired station has served the relevant communities.

To verify that the programming is unique, please read what listeners have written in the attached Declarations as well as Declarations submitted with the Supplemental Information and the first Addendum thereto.

NWR is submitting updated Listener Declarations. These are all current (within the last year), however, the Listener Declarations submitted in the Supplemental Information (8/19/2019) that were from 2018, also testify to the need for FCC action to protect K266BM's signal and deny the co-channel Application. The attached Listener Tabulation Table may be easier to understand than our prior submission. As shown, K266BM listeners will experience interference both inside and outside K266BM's 45-dBu contour.

There are 35 Listeners who either live in or travel through a zone of predicted interference *outside* K266BM's 45-dBu contour. Additionally, *all* 60 Listeners in the Listener Tabulation Table live in or travel through interference within the protected 45-dBu contour.

Please see the attached Map prepared by Jeffrey Reynolds of duTreil, Lundin & Rackley, Inc. consulting engineers. The base map shows the 45-dBu contour, predicted interference within that contour (shaded), and the 60-dBu contour of the co-channel Application.

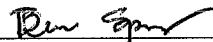
The Map indicates the home addresses (**H#**) of each Listener, work place (**W#**) (if known), and some other destinations (**D#**) or routes used by Listeners on a regular basis while listening to K266BM. The Map shows the 35 regular Listeners who live in or travel through interference outside the 45-dBu contour.

As the Map shows, the interference zone includes a large and varied area; listening outside the 45-dBu contour is not limited to geographic "pockets." The biggest impact to K266BM listeners traveling outside the 45-dBu contour will be I-5, US99, US101, SR3, SR7, SR16, SR161, SR167, SR507, SR509, SR512, SR702, plus streets and roads throughout Mason and Kitsap counties, Vashon Island, Burien, Federal Way, Auburn, Fife, Sumner, Puyallup, plus small communities and rural areas south of Puyallup.

NWR has been broadcasting to these people and their communities from our current location since August, 2009.

Respectfully, NWR herein requests a waiver of the 45-dBu contour limit, and submits this Addendum 2 to Supplemental Information to Informal Objection. 74.1204(f) protects K266BM's listeners, and under the Commission's Rules, the co-channel Application cannot be accepted and must be dismissed if the engineering is not modified to a different channel.

Respectfully,



Brian Spencer, President
Northwest Rock N Roll Preservation Society

February 10, 2020

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
AN INFORMAL OBJECTION AND INTERFERENCE COMPLAINT TO THE
PROPOSED NEW FM TRANSLATOR OPERATION
(APPLICATION, BNPFT-20180418ABI)
AUBURN, WASHINGTON
FCC FACILITY ID 202942

This technical exhibit was prepared on behalf of Northwest Rock N Roll Preservation Society, licensee of station K266BM on channel 266 (101.1 MHz) at Olympia, Washington (BLFT-20190904ABL) in support of an Interference Complaint and Informal Objection to the proposed operation of a new FM translator on channel 266 (101.1 MHz) at Auburn, Washington, ("Auburn application", BNPFT-20180418ABI). Specifically, the purpose of this technical exhibit is to demonstrate, pursuant to Section 74.1204(f), that the Auburn application causes predicted, actionable interference to the required number of regular K266BM listeners.

Under the recently adopted translator interference complaint procedures, the FCC established the 45 dBu contour as the limit within which interference complaints will be considered actionable, established a minimum number of listener complaints proportionate to the population served by the complaining station and adopted a contour-based U/D ratio method as a threshold causation test to establish that the complaining listener is within a "zone of potential interference".¹

The Auburn application proposes to operate on channel 266 (101.1 MHz) which is a co-channel to K266BM's licensed operation also on channel 266 (101.1 MHz). Co-channel interference is predicted to occur if the U/D signal strength ratio exceeds -20 decibels (dB). Therefore, interference from the Auburn application within the K266BM 45 dBu contour was calculated based on a -20 dB U/D ratio using the FCC's F(50,50) curves for determination of K266BM's desired signal and the F(50,10) curves for determination of the Auburn application's undesired signal. The resulting zone of predicted interference within K266BM's 45 dBu contour from the Auburn application has been depicted on the attached map with yellow tinting.

¹ See *Amendment of Part 74 of the Commission's Rules Regarding FM Translator Interference, Report and Order*, MB Docket No. 18-119, FCC 19-40 (rel. May 9, 2019 (*FM Translator Interference Report and Order*)) and Section 74.1203(a)(3).

It has been determined that the K266BM protected 60 dBu contour contains a 2010 Census population of 175,070 persons. Therefore, based on Table 1 of Section 74.1203(a)(3), a minimum of six (6) listener complaints are required for an interference claim. As detailed elsewhere in this Interference Complaint and Informal Objection, there are sixty (60) regular mobile and home/work K266BM listeners who submitted interference complaints and who receive interference within the zone of predicted interference depicted on attached map. The tabulation includes each listener's name, address, phone number and geographic coordinates and description of where the interference occurs.

As demonstrated above, the Auburn application causes predicted, actionable interference to the required number of regular mobile and home/work K266BM listeners pursuant to Section 74.1203(a)(3).

I hereby declare under penalty of perjury that the forgoing is true and correct to the best of my personal knowledge and belief.



W. Jeffrey Reynolds

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February 11, 2020

DECLARATION

I, Brian Spencer, hereby declare under penalty of perjury as follows:

1. I am President of Northwest Rock N Roll Preservation Society
2. I have reviewed the Addendum 2 to Supplemental Information to Informal Objection to which this declaration is attached, and the facts set forth therein, except those which are attested to by another, are true and correct to the best of my knowledge and belief and is not interposed for delay.

Signature Bur Spr 2/11/20