

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

In the Matter of )  
)  
**BROADCAST SCIENCES LLC** ) File No. BLFT-20170106ACP  
) Facility ID No. 142298  
FM Translator Station W221DG )  
Exton, PA )

To: Office of Secretary  
Attn: Chief, Audio Division, Media Bureau

**Supplement to Interference Complaint**

Clear Communications, Inc. (“Petitioner”), the licensee of WVLT(FM), Channel 221A, Vineland, New Jersey, by its attorney, and pursuant to *Amendment of Part 74 of the Commission’s Rules Regarding FM Translator Interference*, Report and Order, 34 FCC Rcd 3457 (2019) (the “Translator Interference Order”), and the letter from James D. Bradshaw, Senior Deputy Chief, Audio Division, Media Bureau, dated August 20, 2019 to Melodie A. Virtue, Esq. (the “FCC Letter”), hereby submits this Supplement (the “Supplement”)<sup>1</sup> to its Interference Complaint and Request to Order Operations Suspended filed January 23, 2017 (the “Complaint”).<sup>2</sup> This Supplement provides information specifically requested by the FCC Letter

---

<sup>1</sup> This Supplement is timely filed based on an extension of time that was granted by email from FCC Attorney-Advisor Kim Varner, sent September 17, 2019, at [http://licensing.fcc.gov/cgi-bin/prod/cdbs/forms/prod/getimportletter\\_exh.cgi?import\\_letter\\_id=92405](http://licensing.fcc.gov/cgi-bin/prod/cdbs/forms/prod/getimportletter_exh.cgi?import_letter_id=92405).

<sup>2</sup> Clear’s Complaint was initially filed January 23, 2017. After Broadcast Sciences LLC opposed the Complaint on January 30, 2017, Clear filed a Reply to Opposition on February 1, 2017. On April 4, 2017, Broadcast Sciences LLC notified the Commission that it withdrew its response. Broadcast Sciences LLC filed a modification in BPFT-20170718AEV (the “July 2017 Modification”). Clear objected to the July 2017 Modification as well. On August 9, 2019, the Commission granted Clear’s objection and dismissed the July 2017 Modification. As a result,

regarding the above-captioned FM Translator license application filed by Broadcast Sciences LLC (the “Applicant”) for W221DG to operate on co-Channel 221, 92.1 MHz, Exton, Pennsylvania (the “Application”). In response to the FCC Letter, the following is submitted:

1. The FCC Letter stated that additional information supporting the Complaint<sup>3</sup> is required because of the revised interference standards adopted in the Translator Interference Order. Petitioner is hereby submitting such additional information.

2. Attached to this Supplement as Attachment 1 is the Engineering Statement of Clarence M. Beverage for Communications Technologies, Inc. (the “Engineering Statement”). That Engineering Statement depicts the WVLT(FM) 60 dB $\mu$  protected contour and calculates that 330,011 people reside within that 60 dB $\mu$  protected contour based on the 2010 U.S. Census. *See Attachment 1, Figure 1.* Thus, in accord with Table 1 to Section 74.1203(a) of the Commission’s Rules, the minimum number of Listener Complaints is eight.

3. Attached to the Engineering Statement are 41 signed Listener Complaints dated within the last 60 days. Attachment 1, Appendix 1. Each Listener Complaint lists the Listener’s full name, address and phone number, a clear, concise and accurate description of the location where interference is predicted to occur, a statement that the Listener listens over-the-air to WVLT(FM) at least twice a month, and a statement that the Listener has no legal, financial,

---

this Supplement pertains solely to the originally-filed above-captioned covering license application.

<sup>3</sup> The term Complaint herein includes supplemental complaints filed in Clear’s Reply to Opposition submitted on February 1, 2017.

employment, or familial affiliation or relationship with Clear or WVLT(FM). As a result, the Listener Complaints satisfy the definition of a Listener Complaint in FCC Rule 74.1201(k).

4. Included with the Engineering Statement is a map plotting the specific listener locations where interference is predicted will occur within the area where the ratio of undesired-to-desired signal strength will exceed -20 dB $\mu$  for the co-adjacent channel relationship between WVLT(FM) and the FM Translator. *See Attachment 1, Appendix 2.* The specific locations of alleged interference are cross-referenced by a number assigned to each Listener Complaint in Attachment 1, Table 1. The specific locations of alleged interference are also plotted on maps showing their relation to WVLT(FM)'s 45 dB $\mu$  contour. *See Attachment 1, Appendix 3.*

5. Also attached is a Declaration of Carl Hemple, the General Manager of WVLT(FM). *See Attachment 2.* Mr. Hemple states that he has management responsibility for the overall compliance of WVLT(FM)'s operations with legal and regulatory requirements, and that WVLT(FM) is operating within its licensed parameters.

6. Finally, attached to this Supplement as Attachment 3 is an October 9, 2019 email from Clear's counsel to the Applicant's counsel, Peter Tannenwald, in which WVLT(FM) uses commercially reasonable efforts to inform the Applicant of the claimed interference and attempts a private resolution of such interference. As shown in the resulting email response of October 10, 2019 from Mr. Tannenwald, the Applicant wishes to review this Supplement in order to evaluate whether there are any reasonable prospects for settlement.

7. Petitioner has fully complied with the FCC Letter's request for additional information to support the Complaint. The Application is unacceptable for filing pursuant to

Section 74.1204(f) of the Commission's rules. The Application should either be dismissed as inadvertently accepted for filing, or denied.

Respectfully submitted,

**CLEAR COMMUNICATIONS, INC.**

By: \_\_\_\_\_ /s/ \_\_\_\_\_  
Melodie A. Virtue  
Its Attorney

Foster Garvey PC  
1000 Potomac Street, NW, Suite 200  
Washington, DC 20007  
Tel: 202-298-2527  
[melodie.virtue@foster.com](mailto:melodie.virtue@foster.com)

October 18, 2019