

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Application of)	
)	
CENTRO CRISTIANO DE VIDA ETERNA)	File No. 0000106015
Application for Minor Modification of Licensed)	Facility ID Number 155253
FM Translator Station K245DE, Boerne, TX)	

To: The Audio Division, Media Bureau
Via: Licensing and Management System

INFORMAL OBJECTION OF KDRY RADIO, INC.

Comes now KDRY Radio, Inc. (KDRY), by and through its attorney, and pursuant to Section 73.3587 of the Commission's Rules (47 C.F.R. § 73.3587) hereby submits its informal objection to the above-captioned application, which was filed with the Commission on or about February 13, 2020. The application is as of this date shown as pending and therefore this informal objection is timely filed. The application, which seeks Commission authority to change the transmitter site of licensed FM Translator K245DE and proposes to rebroadcast the signals of KDRY(AM), contains a substantial and determinative misrepresentation of fact, and it should therefore be denied or dismissed with prejudice forthwith. As good cause for its informal objection, KDRY states as follows:

1. KDRY is the licensee of AM broadcast station KDRY, operating on 1100 kilohertz at Alamo Heights, Texas. Alamo Heights is a suburb of San Antonio, Texas. KDRY has no affiliation or connection whatsoever with FM Translator K245DE or with the licensee thereof, Centro Cristiano De Vida Eterna (CCDVE), at any time heretofore or to the present date.

K245DE is currently licensed to Boerne, TX. It proposes to move its transmitter site to a new site closer to San Antonio.

2. In the pending application to relocate K245DE (in the portion of the application entitled “Rebroadcast Certification”, the applicant responds “yes” to the question posed as follows: “The applicant certifies that it is the licensee of the primary station or the applicant certifies that written authority has been obtained from the licensee of the primary station whose programming is to be retransmitted.” (emphasis added). In the Section entitled “Antenna Technical Data”, the applicant identifies the primary station to be rebroadcast as KDRY(AM), facility ID number 47666, at Alamo Heights, Texas.

3. KDRY(AM) is not licensed to Centro Cristiano De Vida Eterna. KDRY Radio, Inc. has never issued written authority or indicated in any manner to anyone that FM Translator K245DE may rebroadcast KDRY(AM). K245DE does not now have the authority to rebroadcast KDRY(AM); it has never had such authority; and such authority will not be forthcoming. The statement to the contrary in the pending application made by the applicant is false, and it is unclear to KDRY how this misstatement of fact can be anything other than an intentional misrepresentation by CCDVE. In any case, if a non-fill-in translator is independently owned, the owner must secure the written permission of the primary station to rebroadcast its programming before commencing operation. This is a statutory requirement. *See* 47 CFR Section 74.1284(b); *see also* 47 U.S.C. Section 325(a) and Footnote 52 of the *Report and Order* in MM Docket 88-140, 5 FCC Rcd 7212, 7245 (1990).

Therefore, the foregoing considered, KDRY Radio, Inc. hereby respectfully requests that

the Commission dismiss or deny the pending application for minor modification of K245DE, and apply such other sanctions to the licensee, CCDVE as the Commission should deem appropriate.

Respectfully submitted,

KDRY Radio, Inc.

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