

**Before the
Federal Communications Commission
Washington, DC 20554**

In Re Application of:)	
)	
Fort Myers Broadcasting Company)	FCC File No. 0000094268
Station W239CL)	
Naples, Florida)	
For Renewal of License)	

To: The Chief, Media Bureau

Opposition to Petition for Reconsideration

On February 24, 2020, Sumarrase, Inc. (“Sumarrase”) filed the documents appended hereto as Exhibit A, seeking reconsideration of the license renewal granted to FM Translator Station W239CL, Naples, Florida. Therein Sumarrase claims that Station W239CL causes interference to Station WSGD-LP, Lehigh Acres, Florida.¹ Fort Myers Broadcasting Company (“FMBC”) opposes Sumarrase’s reconsideration request, because it is both procedurally and substantively deficient.

Procedurally, the request fails to conform to the requirements of Rule 1.106 governing petitions for reconsideration. Among its deficiencies is its failure to support claims of electrical interference by affidavit of a qualified engineer. Additionally it does not explain why Sumarrase waited until after grant of Station W239CL’s renewal application to bring its electrical interference allegations to the Commission’s attention.

¹ The documents do not identify Station WSGD-LP by call sign. Instead they refer to its tradename, “SUGA 95.7 FM.”

With respect to the substance of Sumarrase's allegations, FMBC submits that is impossible to assess the merits of the single interference complaint contained in Sumarrase's filing. In part, this is because Station WSGD-LP operates illegally. As explained in the attached Complaint filed with the Commission on May 10, 2019,² Sumarrase's station was constructed with a two-bay antenna system, instead of the single-bay antenna specified in its license. It operates with transmitter output power far in excess of its authorized power.³ Accordingly there is no legitimate purpose served by attempting to analyze a single interference complaint to reception of a station operating illegal facilities at unauthorized power. Perhaps this explains why Sumarrase did not submit an engineering statement in support of its interference allegations.

In view of the foregoing, FMBC asks that Sumarrase's reconsideration filing be dismissed or denied.

Respectfully submitted,



Joseph A. Belisle III

Counsel for

Fort Myers Broadcasting Company

March 9, 2020

Belisle Law Firm PA

PO Box 970620

Miami, FL 33107

(305)978-7675

joe@belislelaw.com

² A copy of the May 10, 2019 Complaint is attached as Exhibit B. FMBC requests that the complaint be incorporated by reference into this opposition.

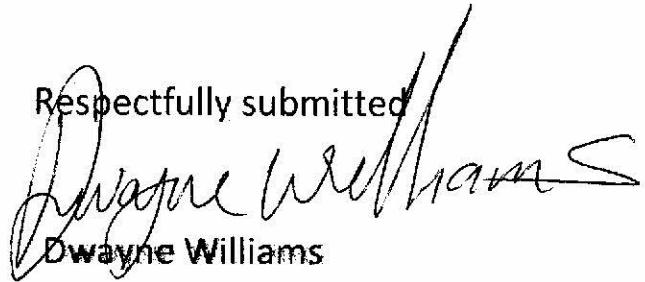
³ Indeed, Station WSGD-LP has installed a new transmitter and has increased its operating power since the filing of FMBC's May 10, 2019 Complaint. See Declaration of Michael Mayne appended hereto as Exhibit C.

EXHIBIT A

Sumarrase Filing

Renewal application. Accordingly the commission's action of January 15, 2020, granting FMBC Translator 95.7 FM license renewal application should be set aside and WSGD should be granted the relief sought herein

Respectfully submitted

A handwritten signature in black ink, appearing to read "Dwayne Williams", is written over the typed name.

Dwayne Williams

Owner of

Sumarrase, Inc

February 21, 2020

Sumarrase, inc

3507 Lee Blvd suite 254

Lehigh Acres, Florida 33971

Tel. 786-486-0891

Email info@suga957.com

Copy mailed to:

Joseph A. Belisle III

P.O. Box 970620

Miami, Florida 3197

Aston Anderson
2535 Sunniland Blvd
Lehigh Acres FL 33971
954-274-5061

To whom it may consider

On several occasions while listening to SUGA 95.7FM Radio station in Lehigh Acres i keep getting radio Interference from a Spanish station on the same dial 95.7 in Naples When this happens I am forced to choose another radio station.

I am a valued listener of the radio station SUGA 95.7FM

Signature
aston anderson

Thank you sincerely
Aston Anderson

EXHIBIT B

March 10, 2019 Complaint

**PLEASE STAMP-IN AND
RETURN THIS COPY.**

Received & Inspected

MAY 10 2019

FCC Mailroom

**Before the
Federal Communications Commission
Washington, DC 20554**

In Re Application of:)
)
Sumarrase, Inc.) FCC File No. BLL-20180104AAH
Station WSGD-LP)
Lehigh Acres, Florida)
For a License to Cover Construction Permit)

To: The Chief, Enforcement Bureau

Complaint

Fort Myers Broadcasting Company ("FMBC") submits that Sumarrase Inc. ("Sumarrase") constructed unauthorized facilities for low power FM station WSGD – LP, Lehigh Acres, Florida and operates those unauthorized facilities on a commercial basis in violation of the Communications Act of 1934, as amended, and the Rules and Regulations of the Federal Communications Commission governing the low power FM service. FMBC asks that the Commission find that the authorized facilities of Station WSGD-LP were not constructed within the time required by its construction permit; that the station has not operated as authorized for over a period of one year; and that that the WSGD-LP license was either issued in error for facilities that were never constructed or that the WSGD-LP license was automatically forfeited for failure of Station WSGD-LP to broadcast as authorized for a period in excess of one year. At

a minimum, Sumarrase should be ordered to cease and desist its continued violations of the rules governing the low power FM service.

Technical Matters

In November 2013, Sumarrase applied for a construction permit to build a new LP 100 low-power FM station for Lehigh Acres, Florida. The proposed station was to operate on frequency of 95.7 MHz.¹ The original application was part of a mutually exclusive group of low power FM applications. So on December 24, 2014, Sumarrase sought to remedy its proposal's mutual exclusivity by tendering an amendment to operate from a new transmitter site on a new frequency. This amendment proposed operation on 99.7 MHz from a site located at 26° 37 minutes 34 seconds North Latitude and 81° 46 minutes 07 seconds West Longitude. Operating as proposed in the amendment, the station would transmit with an effective radiated power of 35 Watts from a two bay antenna having a center of radiation of 48 meters above ground level. Ultimately, the FCC rejected this amendment because it created new mutual exclusivity.²

Sumarrase's response to the FCC's rejection of the December 24, 2014, amendment was to file a further amendment to the Lehigh Acres application. This new amendment, tendered February 9, 2015, proposed operation on 95.7 MHz from the same transmitter site as the December 24, 2014 amendment. Instead of a two bay antenna, the new amendment proposed a SHI 6812B-1 single bay antenna with the center of radiation 48 meters above ground level. Once again, the station was to operate with an effective radiated power of 35 Watts. The FCC granted this proposal on February 9, 2015.³

¹ See FCC File No. BNPL-20131113AAH.

² See FCC File No. BNPL-20131113AAH, amendment Denied December 29, 2014.

³ See FCC File No. BNPL-20131113AAH, granted February 9, 2015.

On November 9, 2017, Sumarrase filed a modification of construction permit application proposing an increase in the WSGD – LP antenna height above ground level from 48 meters to 60 meters and a corresponding reduction in effective radiated power from 35 Watts to 22 Watts. The antenna remained a single bay SHI 6812B–1 antenna. This modification of construction permit application was granted November 20, 2017.⁴ On January 4, 2018, Sumarrase applied for a license to cover construction of the facility specified in its November 2017 modification of construction permit. The license was granted January 31, 2018, and specified use of a SHI 6812B – 1 antenna with a center of radiation of 60 meters above ground level. The licensed transmitter output power was 72 Watts and the licensed effective radiated power was 22 Watts.⁵

Sumareese neither constructed the facilities specified in its modified construction permit nor operated Station WSGD-LP in the manner authorized in its license. Instead, Sumarrase constructed Station WSGD – LP with a transmitter lacking proper equipment certification and with a two bay antenna, instead of the single bay antenna identified in its license application.⁶ Further, Sumarrase did not operate Station WSGD-LP with a transmitter output power of 72 Watts. It operates the station with as much as 150 Watts transmitter output power and transmits its signal with 120kHz modulation, instead of the maximum permitted modulation of 75 kHz.⁷ The effective radiated power of Station WSGD – LP is 99.6 Watts, not the 22 Watts specified in its license.⁸ In fact, the height and effective radiated power combination used in WSGD – LP's

⁴ See FCC File No. BMPL-20171109ACU, Granted November 20, 2017.

⁵ See FCC File No. BLL-20190104AAH, Granted January 31, 2019.

⁶ See Declaration of Timothy White, appended hereto as Exhibit 1 and Declaration of John Dunlin, appended hereto as Exhibit 2.

⁷ See Exhibit 1.

⁸ See Engineering Statement of W. Jeffrey Reynolds appended hereto as Exhibit 3.

operations, 99.6 Watts at 60 meters, far exceeds the maximum permissible facilities for a low-power FM station.⁹

Programming Matters

Station WSGD-LP does not operate in a noncommercial manner. It broadcasts advertisements promoting the goods and services of commercial establishments.¹⁰ The station openly solicits commercial advertising in its promotional materials,¹¹ in over the air announcements¹² and on the station website. It hosts events with commercial establishments and promotes those events over the air, on its website, on Facebook and on Twitter.¹³

Conclusion

In view of the foregoing, the Commission should conclude that Station WSGD-LP operates unauthorized equipment in a manner that contravenes the height and power limitations of FCC Rule 73.811 and in complete disregard of the operating parameters set out in the WSGD-LP license. The station was never constructed as authorized in its construction permit. Further, the construction permit has expired and its license, which was issued in error, should be rescinded. Alternatively, the station failed to operate as authorized for a period in excess of one year and its license should be forfeit under Section 312(g) of the Communications Act. If the station is permitted to continue to operate, the Commission must conclude that Station WSGD-LP fails to provide a non-commercial educational programming service as required by Rule 73.503(d), electing instead to promote the commercial goods and services of its advertisers. At a

⁹ See 47 C.F.R. §73.811(a).

¹⁰ See Exhibit 1.

¹¹ See promotional materials appended hereto as Exhibit 4.

¹² See Exhibit 1.

¹³ See Facebook page appended hereto as Exhibit 5.

minimum, the Commission should issue a cease and desist order compelling Station WSGD-LP's compliance with the technical and programming requirements of the low power FM service.

Respectfully submitted,



Joseph A. Belisle III

Counsel for

Fort Myers Broadcasting Company

May 9, 2019

Belisle Law Firm, P.A.

P.O. Box 970620

Miami, Florida 33197

Tel. (305) 978-7675

Email joe@belislelaw.com

Exhibit 1

Declaration of Timothy White

DECLARATION OF TIMOTHY WHITE

My name is Timothy White and I am employed as RF Systems Engineer for Fort Myers Broadcasting Company. I am personally familiar with the broadcast tower facility at 10651 Buckingham Road, Lehigh Acres, Florida on which an American Towers' 78.9 meter (259 foot) broadcast tower is located. This tower is assigned FCC antenna structure registration number 1200499. I visited the tower site on three occasions, which are described below.

I first visited the Buckingham Road tower on July 13, 2018, accompanied by a colleague. While there, I located the transmitter of WSGD-LP and observed that the transmitter output power of the transmitter was set to 140 Watts. I took a photograph of the transmitter display at this time. A copy of that photograph is attached as Attachment 1. On this visit to the tower I also located the transmitting antenna for WSGD-FM on the tower. I observed that antenna was a two bay antenna which appeared to be fed by a power divider.

I returned to the Buckingham Road tower on April 10, 2019, again in the company of a colleague. At that time, I observed that WSGD-LP was operating with a transmitter output power of 150 watts and took a photograph of the transmitter display. A copy of that photograph is attached as Attachment 2.

The WSGD-LP transmitter bears the markings "Warner RF FMT". The display shows "FMT-150D+" Warner RF was a company unknown to me. I tried to find information on Warner RF transmitters on the internet and could not locate any FCC ID Number for this type of transmitter. The only places I found selling Warner RF transmitters were ebay and the Camel RF Electronic Technology Co. Ltd. of ShenZhen City, China. Apparently Warner RF is a registered trademark of Camel RF Electronic Technology Co. Ltd. The link to ebay's Warner RF website is: <https://www.ebay.com/str/warnerrfcenter> The link to Camel RF Electronic Technology Co. Ltd.'s webpage is: <http://www.elecsky.net/category/product/professional-fm-transmitter/>

On April 23, 2019, I visited the Buckingham Road tower with John Dunlin, a news photographer and drone operator for WINK-TV News. Mr. Dunlin flew a drone and photographed the tower in the area of WSGD-LP's antenna. Mr. Dunlin's photographs clearly show a ½ inch cable, entering the power divider and splitting that signal between 2 bays of the LPFM antenna. From these photographs and other available information, I was able to identify the WSGD-LP antenna as a two bay SIRA FMC-01 (2) element antenna having a center of radiation approximately 200 feet above ground level. I obtained the technical specifications of this antenna from <https://www.kathreinusa.com/> The technical specifications for this antenna are attached as Attachment 3.

Shortly after 12 noon: on April 17, 2019, I measured the modulation of Station WSGD-LP's signal, using a Radio Explorer II Mobile FM Radio Analyzer. The modulation reading showed a deviation of 120 kHz, which corresponds to 160 percent of the 75 kHz deviation level permitted for FM stations. Photos of the modulation reading are appended hereto as Attachment 4. These measurements were conducted on Buckingham Road in Fort Myers, approximately 240 feet from the base of the tower on which WSGD is broadcasting.

I recorded the programming of Station WSGD-LP on April, 17 2018 between the hours of 1:00 PM and

2:00 PM. I observed the station broadcast advertisements promoting a number of commercial business. A transcript of some of the advertisements broadcast on this occasion is attached as Attachment 5.

I declare under penalty of perjury that the facts stated above are true and correct.

A handwritten signature in dark ink, appearing to read 'T. White', written over a horizontal line.

Date: 5/09/2019

Timothy White

Attachment 1 to Timothy White Declaration
July 18, 2018 Photo of WSGD-LP Transmitter Display

AMSON

SA

WARNER RF Electronic Equipment Co., Ltd.

Radio Data System

FMT

FMT-150D+ Ver:3.1501
PLL✓ TX✓ RDS× TEMP:42c
FREQUENCY: 95.700MHz
FWD 140.0Watt REF001.0W
STEREO VOL:08 PR: 50uS
LIN Load
RIN Load

+VCC
+12V
+5V
+3.3V

R.D

CenturyLink

Power 1 2 DSL Internet WAN LAN 1 2 3 4 Ethernet HPNA USB Wireless 1 2 VoIP

Centu

Attachment 2 to Timothy White Declaration
April 10, 2019 Photo of WSGD-LP Transmitter Display

SAMSON

ARNER RF Electronic Equipment Co., Ltd.

Radio Data System

FMT

FMT-150D+ Ver:3.1501
PLL✓ TX✓ RDS× TEMP:42c
FREQUENCY: 95.700MHz
FWD 150.0Watt REF001.0W
STEREO VOL:09 PR: 50us
LINE=====Load
RINE=====Load

MENU

+VCC

+12V

+5V

+3.3V

R.D.S

CountryLink

C1800A

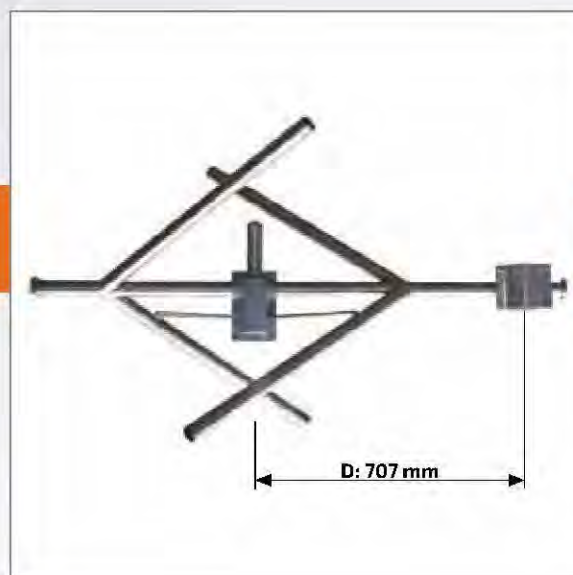
Attachment 3 to Timothy White Declaration
Technical Specifications for SIRA FMC-01 Antennas

FMC-01

FM TOP OR SIDEMOUNT DIPOLE

FEATURES

- circular/elliptical polarization
- broadband 87.5 ÷ 104 MHz
92 ÷ 108 MHz



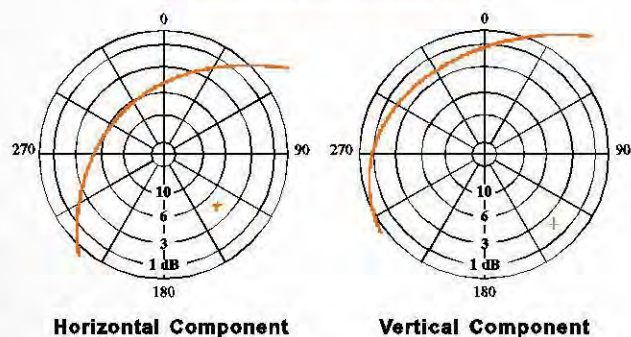
ELECTRICAL DATA

ANTENNA TYPE	FMC-01
FREQUENCY RANGE	87.5 ÷ 104 MHz 92 ÷ 108 MHz
IMPEDANCE	50 ohm
CONNECTOR	NF or 7/16 F or 7/8" EIA or 7/8" EIA 90°
MAX POWER	0.75 kW (NF), 1.5 kW (7/16 F, 7/8" EIA, 7/8" EIA 90°)
VSWR	≤ 1.4
POLARIZATION	Circular/Elliptical
GAIN (referred to half wave dipole)	-1.5 dB
HALF POWER BEAMWIDTH	Omnidirectional ± 1.5 dB in free space Omnidirectional ± 2 dB with ø 100 pole
LIGHTNING PROTECTION	All metal parts DC grounded

MECHANICAL DATA

DIMENSIONS	1447 x 801 x 801 mm 1447 x 767 x 767 mm
WEIGHT	10 Kg
WIND SURFACE	0.23 m²
WIND LOAD (at 150 km/h)	0.27 kN
MAX WIND VELOCITY	220 km/h
MATERIALS	brass, aluminium, stainless steel, hot dip galvanized steel (bracket) teflon, fiberglass (radome)
ICING PROTECTION	Feed point radome
RADOME COLOUR	Grey (standard)
MOUNTING	With special pipe clamps ø 60 ÷ 114 mm

RADIATION PATTERNS (Mid Band)

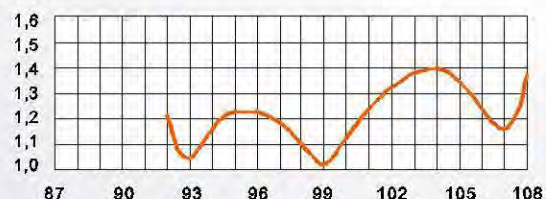


VSWR



FREQ. (MHz)

VSWR



FREQ. (MHz)

FMC-01

FM TOP OR SIDEMOUNT DIPOLE

FEATURES

- radiating systems with FMC-01 dipole
- omnidirectional patterns

ELECTRICAL DATA

FREQUENCY RANGE	87.5 ÷ 108 MHz
IMPEDANCE	50 ohm
CONNECTOR	EIA flange according to system power rating
POWER RATING	The antenna system can accept any power according to requirements
VSWR (in the operating frequency)	≤ 1.35 without fine matcher ≤ 1.25 with one fine matcher ≤ 1.1 with two fine matchers
POLARIZATION	Circular/Elliptical
GAIN	Refer to table
VERTICAL PATTERN	Null fill, beam tilt and special requirements to order
OTHER FEATURES	The antenna system can be supplied in split feed configuration (two equal halves). Each half can accept full power.

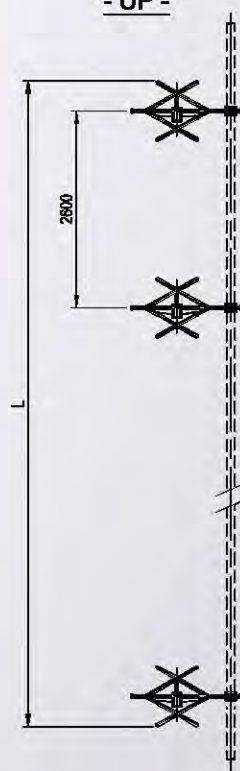
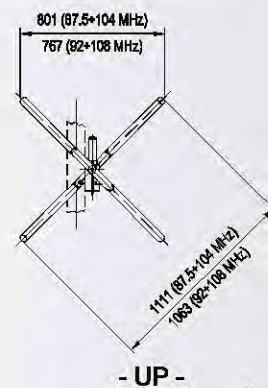
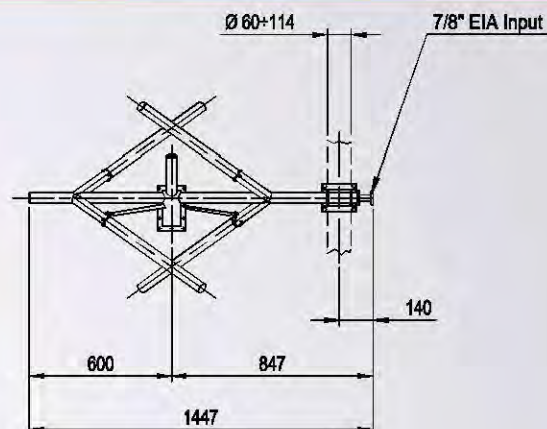
MECHANICAL DATA

HEIGHT OF ARRAY	Subject to number of bays
TOTAL NET WEIGHT	Refer to table
WIND LOAD	Refer to table
PRESSURIZABLE	Yes
RADOME COLOUR	Grey (standard)
MOUNTING HARDWARE	One clamp for pole, supplied

TECHNICAL DATA

NUMBER OF BAYS	PANELS PER BAY	GAIN dBS (1)	GAIN TIMES (1)	WEIGHT kg (2)	ANTENNA HEIGHT L m	WIND LOAD kN (3)
2	1	1.5	1.41	30	3.4	0.54
4	1	4.5	2.82	55	8.6	1.08
6	1	6.2	4.17	80	13.8	1.62
8	1	7.5	5.62	120	19.0	2.16
12	1	9.2	8.32	180	29.4	3.24

(1) referred to half wave dipole. Losses of power distribution network not included.
 (2) without mounting hardware, for FMC-01 dipole
 (3) v= 150 km/h

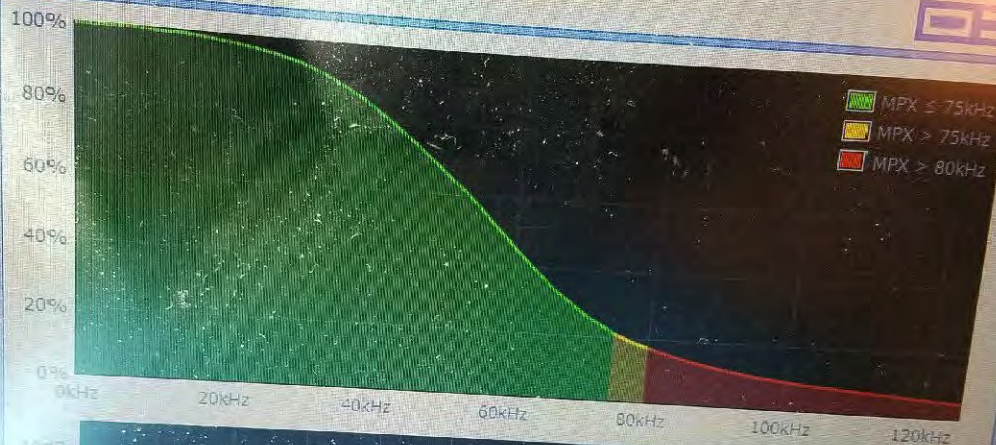


Attachment 4 to Timothy White Declaration
April 17, 2019 Photo of WSGD-LP Modulation Measurement

Radio Explorer II - Mobile FM Radio Analyzer

DEVA
BROADCAST

PL
RT
95.70
ATT
QUALITY
GOOD
MPX
RF



Frequency Set
ANT 1 ANT 2
WTK WFSX
WXX WARO
LATINO FOX SPORT
Ch.7 98.10 Ch.8 98.10
Ch.9 98.10 Ch.10 98.10
Ch.11 98.10 Ch.12 98.10
Ch.13 98.10 Ch.14 98.10



Logout
Main
RDS
MPX
Bandscan
Status
Log
Settings

17 Apr 2019 Session time:
16:10:04 02:55



Attachment 5 to Timothy White Declaration
Transcript of WSGD-LP April 17, 2019, Advertisements

4/15 @ 1:00p-2:00p

...3130575 thanks Dustin Roosa with Daphne Manual for your kind support of SUGA 95.7.

The barbershops where they don't greet you or have long lines, Well come down to Navha Barbershop 5624 8th Street West Lehigh Acres Florida where we have 10 professional skilled barbers waiting to greet and serve you in a great atmosphere and with an island culture. Navha your friendly neighborhood barbershop. For more info call 954-534-4383. Thanks to Navha Barbershop for your kind support of SUGA 95.7 LP FM.

Repossession, foreclosure, bankruptcy, student loans, you know exactly what I'm talking about you have bad credit, you've been crushed, you've been hit hard by this economy. At Executive Credit we specialize in credit repair. We have an arsenal for strategies in order to remove all negative accounts and we will improve your credit score. We can be reached at 305-266-7751. That's 305-266-7751. Thanks Executive Credit for you generous support of WSGD SUGA 95.7 LPFM.

May I have your attention please: Lehigh Acres, Cape Coral, Fort Myers do you business product or service that you want the world to know about? Or just the local people in the area? We have sponsorship opportunities for you to spread your business. Everyone listens to the radio, every age, every demographic, everyone. Let the world know about your product or business. Are email is info@suga957.com. That's info@suga957.com. We can be reached at 239-369-9743.

Music

Exhibit 2

Declaration of John Dunlin

DECLARATION OF JOHN DULIN

My name is John Dulin and I am employed as WINK NEWS Photojournalist/Drone Pilot for Fort Myers Broadcasting Company. I am personally familiar with the broadcast facility at 10651 Buckingham Road, Lehigh Acres, Florida on which a broadcast tower is located, having visited the area on April 23, 2019, in the company of Timothy White.

I brought with me a DJI Phantom 4 Pro drone used by the WINK-TV news to cover local events. Mr. White identified a portion of the tower he wanted me to photograph. I flew the drone to a position level with the portion of the tower to be photographed, approximately 200 feet above ground. I then took the photographs attached to this declaration as Attachments 1 through 4. These photographs accurately reflect the equipment located on the tower at approximately 200 feet above the level of the ground.

I declare under penalty of perjury that the facts stated above are true and correct.

A handwritten signature in black ink, appearing to read "John Dulin", written over a horizontal line.

John Dulin

Date: 4/29/19

Attachment 1 to John Dunlin Declaration
Tower Photo No. 1

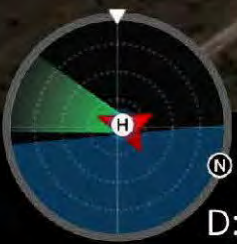
Drone Connected

17 ● 87 % 74 % 0 mph

100 1/200 F10 -0.3 1404
ISO SH. F EV IMAGES
THI



MENU



N

D: 5ft H: 200ft

MODES

Attachment 2 to John Dunlin Declaration
Tower Photo No. 2



Attachment 3 to John Dunlin Declaration
Tower Photo No. 3



Attachment 4 to John Dunlin Declaration
Tower Photo No. 4



Exhibit 3

Engineering Statement of W. Jeffrey Reynolds

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF THE
COMPLAINT FILED BY FORT MYERS BROADCASTING COMPANY
CONCERNING LPFM STATION WSGD-LP
CH 239 (95.7 MHZ), LEHIGH ACRES, FLORIDA
FCC FILE NO. BLL-20180110AAH
FCC FACILITY ID 194387

This technical exhibit was prepared in support of the complaint filed by Fort Myers Broadcasting Company (FMBC) concerning the licensed operation of LPFM station WSGD-LP on channel 239 (95.7 MHz) at Lehigh Acres, Florida (FCC File No. BLL-20180110AAH). Specifically, the purpose of this technical exhibit is to demonstrate that WSGD-LP apparently utilizes an antenna that differs from its authorized antenna, operates with a transmitter output power (TPO) that exceeds the authorized TPO by approximately 3.2 decibels (dB) and 208%, and also operates with an effective radiated power (ERP) that exceeds the authorized ERP by approximately 6.6 dB and 453%.

The WSGD-LP license application (FCC File No. BLL-20180110AAH) specifies a TPO of 72 Watts and an ERP of 22 Watts using a Shively model 6812B-1, 1 bay nondirectional (ND) antenna. However, apparently WSGD-LP actually installed a SIRA FMC-01, 2-bay ND antenna and operates with a TPO of 150 Watts.¹ The nominal RMS power gain for a 2-bay ND antenna is 1.0. Thus, based on a TPO 150 Watts, a transmission line efficiency of 66.4%² and an antenna power gain of 1.0, the resulting ERP would be 99.6 Watts ($150 \times 0.664 \times 1 = 99.6$ Watts).

Figure 1 is a map which depicts the FCC predicted 60 dBu service contours for WSGD-LP based on its licensed 22 Watt operation as well as the “as-built” 99.6 Watt operation. The following provides the total area and 2010 Census population within each 60 dBu contour depicted on Figure 1.

WSGD-LP Operation	60 dBu Service Area	
	2010 Census Population	Total Area (km ²)
License (ERP 22 Watts)	32,957	101
As-Built (ERP 99.6 Watts)	83,447	215

¹ See the Declaration of Timothy White, appended to the Complaint as Exhibit 1 and the Declaration of John Dunlin, appended hereto as Exhibit 2.

² The transmission line efficiency was derived from the technical information provided in the WSGD-LP license which would correlate to approximately 250 feet of ½ inch foam transmission line.

Conclusion

As demonstrated above, WSGD-LP apparently utilizes an antenna that differs from its authorized antenna, operates with a TPO of 150 Watts which exceeds the authorized TPO of 72 Watts by approximately 3.2 decibels (dB) and 208%, and also operates with an ERP of 99.6 Watts which exceeds the authorized ERP of 22 Watts by approximately 6.6 dB and 453%.

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

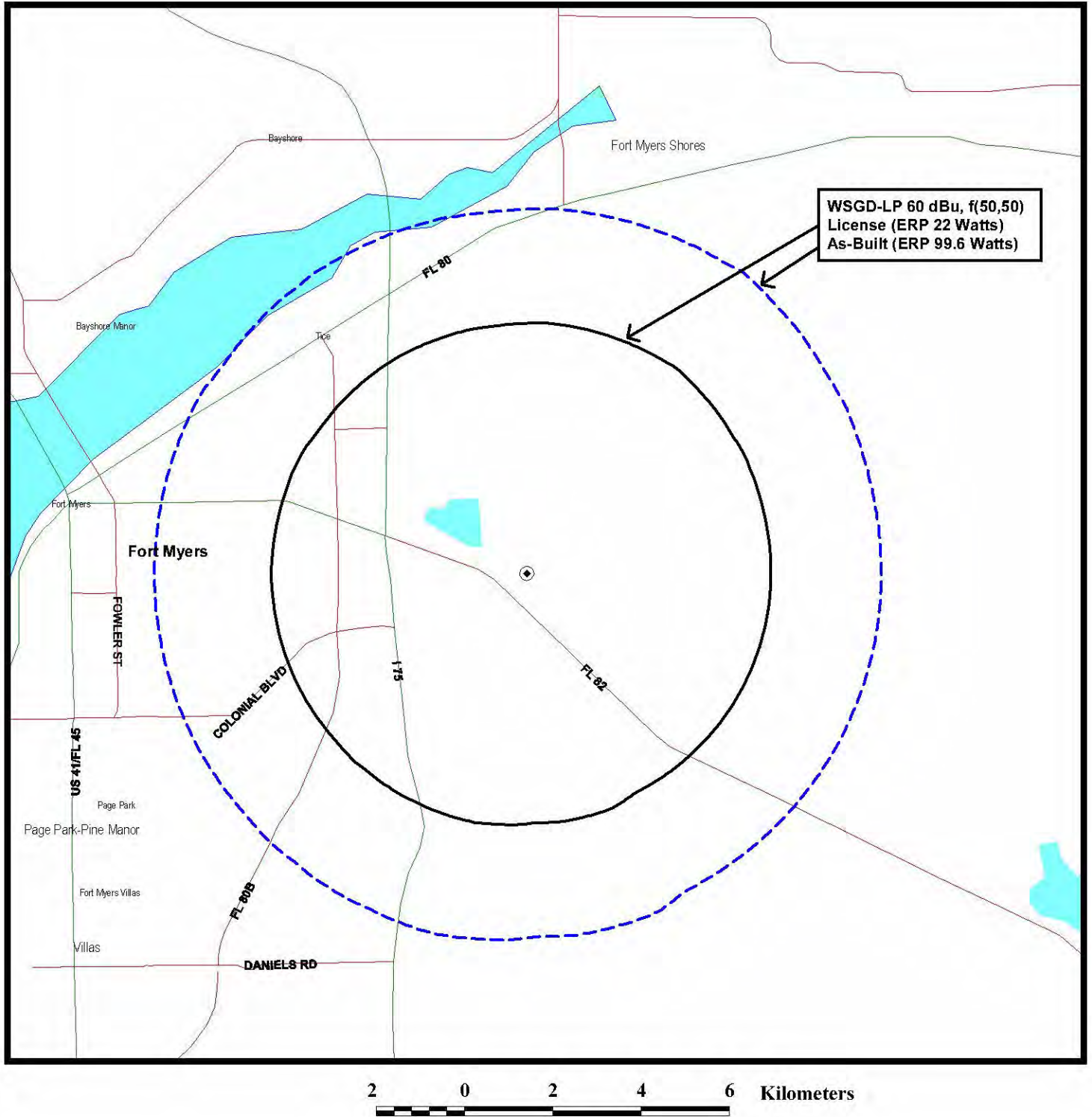


W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc.
3135 Southgate Circle
Sarasota, Florida 34239-5515
(941) 329-6000
JEFF@DLR.COM

May 8, 2019

Figure 1



WSGD-LP 60 DBU COVERAGE MAP

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Exhibit 4

Station Promotional Materials



SUGA 95.7 WSGD FM

The Station for the Nation

UNDERWRITING/SPONSORSHIP OPPORTUNITIES

PLATINUM PLAN

\$1,500 / month

18 Spots per weekday

The Suga Morning Drive	6am - 10am	5 spots
The Lunch Mix & News	10am - 2pm	5 spots
The Afternoon Drive	3pm - 7pm	4 spots
Traffic	7pm - 12am	<u>4 spots</u>
18spots total (25 seconds each)		

PLUS 2 live mentions (25 seconds each)

BONUS: One Banner ad on the website

DIAMOND PLAN

\$1000 / month

12 Spots per weekday

The Suga Morning Drive	6am - 10am	2spots
The Lunch Mix & News	10am - 2pm	3spots
The Afternoon Drive	3pm - 7pm	2spots
Traffic	7pm - 12am	<u>5spots</u>
12 spots total (25 seconds each)		

3507 Lee Blvd Suite 254, Lehigh Acres, FL 33971
 Tel: (239) 369-WSGD (9743) / Request Line: (239) 369-SUGA (7842)



GOLD PLAN

\$750/ month

9 Spots per weekday

The Suga Morning Drive	6am - 10am	1 spot
The Lunch Mix & News	10am - 2pm	2 spots
The Afternoon Drive	3pm - 7pm	2 spots
Traffic	7pm - 12am	<u>4 spots</u>
		9 spots total (25 seconds each)

SILVER PLAN

\$500 / month

6 Spots per weekday

The Suga Morning Drive	6am - 10am	1 spot
The Lunch Mix & News	10am - 2pm	2 spots
The Afternoon Drive	3pm - 7pm	1 spots
Traffic	7pm - 12am	<u>2 spots</u>
		6 spots total (25 seconds each)

BRONZE PLAN

\$250/1 weeks

3 Spots per weekday

The Afternoon Drive	3pm - 7pm	1 spot
Traffic	7pm - 12am	<u>2 spots</u>
		3 spots total (25 seconds each)

**** This package will run for 2 weeks

*** Weekday is Monday – Friday

*** Weekend Sponsorship packages available upon

3507 Lee Blvd Suite 254, Lehigh Acres, FL 33971
Tel: (239) 369-WSGD (9743) / Request Line: (239) 369-SUGA (7842)

SPONSORSHIP

Suga 95.7 WSGD FM The Station for the Nation

WSGD-LPFM LEHIGH ACRES, FL

Why sponsor SUGA 95.7FM

A Caribbean, R&B, Hip Hop and Gospel Fm Radio Station is your premiere station in Lehigh Acres Florida.

Our radio station which launched this year has truly become the go-to station to listen to in Lehigh Acres and the United States (via our online app). For over 10 years, Florida and other parts of the world have identified Sumarrase, Inc. as the company known for music, news, information, and cultural diversity through musical programming and sponsorship..

Our reach is [Black or African American](#) 16,707 19% of Lehigh Acres total population, [Hispanic or Latino](#) 29,797 34% and [White](#) 58,545 67% we also reach a myriad of internet broadcasts and other forms of digital media across the U.S. caribbean Islands and abroad.

The benefits of sponsoring SUGA 95.7 FM

SUGA 95.7FM strives to bridge the gap between people of different cultures, and enables listeners to "have a musical voice". Our powerful programming provides a trusted pathway to promote your brand and product messages. As a sponsor of SUGA 95.7 FM, you'll reach a highly desirable demographic of radio listeners, consumers, decision-makers, opinion leaders, and upscale consumers. We believe that sponsorship is most effective for your business through our programming. Our station is "The Station For The Nation" we program for all races, and we are mostly entertaining Lehigh Acres diverse cultural community. This in turn will further your business mission to promote your brand corporate/product brands that are closely associated with cultural diversity.

Sponsor messages stand out in our unique environment.

SUGA 95.7 FM offers its sponsors 15 – 30 second sponsorship opportunities.

We work with our sponsors to develop affective messages that can highlight product and corporate initiatives, ensuring you make the most of your sponsorship while supporting SUGA 95.7 FM.

Sponsorship packages go beyond broadcast.

In addition to on-air credits, major sponsors of SUGA 95.7FM programs gain access to custom components, like presence on our websites and apps(e.g., Flip board), host visits, and content sharing. We work with your team to develop a comprehensive package that will meet your specific needs.

Sponsorship offers proven effectiveness.

Through our unique branding approach, sponsors have seen increased brand awareness, by Web traffic, and sales.

Being a Sponsor WSGD SUGA 95.7 LP FM is beneficial to your business and the community!

Contact us to find out more about sponsorship

3507 Lee Blvd Suite 254, Lehigh Acres, FL 33971
Tel: 239-369-wsgd9743 | Request Line: 239-369-suga7842



Exhibit 5
Station Facebook Page

facebook

Email or Phone

Password

Log In

Forgot account?



Afternoon Drive with Dj Skinny
@Suga957

Home

Posts

Reviews

Videos

Photos

Events

About

Community

Info and Ads

Create a Page



Like

Share

Suggest Edits

Use App

Send Message

Posts

**Afternoon Drive with Dj Skinny** shared a post.
April 10 at 9:46 AM · 🌐

Friday April 12th happy hour event Day/night party!!! 4pm until



126 Views

Chon Cosby

April 4 at 4:02 PM · 🌐

Friday April 12th happy hour event Day/night party!!!

Like

Comment

Share

**Afternoon Drive with Dj Skinny** shared a post.
April 4 at 4:04 PM · 🌐



Search for posts on this Page

Entertainment Website in Lehigh Acres, Florida

Community

207 people like this

207 people follow this

About

Contact Afternoon Drive with Dj Skinny on Messenger

Entertainment Website

Page Transparency

Facebook is showing information to help you better understand the purpose of a Page. See actions taken by the people who manage and post content.

Page created - January 7, 2019

People

★★★★★

207 likes

Related Pages

 **Too Cute Beauty Supply**
Beauty, Cosmetic & Personal Care

See more of Afternoon Drive with Dj Skinny on Facebook

Log In

or

Create New Account

<https://www.facebook.com/Suga957/>

1/15

[See All](#)**Recommendations and Reviews**

Recommended by 2 people



Absolutely love his show... listen to it daily on my ride home.

January 7

Release those troubles on the way home with **#djskinny** on **#suga957** daily yall's....**#unk**

January 14

[See All](#)**Videos**[See All](#)**Photos****Ispaz Radio LLC**

Broadcasting & Media Production Compa

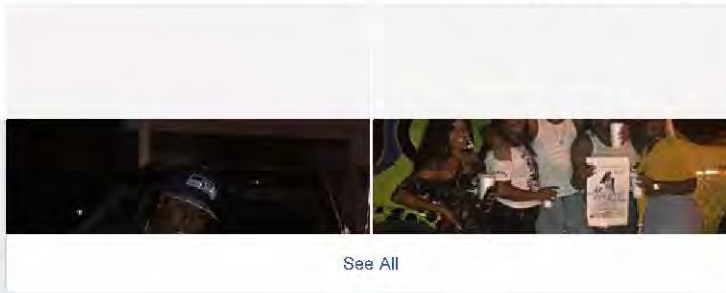
[See More](#)[Pages](#) [Other](#) [Brand](#) [Website](#)[Entertainment Website](#) [Afternoon Drive with Dj Skinny](#)

English (US) · Español · Português (Brasil) · Français (France) · Deutsch

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Facebook © 2019**See more of Afternoon Drive with Dj Skinny on Facebook**[Log In](#)

or

[Create New Account](#)

[See All](#)

Posts

**Afternoon Drive with Dj Skinny**

April 2 at 6:15 AM · 🌐

THE GROWN and SEXY DAY PARTY

FRIDAY APRIL 12.2019

@ ENTREES CARIBBEAN GRILL

DOORS OPEN @ 4:30PM 9PM ... [See More](#)

1



Like



Comment



Share

**Afternoon Drive with Dj Skinny**

March 8 · 🌐

<https://www.famousbirthdays.com/march8.html>See more of **Afternoon Drive with Dj Skinny** on Facebook

Log In

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Facebook



Like



Comment



Share

**Afternoon Drive with Dj Skinny**

March 8 · 🌐

https://www.tMZ.com/?adid=TMZ_Web_Nav_News

TMZ



TMZ



Like



Comment



Share

**Afternoon Drive with Dj Skinny** shared a post.

March 7 · 🌐



467 Views

Chon Cosby

March 7 · 🌐

Friday March 29th we're dressed to impress in all white!! Video by Ispaz Radio LLC



Like



Comment



Share

**Afternoon Drive with Dj Skinny** added an event.

March 7 · 🌐

All white affair drink specials for ladies all night

See more of Afternoon Drive with Dj Skinny on Facebook

Log In

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FRI, MAR 29

All White Ultimate Ladies Night

Entrees Caribbean Grill · Fort Myers

🎵 Dance · 144 people

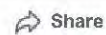
1 Comment



Like



Comment



Share

**Afternoon Drive with Dj Skinny THE GROWN and SEXY DAY PARTY**

FRIDAY APRIL 12.2019... See More



4w · Edited

**Afternoon Drive with Dj Skinny**

March 6 · 🌐

http://www.jamaicaobserver.com/.../UPDATE:_Alleged_fake_docto...**See more of Afternoon Drive with Dj Skinny on Facebook**

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BLACKNEWS.COM

Baltimore Woman Thought to Have Been Killed By a Panhandler Was Actually Killed By Her Family

2



Like



Comment



Share

**Afternoon Drive with Dj Skinny**

March 6 · 🌐

<http://www.blacknews.com/.../woman-calls-police-on-black-man.../>

BLACKNEWS.COM

Woman Calls Police On Black Man After His Dog 'Humps' Her Dog

1



Like



Comment



Share

**Afternoon Drive with Dj Skinny**

March 6 · 🌐

<https://www.famousbirthdays.com/march6.html>**See more of Afternoon Drive with Dj Skinny on Facebook**

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or

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FAMOUSBIRTHDAYS.COM

March 6 Birthdays

The most popular celebs born on this date!



Like



Comment



Share

**Afternoon Drive with Dj Skinny** shared a link.

March 6 · 🌐



CBSNEWS.COM

R. Kelly breaks his silence on sexual abuse claims: "I have been assassinated"

Like



Comment



Share

**Afternoon Drive with Dj Skinny**

March 6 · 🌐

<https://www.yahoo.com/.../12-year-old-rapper-faces-felony-cha...>**See more of Afternoon Drive with Dj Skinny on Facebook**

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Repost Repost Spread The Word

SUGA THE NEXT EPPISO PRESENT
THE ULTIMATE LADIES NIGHT



All
WHITE
Party Event

HOSTED BY: LADY DEE, SUGA D, SUGA 95.7 FM
MUSIC BY: DJ SKINNY/DJ ASTONVILLA
ENTREES CARIBBEAN GRILL
2431 CLEVELAND AVE FORT MYERS

AGES 25 & UP
Ladies Drink special DRESS CODE 100% ALL WHITE ONLY DOORS OPEN AT 10
SUGA D (786) 486-0891
RADIO STATION (305) 360-9723

Chon Cosby

March 5 · 🌐

Friday March 29th!! Suga 95.7 fm tag who you think will show up and show out!!
Afternoon Drive with Dj Skinny

👍 Like

💬 Comment

➦ Share



Afternoon Drive with Dj Skinny shared a post.

March 5 · 🌐

Spread The Word

SUGA THE NEXT EPPISO PRESENT
THE ULTIMATE LADIES NIGHT



See more of **Afternoon Drive with Dj Skinny** on Facebook

Log In

or

Create New Account

HOSTED BY: LADY DEE, SUGA D, SUGA 95.7 FM
MUSIC BY: DJ SKINNY/ DJ ASTONVILLA
ENTREES CARIBBEAN GRILL
2431 CLEVELAND AVE FORT MYERS
AGES 25 & UP
Ladies Drink special DRESS CODE 100% ALL WHITE ONLY DOORS OPEN AT 10
SUGA D (786) 486-0891
SUGA D (786) 486-0891

Chon Cosby

March 5 · 🌐

Friday March 29th!! Suga 95.7 fm tag who you think will show up and show out!!
Afternoon Drive with Dj Skinny

1 Share



Like



Comment



Share



Afternoon Drive with Dj Skinny

March 4 · 🌐

<https://www.bet.com/.../20.../performances/soulja-boy-sma19.html>



BET.COM

Social Awards Performance: Soulja Boy Performs His Biggest Hits



1

1 Comment



Like



Comment



Share

Most Relevant ▾



Sam Medina Hahahaha, biggest hits.

8w



Afternoon Drive with Dj Skinny

March 4 · 🌐

<https://www.hotnewhiphop.com/michael-avenatti-says-r-kelly-...>

See more of Afternoon Drive with Dj Skinny on Facebook

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EXHIBIT C

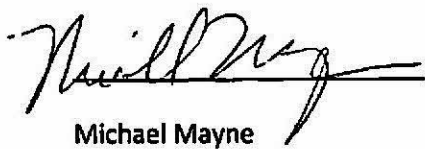
Declaration of Michael Mayne

DECLARATION OF MICHAEL MAYNE

My name is Michael Mayne and I am employed as Director of Engineering for Fort Myers Broadcasting Company. I am personally familiar with the broadcast tower facility at 10651 Buckingham Road, Lehigh Acres, Florida on which an American Towers' 78.9 meter (259 foot) broadcast tower is located . This tower is assigned FCC antenna structure registration number 1200499.

I visited the Buckingham Road tower on October 4, 2019, accompanied by a colleague. While there, I took photographs of the tower facilities. Among the many photographs I took was a photograph of the WSGD-LP transmitter display. In the photo, the transmitter is labeled "FMT 5.0 series" and the transmitter output power is set to 549 Watts. A copy of the October 4, 2019, photograph is attached as Attachment 1.

I declare under penalty of perjury that the facts stated above are true and correct.

A handwritten signature in black ink, appearing to read "Michael Mayne", with a horizontal line drawn through the middle of the signature.

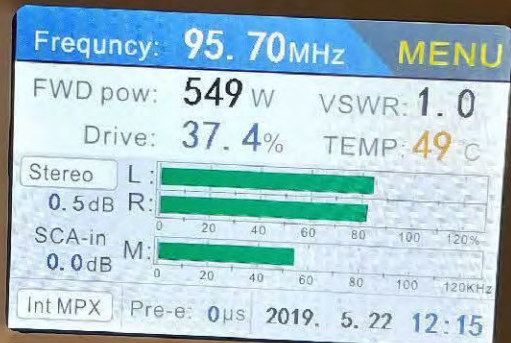
Michael Mayne

Date: 3/4/2020

Attachment 1 to Michael Mayne Declaration
October 4, 2019 Photo of WSGD-LP Transmitter Display

SAMSON

FM75.0 Series



Professional broadcast

CenturyLink™

POWER

DSL

INTERNET

WAN/LAN

ETHERNET

USB

CERTIFICATE OF SERVICE

I, Joseph A. Belisle III, hereby certify that I have this 9th day of March, 2020 caused a copy of the foregoing Opposition to Petition for Reconsideration to be served by email and by U.S. First Class Mail, postage prepaid, to the following:

Mr. Dwayne Williams
Sumarrase Inc.
3507 Lee Blvd
Suite 254
Lehigh Acres, FL 33971

info@suga957.com



Joseph A. Belisle III