

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re: Informal Objection

CEDAR COVE)	File No. 0000143629
BROADCASTING, INC.)	
)	
For pending minor change amendment to CP)	
FM Translator Station KEZF(FM))	Facility Identification Number 172582
Grants, New Mexico)	
)	

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

REPLY AND OPPOSITION TO INFORMAL OBJECTION

Cedar Cove Broadcasting, Inc. ("CCB") hereby files this Reply and Opposition to the "INFORMAL OBJECTION" filed by Albuquerque Public Schools ("APS") dated July 12th, 2021. APS is requesting that the Commission "defer action" of the pending modification of Construction Permit ("CP") for KEZF(FM) Grants, NM, facility ID no. 172582, file no. 0000143629 until after the Commission's announced NCE application window concludes on November 9, 2021.

DISCUSSION

This Informal objection filed by APS should be immediately dismissed. This is a frivolous filing with no technical or legal basis for its filing except for its own admitted purpose of somehow trying to manipulate an upcoming Commission's anticipated NCE application filing window currently scheduled on November 9th, 2021.

KEZF(FM) Grants, NM is currently operating on channel 204C2 (88.7 MHz) with 610 watts, Effective Radiated Power ("ERP") at 820 meters Height Above Average Terrain ("HAAT"). KEZF(FM) was granted a CP on April 13th, 2020 (file no. 0000106757) to change

channels to 216C2 on the same Mt. Taylor communication tower site with an increase to 1,000 watts ERP at 820 meters HAAT utilizing a directional antenna system. The Commission deleted the license of DKQGC(FM) Belen, NM on May 29th, 2021 which was on channel 216C3 (DKQGC had been silent for several years). CCB filed a modification of its CP for KEZF (file no. 0000143629) to basically now specify a non-directional antenna system on channel 216C2 since required protection to the former DKQGC Belen, NM was no longer required.

APS is requesting that the Commission “defer” action on this modification of CP until after the November 9th, 2021 NCE filing window since it might preclude filing of a new NCE-FM application on channel 216 (91.1 MHz) at Belen, NM.

First, this request makes little sense since APS is not asking the Commission to dismiss the pending KEZF(FM) application, but only to “defer action” on the pending application. Thus, it would still be pending and precluding any possible application that might be filed replacing the former DKQGC(FM) Belen, NM operation on channel 216C3 during the anticipated November, 2021 NCE FM filing window.

APS’s informal objection also contains several misleading and/or false statements. APS states “the Commission would be granting additional broadcast service to Grants, NM”. Since KEZF(FM) Grants, NM is only modifying its current licensed operation at Grants, NM, this would not create a new or additional NCE FM service at Grants, NM. APS goes on to state that “while depriving Belen, NM of its sole opportunity to secure a replacement, full power local, noncommercial service.”. This is also not a true statement. CCB conducted a NCE FM channel availability study conducted at the former DKQGC(FM) Belen, NM tower site, and it shows that channel 208C3 could be utilized with 14 KW ERP at 49 Meters HAAT (the former DKQGC Belen, NM operated with only 7 KW on channel 216C3 at this same antenna height) with a

directional antenna system and provide the required 60 dB μ service to Belen, NM. See Figure 1 attached showing an interference study against KVLK Milan, NM which would be closest station requiring protection with a proposed channel 208C3 operation at Belen, NM.

APS states that "It is noteworthy, that Grants, NM has at least 10 licensed radio stations, compared to only 3 radio stations licensed to Belen, NM.". CCB can only find six (6) licensed full power stations licensed to Grants, NM, 5 FM's and 1 AM (KIDS, KEZF, KANM, KDSK-FM, KSFE and KMIN-AM). CCB finds two (2) full power licensed stations and one (1) LPFM at Belen, NM (KLVO, KJFM-AM and KBNM-LP). While Grants, NM has a few more stations licensed to the community, CCB would like to note that Belen, NM is currently receiving 60 dB μ primary service from at least six (6) NCE FM stations (KLYT, KANW, KUNM, KQLV, KFLQ and KXFR). While Grants, NM only receives NCE FM 60 dB μ primary service from four (4) stations (KANM, KEZF, KVLK and KIDS). Thus, as far as NCE service to the two communities, Belen, NM currently receives more service than does Grants, NM. It should also be noted that there is a larger coverage NCE FM operating from the formerly licensed operation DKQGC tower site. KXFR(FM) Socorro, NM on channel 220C3. Hence, there will no NCE FM service area lost with the deletion of DKQGC.

CCB also states, that if its current modification of CP for KEZF(FM) is expeditiously granted, it will expeditiously construct the new operation on channel 216C2, thus vacating its current operation on channel 204C2. This may allow new applications at potential new communities on channel 204 or other channels during the November NCE filing window.

CONCLUSION

CCB respectfully requests that the Informal Objection filed against its KEZF(FM) Grants, NM minor modification of CP application file number 0000143629 be promptly dismissed. APS has not presented any technical, legal basis or precedent cases for the pending application to be dismissed. The APS Informal Objection only seems to have one intended goal and that is to attempt to manipulate an upcoming NCE FM filing window. The APS Informal Objection contains several false and misleading statements, which on its face should cause it to be immediately dismissed.

Respectfully Submitted,

By:



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I certify that one July 20, 2021, a copy of the foregoing document was placed in the United States mail, first class postage prepaid, addressed to the following.

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FIGURE 1 - Ch. 208C3 use at Belen, NM

FMCommander Single Allocation Study - 07-20-2021 - NGDC 30 SEC
DKQGC's Overlaps (In= 0.01 km, Out= 14.59 km)

DKQGC CH 208 C3 DA
Lat= 34 23 44.20, Lng= 107 00 44.10
14.0 kW 49 m HAAT, 1724 m COR
Prot.= 60 dBu, Intef.= 40 dBu

KVLK CH 208 C3 BMLED20160622AAM
Lat= 35 15 12.10, Lng= 107 35 52.10
0.11 kW 800 m HAAT, 3333 m COR
Prot.= 60 dBu, Intef.= 40 dBu

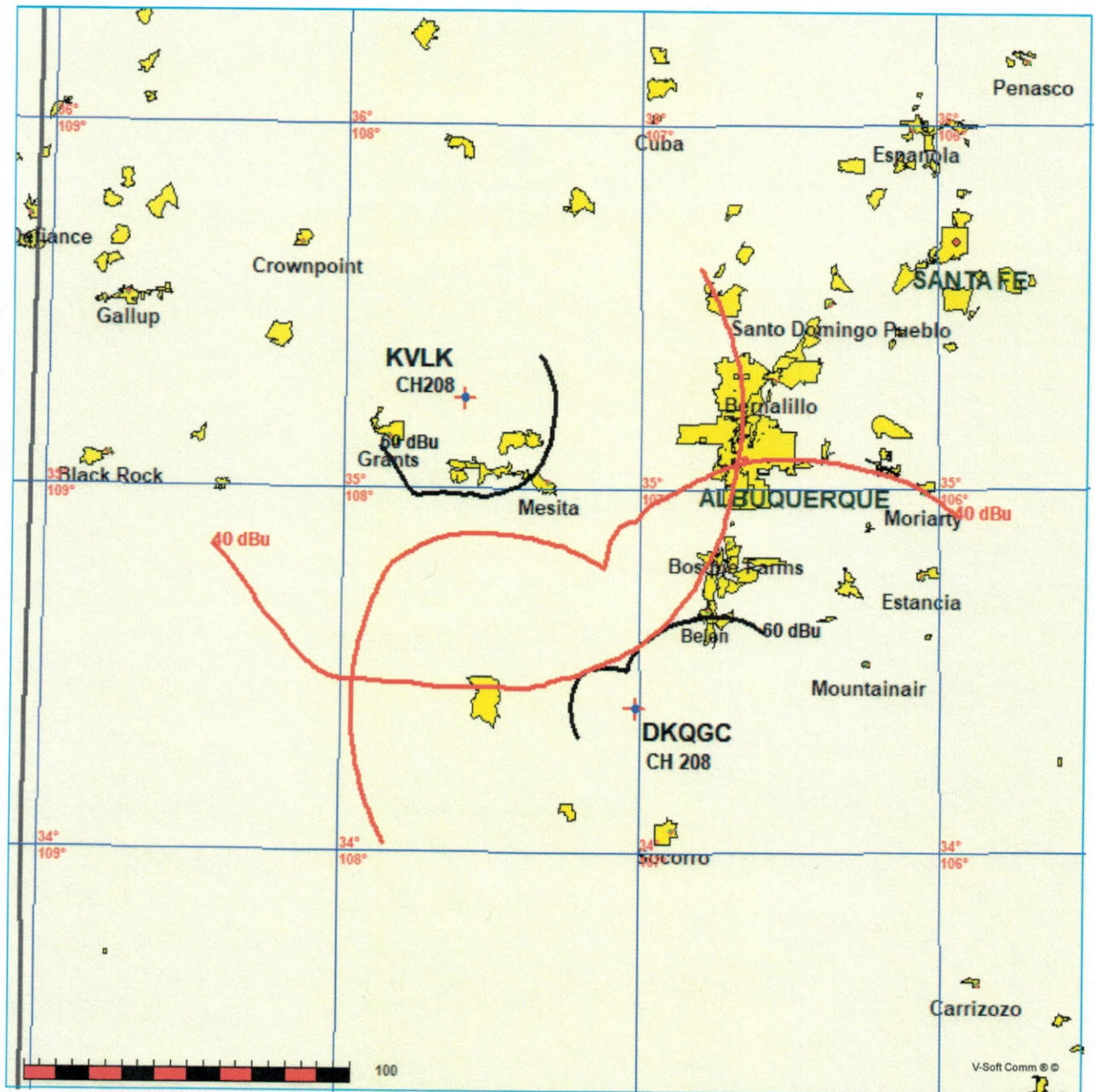


FIGURE 1 - CONTINUED
CHANNEL INTERFERENCE STUDY, CH. 208C3

REFERENCE
34 23 44.20 N.
107 00 44.10 W.

CH# 208C3 - 89.5 MHz, Pwr= 14 kW DA, HAAT= 49.0 M, COR= 1724 M
Average Protected F(50-50)= 24.81 km
Standard Directional

DISPLAY DATES
DATA 07-20-21
SEARCH 07-20-21

CH CITY	CALL	TYPE STATE	ANT AZI <--	DIST FILE #	LAT LNG	PWR(kw) HAAT(M)	INT(km) COR(M)	PRO(km) LICENSEE	*IN* (Overlap in km)	*OUT*
208C3 Milan	KVLK	LIC _CN NM	330.9 150.6	109.19 BMLD20160622AAM	35 15 12.10 107 35 52.10	0.110 800	92.4 3333	32.0 Educational Media Foundati	0.0	14.6
210C Albuquerque	KUNM	LIC _CN NM	29.3 209.7	104.19 BLED20070504ACR	35 12 44.10 106 26 59.00	21.500 1252	9.4 3274	95.1 Regents Of The University	57.0	5.8
206C Albuquerque	KANW	LIC _CN NM	29.3 209.7	104.19 BMLD20090324ABX	35 12 44.10 106 26 59.00	20.000 1266	9.1 3274	94.4 Board Of Education Of The	57.3	6.6
208C0 Ranchos De Taos	KCEY	CP DHN NM	30.5 211.2	239.69 BMPED20140625AOX	36 14 53.10 105 39 21.00	16.700 872	177.1 3309	84.0 Cultural Energy	23.0	64.6
208A Alamogordo	VA0587	VAC _N NM	149.4 329.9	192.59	32 53 56.31 105 57 33.94	6.000 100	111.8 1635	45.8	35.8	32.1
262C Albuquerque	KPEK«	LIC _CN NM	29.2 209.5	104.32 BLH19800117AG	35 12 51.10 106 27 04.00	22.500 1253	127.8 3260	53.8 Ihm Licenses, LLC	30.5R	73.8M
06 -- Radium Springs	K06QK-D«	CP _N NM	187.2 7.1	159.61 BNPDVL-20090917ACZ	32 58 04.20 107 13 39.00	3.000	21.7 2340	55.4	77.1R	82.6M
207D Ruidoso	K207EQ	LIC DHN NM	133.8 314.5	158.23 BLFT20091123AJJ	33 24 14.20 105 46 56.90	0.049 897	11.4 3292	6.4 Eastern New Mexico Univers	101.7	84.1
209C3 Ramah	KTDB	LIC _CN NM	296.6 115.7	144.19 BLED19851218KF	34 57 59.10 108 25 33.20	15.000 88	30.9 2305	20.3 Ramah Navajo School Board,	93.6	90.4
06 -- Orogrande	K06QI-D«	CP DHN NM	148.8 329.4	202.62 0000022040	32 49 47.31 105 53 14.99	3.000	34.0 2391	2.9	36.9R	165.7M
06 -- Chamita	K06PR-D«	CP D_N NM	22.9 203.4	205.47 BNPDVL-20090923ABL	36 05 52.19 106 07 21.71	0.300	19.5 2040	9.4	28.9R	176.6M

Terrain database is NGDC 30 SEC , R= 73.215 qualifying spacings or FCC minimum spacings in KM, M= Margin in KM
In & Out distances between contours are shown at closest points. Reference zone= - Zone 2, Co to 3rd adjacent.
All separation margins (if shown) include rounding. Call signs with strikeout need not be protected.
Ant Column: (D= DA Standard, Z= DA 73.215, N= Not DA 73.215, _= Omni), Polarization (C,H,V,E), Beamtilt(Y,N,X)
"*"affixed to 'IN' or 'OUT' values = site inside restricted contour.
« = Station meets FCC minimum distance spacing for its class.
Reference station has protected zone issue: Mexico