

*Before the  
Federal Communications Commission  
Washington, DC 20554*

|                               |   |                           |
|-------------------------------|---|---------------------------|
| In re Application of          | ) | K269GT                    |
| KING BROADCASTING CORPORATION | ) | LMS0000141921             |
|                               | ) |                           |
|                               | ) | Facility ID Number 141207 |

Renewal of License

To: Office of the Secretary

Att: Audio Division, Media Bureau

**RESPONSE TO OPPOSITION FOR INFORMAL OBJECTION**

In response to the King Broadcasting Corporation ("King") opposition to the Informal Objection filed by SIGA Broadcasting ("SIGA"), this opposition was received by SIGA ON August 30.

King states in the opposition "K269GT commenced operations in 2016; File No. BLFT-20161130AAB." It is uncertain why this permit granted to Elohim Group Corporation, ("Elohim") 12-05-16 was even mentioned in this pleading, but it is also interesting to note that Elohim, filed BPFT-20161230ABF twenty five days later to move to a new location on a tower 1048860 southeast of Huntsville, TX. This site was subsequently licensed in BLFT-20170221ABC, granted 3-06-17.

Just two days later, on 3-08-17, Elohim filed to move this facility yet again in BPFT-20170308AEA which was granted 3-24-17. This facility was covered in permit BLFT-20170414ADL as constructed.

Elohim filed again on 5-12-17 under BPFT-20170512BCG, granted 10-11-17, for another move of the facility after being built out, as stated in BLFT-20171102ACA, for less than 30 days. This application was granted . Elohim evidently hastily constructed the facility and filed BLFT-20171102ACA some three weeks later.

As in previous sites, Elohim was not satisfied with the constructed facility and filed BPFT-20171114ABH six days later to move again after the license application was granted. This application was granted 2-06-2018. BLFT-20180405ACC was filed by Elohim and granted seven days later.

Elohim evidently was not happy with this facility either, as it filed BPFT-20180503ABH less than a month later to move yet again. At this point the moves and application frenzy conducted by Elohim slowed down a bit. Elohim filed BLSTA-20180521ABH taking this much modified facility silent. Shortly afterward BALFT-20181116ADE was filed by Elohim for consent to transfer ownership of the facility to King. This transfer application was granted 12-31-18.

It was during this period between the above mentioned STA and the filing of the transfer application, early in October of 2018 that SIGA began receiving complaints of interference from listeners to the SIGA translator K269GT that had not received such interference before. All of these interference complaints were from a station that was allegedly silent. SIGA identified the source of the programming on channel 269 to be a local LP-FM station on 95.3. SIGA could not determine the location of the 101.7 transmissions, but they were of sufficient signal strength to cause interference one mile away from the location of the SIGA K269GS translator. This is a matter of record in a

petition for reconsideration. SIGA filed a petition for reconsideration 12-13-18 against this Elohim permit to modify K269GT.

On 2-19-19, Elohim filed to modify the existing construction permit BMPFT-2019AAJ. The support structure specified is stated as 49 meters overall height above ground level. This construction permit was never covered. On April 24 of 2019, King filed BPFT-20190424ABD at the same location. This permit specifies a tower overall height of 37 meters with a non directional antenna. This permit was covered by King under BLFT-20190503AAM May 3, 2019.

On June 19, Elohim, filed BPFT-20190619AAC to modify the King permit licensed under BLFT20190503AAM, even though Elohim had filed notice of consummation of the transfer of ownership to King on 2-15-2019. BPFT20190619AAC was filed under Elohim's name using Elohim's FRN 0025751587, signed by Sharai Guel, "President" of Elohim, over four months after the transfer agreement to King was consummated! This is clearly shown in CDBS with the Elohim FRN, even though the LMS now shows Elohim as the applicant but with King's FRN. Evidently the LMS shows all past applications now as filed with King's FRN once the consummation was in the system. So much for the validity of the LMS. Why did the Commission grant this application filed by Elohim of a facility owned by King?

King filed BLFT-20190830ABE to cover on August 30, 2019. This is the site where King claims K269GT resumed operation on April 7 2021. On 7-06-20 King filed request for a silent STA for K269GT claiming the station went silent on 4-15-20. The claim was "the station is silent pending a move to a new transmitter site". This is presumed to be

the site specified in LMS-0000090633, filed 11-21-19 and modified 2-13-20, to relocate to ASR 1049572. On January 14, 2021, King renewed the STA with the same claim as above. It is very suspicious that the existing, supposedly built out site from BLFT-20190830ABE was required to go silent for a year in order to move to the new location ASR 1049572 specified in LMS-0000090633.

In the opposition King supplies a Google Earth map (Attachment 7) showing the location of the support structure behind the Seeds of Praise Ministries facility. SIGA had to walk and or drive by the location of this facility during its visits in April in order to access the gate of the ASR 1302076 tower. This was not an “erroneously photographed tower”, it was the **ONLY** tower, as SIGA couldn’t have failed to notice a support structure over 91 feet tall with a “NIC Model BKG-77(3) HW”! This structure and guy wire system would have been visible from Humble Westfield Road without setting foot on the site of the 105 foot 1302076 monopole. If Google Earth is accessed to show the same location as the map in the King Attachment 7, and the view option to “include historical imagery” is selected, it is clear there is no support structure in existence on 12-2019 at the location shown on the Google Earth map in Attachment 7 nor at the nearby coordinates specified (N 30 0 03.79 W 95 17 15.76 NAD83) in BPFT-20190619AAC, nor the coordinates shown by King in their Attachment 7, within a few tenths of a second of the construction permit and license coordinates. This historical imagery is four months or less after the time King filed the license to cover for BLFT-20190830ABE and seven months before King filed for silent STA in order to “move” this facility “to a new transmitter site”. See SIGA “Attachment One” for a map detailing the journey of

K269GT from Huntsville to Humble Westfield Road. See SIGA "Attachment Two" for the Google Earth historical Imagery from 12-2019.

King submitted several sworn statements from "Tony Simaj" (presumed to be the Anthony Simaj listed as president of King in previous applications), Lisa J. Roberts, Pastor of the Seeds of Praise church where the alleged facility was located, Cristian Elvir (who signed the statement under "penalty of prejudice" as "Cristian *Elvier*") who claimed to be in charge of programming, and Armando Quintero who claims to be at the Church where the facility was alleged to be located in April 2021. Pastor Roberts makes the statement under penalty of perjury. Also it states "Directly next to that address is a near by home." And "the tower was situated in the area between the Church and "a near by home". In both mentions of the near by home, "my residence" and "my residence building" were scratched out and "a near by home" was written in place of "my residence " and my residence building". SIGA would like to know and asks Ms. Roberts when exactly this tower was erected, dismantled, erected again, and dismantled again. SIGA would also ask who owns the property adjacent to the church where the tower had to have the base support structure and or guy wires located and if the owner(s) gave permission or were aware of the existence of said structure. There is a vague picture showing some sort of temporary push up structure, that is not nearly 91 feet tall, with a piece of coax dangling off the side. There is another very unclear picture of a very different structure, but no reference background as to where it might be located. It could be any site anywhere. SIGA would request dated materials documenting both such structures.

The statement of Mr. Elvir, or Elvier, states he received a call in April of 2019 from Simaj to assist in restoring programming, but makes no mention of anything pertaining to April of 2020. Armando Quintero states that in April 2021, he “was at the Church, where Seeds of Praise Ministries is located” where we installed the “K269GT 101.7 FM station”, but does not mention the exact date such restoration took place. Homero Lozano submitted a statement that he traveled to this location to “install K269GT at 9036 Westfield Rd, Humble TX. Mr. Lozano states, “this station was installed in the previous direction at a height of approximately 90 feet from the ground” but again he does not state a specific date when such installation takes place. It is apparent that Mr. Elvir or Elvier, Mr. Quintero, and Mr. Lozano either do not know the date the alleged facility recommenced operation or are hesitant to swear to such a fact under penalty of perjury. The statements are vague and do not convincingly support that an antenna structure existed on April 15, 2021.

It is apparent that Elohim and King are connected entities as Elohim was filing applications under King after consummation. It is not known whether is King is working as a partner for Elohim in the march of this facility from Huntsville to Humble or vice versa. As it appears that Elohim and King are virtually the same entity, SIGA would like to see a copy of the lease agreement and record of payments for rent of the tower site in BPFT-20161230ABF, ASR 1048860. SIGA would also request any documents of payments between King and Elohim to prove ownership and the actual relationship.

It is very likely the string of moves done by Elohim and King were all a sham of paper moves to get around a major filing requirements, and the first actual operation at a

licensed site took place at the presently licensed site filed under LMS-0000158662. It is very apparent from the response from King in their opposition and SIGA's monitoring of the operation that the facility was not on air at the Humble Westfield road in April of 2021. Furthermore from the Google historical imagery, if the facility ever did exist at the Humble Westfield Road site, it had been removed by December 2019, long before King notified the Commission it was silent in April 2020. The reason for going silent is absurd as there is no reason to go silent for a year to move transmitter site. The real reason for going silent was at best the facility of BLFT-20190830ABE was temporary construction, and if it did operate at all was only on the air for a few days. The K269GT license should be cancelled for numerous reasons, the first and foremost of which is failure to operate for over twelve months.

See SIGA "Attachment Three" for sworn statements from SIGA personnel.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'Gabriel Arango', with a long horizontal flourish extending to the right.

Gabriel Arango

President SIGA Broadcasting

**BPFT20161230ABF**

Latitude: 30-32-03.72 N  
Longitude: 095-23-59.79 W  
ERP: 0.062 kW  
Channel: 269  
Frequency: 101.7 MHz  
AMSL Height: 291.0 m  
Elevation: 133.0 m  
Horiz. Pattern: Omni

**SIGA ATTACHMENT ONE****BPFT20170512BCG**

Latitude: 30-26-19.74 N  
Longitude: 095-12-31.77 W  
ERP: 0.15 kW  
Channel: 269  
Frequency: 101.7 MHz  
AMSL Height: 180.0 m  
Elevation: 73.0 m  
Horiz. Pattern: Omni

**BLFT20180405AAC**

Latitude: 30-15-45.50 N  
Longitude: 095-14-47.90 W  
ERP: 0.05 kW  
Channel: 269  
Frequency: 101.7 MHz  
AMSL Height: 377.7 m  
Elevation: 42.7 m  
Horiz. Pattern: Directional

**BPFT20190424ABD**

Latitude: 30-05-19.78 N  
Longitude: 095-14-40.76 W  
ERP: 0.06 kW  
Channel: 269  
Frequency: 101.7 MHz  
AMSL Height: 60.0 m  
Elevation: 26.0 m  
Horiz. Pattern: Omni

**BPFT-20190619AAC**

Latitude: 30-00-03.79 N  
Longitude: 095-17-15.76 W  
ERP: 0.06 kW  
Channel: 269  
Frequency: 101.7 MHz  
AMSL Height: 55.0 m  
Elevation: 27.0 m  
Horiz. Pattern: Directional

**K269GT 10459572**

0000150750  
Latitude: 29-53-42.70 N  
Longitude: 095-26-20.60 W  
ERP: 0.25 kW  
Channel: 269  
Frequency: 101.7 MHz  
AMSL Height: 179.7 m  
Elevation: 27.7 m  
Horiz. Pattern: Directional

BPFT20161230ABF

BPFT20170512BCG

BLFT20180405AAC

BPFT20190424ABD

BPFT-20190619AAC

K269GT 10459572

K269GT-A

 60 dBu Translator Contour

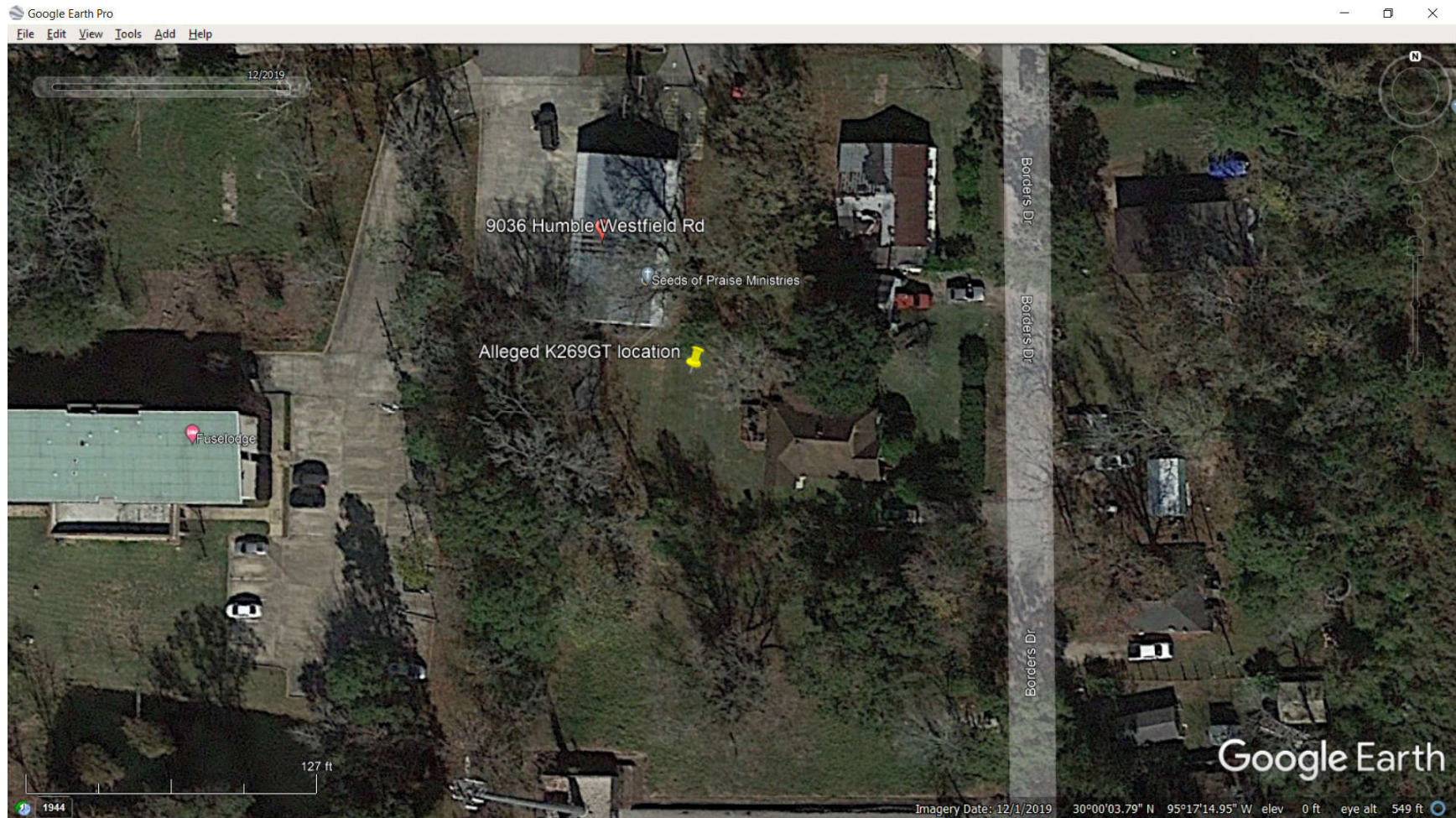
Scale 1:843,750



V-Soft Communications LLC ©



SIGA ATTACHMENT TWO  
Google Earth Imagery 12-2019



I Gabriel Arango, president of SIGA Broadcasting state the following under penalty of perjury:

Both myself and my son Julian visited the site of the previously licensed K269GT (BLFT20190830ABE) on three different occasions, before, on, and after April 19, 2021. We both listened to 101.7 in the area of the alleged operation on those three occasions and heard no signal, either programming or a silent carrier from the facility. In order to take the pictures of the cell tower in the Informal Objection, ASR 1302076, we walked and drove directly by the location of the alleged tower behind the Seeds of Praise facility. We literally walked by the location of the alleged 28 meter antenna support structure for K269GT. Nothing was present at this location.




Gabriel Arango  
SIGA Broadcasting, Inc.  
Date: September 29, 2021

**CERTIFICATE OF SERVICE**

I, Gabriel Arango certify that a true and correct copy of the foregoing Opposition to Informal Objection was sent on this 30<sup>th</sup> day of September, 2021 via First-Class mail prepaid postage to:

Dan J Alpert  
Law Office of Dan J. Alpert  
2120 N. 21<sup>st</sup> Rd.  
Arlington, VA 22201

A handwritten signature in black ink, appearing to read 'Gabriel Arango', is written over a horizontal line.

Gabriel Arango  
SIGA Broadcasting, Inc.