

Before the
Federal Communications Commission
Washington, DC 20554

In re Matter of:)
)
SAGA BROADCASTING, LLC) File No. BLFT-20170111ABH
FM Translator K250BW, Bellingham, WA) Facility ID No. 143909

To: Office of the Secretary
Attention: Chief, Media Bureau

**RESPONSE TO INTERFERENCE COMPLAINT AND
REQUEST FOR ORDER REMEDY OR OPERATIONS SUSPENDED**

Saga Broadcasting, LLC (“Saga”), licensee of FM Translator K250BW, Bellingham, Washington, by its counsel, responds to the “Interference Complaint and Request to Order Remedy or Operations Suspended” filed October 3, 2018, and the “Renewed Request to Order Suspension of Operations,” filed November 20, 2018 by Classic Radio (“Classic”). The filings (collectively, “Complaint”) insist that the Audio Division issue an order requiring Saga to discontinue operation of K250BW. As shown herein, Classic’s Complaint must be dismissed.

Classic is the licensee of KING-FM, Seattle, WA, which operates on a first-adjacent channel to K250BW. Classic alleges that signals from K250BW are interfering with the ability of certain listeners to receive KING-FM, in violation of Section 74.1203(a) of the Commission’s Rules, in areas around Bellingham, WA, at least **140 km** from the KING-FM transmitter site. Saga believes that the inability of any listener in Bellingham to receive KING-FM is due to either the enormous distance separation or due to the presence of a Canadian first-adjacent channel station. In any case, the cause of any KING-FM listener discomfort in Bellingham certainly is not due to the presence of first-adjacent K250BW.

The Complaint consists of ten listener-executed forms, five of which are dated at various times in 2017, the other five of which are dated at various times in 2018. On April 18, 2017,

Classic provided Saga with copies of the first five complaints, and, as set forth in Attachment 1, Declaration of Thomas Atkins, Vice President and Director of Engineering for Saga, Saga took immediate steps to investigate them. Shortly after being notified of the complaints, Saga personnel conducted listening tests and determined that the interference could be related to the deviation of the K250BW transmitter, rather than radio frequency carrier interference. Saga then lowered the modulation of K250BW to 90 percent maximum on peak modulation, thus reducing the deviation of the transmitter and ultimately reducing the “modulation splatter” on KING-FM’s frequency (98.1 MHz). This work was completed as of May 4, 2017. Between May 4, 2017, and October 3, 2018 (the date of Classic’s first formal Complaint), Saga did not receive any more complaints and considered the interference issue resolved.

Saga received notice of the next five complaints as part of Classic’s October 3, 2018 Complaint. Shortly thereafter, Saga took the extraordinary step of further reducing K250BW’s modulation to 85 percent and employed audio filtering to reduce the audio bandwidth from 15 kHz to 9.5 kHz. The 19 kHz stereo pilot and 38 kHz left-right channels then were turned off to further reduce the deviation of K250BW’s transmitter.

Saga then conducted a second round of on/off listening tests at each of the nine viable locations¹ to verify that K250BW was not “splattering” onto 98.1 MHz (KING-FM’s frequency). The listening tests proved successful and, as set forth in the Atkins Declaration, Saga believes that any noise being received by listeners on 98.1 MHz in Bellingham is due to either a weak signal in that area from KING-FM or from a first-adjacent channel (full-power Canadian station CKSR-FM, 98.3 MHz, Chilliwack, BC).

¹ The complaint of Ms. Jane Kletka, dated March 25, 2017, is not addressed because her declaration indicated that the area of her alleged interference was on her “car radio.” Because the location is not sufficiently specific, her complaint does not meet the Commission’s criteria. See *Amendment of Part 74 of the Commission’s Rules Regarding FM Translator Interference*, FCC 18-60, released May 10, 2018, at ¶ 7 (“*FM Translator NPRM*”).

The locations of the nine viable complaints are identified on the map attached to the Atkins Declaration, which also includes the 60 dB μ contour of K250BW. As can be seen, the area where the alleged KING-FM listeners are located is at least 140 km distant from the KING-FM transmitter site. In addition, each complainant's location is located far outside the predicted 54 dB μ contour of KING-FM (even outside the predicted 45 dB μ contour) and on the cusp of the 42 dB μ KING-FM contour. One location is outside the KING-FM 36 dB μ contour.

Pursuant to the *FM Translator NPRM*, the Commission is reviewing its procedures for resolving FM translator interference complaints.² The Commission has proposed to modify Section 74.1203(a)(3) to provide that no complaint of actual interference will be considered actionable if the alleged interference occurs outside the desired station's 54 dB μ contour. If adopted, that proposal would moot Classic's Complaint, because all of the complaints are located well outside the KING-FM 54 dB μ contour.

In sum, Saga has taken substantial measures to address and eliminate any possible interference to KING-FM listeners in Bellingham, WA that could be due to the operation of K250BW.³ Saga has twice addressed complaints presented by Classic – once in May 2017 and again in November 2018. Each time, Saga has eliminated the interference by adjusting the K250BW transmitter and conducting listening tests to confirm the positive results. Classic's Complaint does not provide sufficient justification to order Saga to suspend operations. The

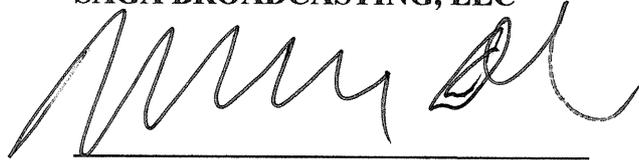
² The Commission sought comment on: (1) allowing FM translators to resolve interference issues by changing channels to any available frequency using a minor modification application; (2) requiring a minimum number of listener complaints to be submitted with any FM translator interference claim; (3) standardizing the information that must be included within such a listener complaint; (4) streamlining and expediting interference complaint resolution procedures; (5) establishing an outer contour limit for the affected station beyond which listener complaints would not be considered actionable; and (6) modifying the scope of interference complaints permitted to be filed by affected stations at the application stage.

³ Therefore, Classic's assertion, set forth in its November 20, 2018 Complaint, at 2 ("It appears that Saga has made no effort to resolve the interference issue"), is utterly baseless.

Audio Division should dismiss the Classic complaint, or, in the alternative, defer action on it until after the new FM translator interference rules are in effect.

Respectfully submitted,

SAGA BROADCASTING, LLC

A handwritten signature in black ink, appearing to read "Gary S. Smithwick", written over a horizontal line.

Gary S. Smithwick
Mark B. Denbo
Its Attorneys

SMITHWICK & BELENDIUK, P.C.
5028 Wisconsin Avenue, N.W.
Suite 301
Washington, DC 20016

December 3, 2018

ATTACHMENT

Declaration of Thomas Atkins

DECLARATION UNDER PENALTY OF PERJURY

Thomas Atkins, under penalty of perjury, declares as follows:

I am Vice President/Director of Engineering for Saga Communications, Inc., which is the parent corporation of Saga Broadcasting, LLC ("Saga"), licensee of K250BW, Bellingham, WA. K250BW rebroadcasts KPUG(AM), Bellingham, WA, also licensed to Saga.

On April 18, 2017, the General Manager of KPUG/K250BW, 97.9 MHz, received an email from the General Manager of KING-FM in Seattle, WA, alleging that K250BW was interfering with the reception of KING-FM, Seattle, 98.1 MHz.

K250BW is on a first adjacent channel to KING-FM. We immediately conducted listening tests in the areas of the complaints and determined that the said interference could be related to the deviation of the FM translator transmitter and not radio frequency ("RF") carrier interference.

We lowered the modulation of K250BW to 90% maximum on peak modulation; thus reducing the deviation of the transmitter and ultimately reducing the "modulation splatter" on 98.1 MHz, KING-FM. After May 4, 2017, we did not receive any more complaints and considered the interference issue resolved.

On October 3, 2018, we received a copy of a newly filed interference complaint from KING-FM claiming that K250BW was causing destructive interference to ten listeners of KING-FM. Our technical consultant plotted the 60 dB μ contour of K250BW against the locations of the nine (9) potentially valid KING-FM complainants. (The complaint of Jane Kletka did not specify a location where she experienced interference, so we are not addressing her complaint.) The map is attached to this Declaration. As can be seen, the area where KING-FM claims interference is at least 140 km distant from the KING-FM transmitter site.

We have operated K250BW with reduced modulation/deviation since May 2017. Having applied this remedial technique, after receiving the October 3 complaint, we further reduced K250BW's modulation to 85% and employed audio filtering to reduce the audio bandwidth from 15kHz to 9.5kHz. The 19kHz stereo pilot and 38kHz L-R (left-right) was turned off to further reduce the deviation of K250BW's transmitter. We conducted on/off listening tests at the locations of nine of the complainants to verify that K250BW was not "splattering" onto first Adjacent 98.1 MHz, KING-FM. The listening tests proved successful and any noise received on 98.1MHz was due to a weak signal from KING-FM in Seattle, WA. Possibly, the interference reported could be coming from a first -adjacent channel full-power Canadian station (CKSR-FM, 98.3 MHz, Chilliwack, BC.)

Executed this ~~30~~ day of November,
2018



Thomas Atkins

Interference Complaints K250BW vs KING-FM

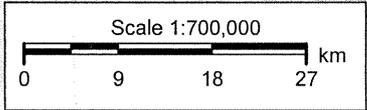
NED 03 SEC Terrain Database
US Census 2010 PL Database

Terrain
-2  3275 m

K250BW
Bellingham, WA
BLFT20170111ABH
Facility ID: 143909
Latitude: 48-46-34 N
Longitude: 122-26-25 W
ERP: 0.25 kW
Channel: 250D (97.9 MHz)
AMSL Height: 134.0 m
Horiz. Pattern: Directional

KING-FM
Seattle, WA
BMLED20110502AEJ
Facility ID: 11755
Latitude: 47-30-14 N
Longitude: 121-58-29 W
ERP: 68.00 kW
Channel: 251C (98.1 MHz)
AMSL Height: 940.0 m
Horiz. Pattern: Directional

REF #	NAME	ADDRESS	CITY	ST	ZIP	LAT	LONG	LOCATION
1	Bonnie & Chuck Meyer	1975 Academy Rd	Bellingham	WA	98226	48-45-54	122-23-03	home
2	Gwen McEwen	4610 Celia Way; #301	Bellingham	WA	98226	48-48-37	122-29-32	home
3	Hedy Howe	4222 Northridge Way	Bellingham	WA	98226	48-46-23	122-24-52	home
4	Jane Kletka	2104 Birch Circle	Bellingham	WA	98229	n/a	n/a	No Locations Provided
5	Joseph Kelly	2440 Thornton St	Ferndale	WA	98248	48-51-48	122-36-45	home
6	Karen Hollingsworth	2404 Kulshan St	Bellingham	WA	98225	48-45-44	122-29-13	home
7	Max Knittel	2701 Cedarwood Ave	Bellingham	WA	98225	48-46-14	122-29-59	home
8	Merideth Goodman	1401 Burk Road	Blaine	WA	98230	48-58-36	122-33-29	home
9	Perry Jalinousi	3705 Taylor Ave	Bellingham	WA	98229	48-43-30	122-28-04	home/car
10	Terry McEwen	2314 West St	Bellingham	WA	98225	48-45-40	122-29-58	home



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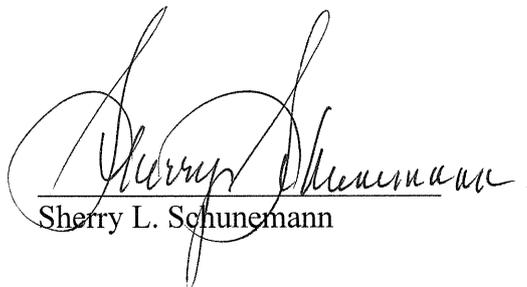
CERTIFICATE OF SERVICE

I, Sherry L. Schunemann, hereby certify that copies of the foregoing Response to Interference Complaint and Request to Order Remedy or Operations Suspended were this 3rd day of December, 2018, sent via First Class Mail, postage pre-paid, unless otherwise noted, to the following:

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Sherry L. Schunemann

** Via electronic mail only.