

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

In the Matter of)	
)	
IMMANUEL BROADCASTING)	File No. 0000153780
NETWORK, INC.)	Facility No. 153804
(Assignor))	
and)	
LIGHT MEDIA HOLDINGS, INC.)	
(Assignee))	

For Consent to Assignment of License
FM Translator W271CV, Atlanta, GA

To: Office of the Secretary
Attention: Chief, Media Bureau
(Audio Division)

REPLY TO OPPOSITION TO INTERFERENCE COMPLAINT

Word Christian Broadcasting, Inc. (“WCB”) by its counsel, respectfully files this Reply to Opposition to Interference Complaint (“Opposition”) filed December 30, 2021, by Light Media Holdings, Inc. (“LMH”). As previously set forth in this proceeding, FM Translator W271CV, Atlanta, GA, Facility ID No. 153804 (“W271CV” or “IBN Translator”), currently licensed to Immanuel Broadcasting Network, Inc. (“IBN”) is causing destructive interference to WCB’s co-channel FM Translator W271DK, Dallas, GA (“W271DK” or “WCB Translator”). The captioned application is pending, which seeks consent to the assignment of W271CV from IBN to LMH (“Assignment Application”).

On September 29, 2021, WCB filed a *Supplement to Informal Objection; Interference Complaint; and Reply to Response to Informal Objection and Interference Complaint* (“Supplement”) to which neither IBN nor LMH have responded.

In its latest Opposition, LMH argues that WCB's Interference Complaint should be dismissed because the WCB Translator was not authorized prior to the IBN Translator. This is incorrect. The plain language of Section 74.1203(a)(3) of the Rules is crystal clear. It provides that an authorized FM translator or booster station will not be permitted to continue to operate if it causes any actual interference to "[t]he direct reception by the public of the off-the-air signals of any full-service station or previously authorized secondary station." [Emphasis added.]

LMH's Opposition misinterprets Section 74.1203(a)(3) of the Commission's Rules, basing its argument on its interpretation of the rule that a secondary station must be licensed to be protected from interference. Nowhere in its one-page Opposition does LMH provide any support for its novel interpretation of the rule. Although WCB's license to cover application for W271DK was filed on September 9, 2021, the Commission issued an authorization for the WCB Translator via construction permit that was granted on September 14, 2018.

Thus, the WCB Translator was authorized on September 14, 2018 and therefore was entitled, pursuant to Section 74.1203(a), to protection from interference from the IBN Translator as of that date. It does not matter, for purposes of compliance with and protection pursuant to, Section 74.1203(a), when the WCB Translator or the IBN Translator actually commenced broadcasting. If the Commission had intended for Section 74.1203(a) to refer to previously "licensed" secondary stations, rather than previously "authorized" secondary stations, the Commission would have so stated. Because Section 74.1203(a) explicitly states that FM translators may not cause interference to previously "authorized" FM translators, the Commission must find in this case that listeners of the WCB Translator are entitled to complete protection from the IBN Translator's broadcast transmissions.

Request for FCC Letter of Inquiry

WCB has observed that, whenever WCB files a complaint or update to its complaint, the interference temporarily ceases from the IBN Translator. But then, after a short period, it resumes. It is apparent that the IBN Translator is operating with facilities higher than authorized, which disrupts operations by the WCB Translator. The WCB Translator transmitter site is 27.9 miles from the transmitter site for the IBN Translator.¹ Under no circumstances, operating with licensed parameters, should the IBN Translator cause destructive interference to the WCB Translator.

In its *Supplement*, WCB provided evidence of interference by the IBN Translator in submitting the eleven interference complaints, but neither LMH nor IBN has responded to WCB's documented areas of interference. Also, on October 26, 2021, undersigned counsel emailed the CEO of LMH, and requested that the following information be provided to WCB:

1. The make and model of the actual antenna in use;
2. The manufacturer's antenna gain;
3. Make, model and length of the transmission line;
4. Any other losses that would impact the system efficiency and Transmitter Power Output; and
5. Transmitter Power Output presently being used.

Neither IBN nor LMH has provided the information that could resolve this issue. The Commission should require them to do so at once. WCB is willing to allow representatives of LMH to inspect the WCB Translator transmission equipment to demonstrate compliance with the Commission's rules, and to conduct on-off tests.

¹ See WCB's *Supplement*, filed September 29, 2021, Technical Exhibit at p. 2.

IBN has been served with copies of all of the pleadings and e-mails in this proceeding. However, IBN, the licensee of the IBN Translator, has been strangely silent. As licensee of W271CV, IBN has the responsibility to assure that W271CV is operating within licensed parameters. This raises a question as to whether there has been an unauthorized transfer of control of W271CV prior to Commission action on the Assignment Application. WCB requests the Commission to issue to IBN, the licensee of W271CV, a formal letter of inquiry to investigate whether W271CV is operating or has operated with power and antenna combination greater than licensed, and whether IBN is *de facto* in control of W271CV.


LMH does not address in its Opposition the merits of WCB's *Supplement*. That pleading details the severe interference being received by listeners to the WCB Translator as a result of the operations of the IBN Translator.

Because interference is occurring to the reception of WCB Translator, WCB requests the Commission to: (1) not grant the Assignment Application unless the interference is permanently resolved; (2) immediately order IBN to suspend operations of W271CV; and (3) unless and until there is satisfactory resolution of the complaint, revoke the license for W271CV (File No. BLFT-20180111AEP) and cancel the underlying construction permit (File No. BMPFT-20160211ACM).

Respectfully submitted,

WORD CHRISTIAN BROADCASTING, INC.

By



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January 6, 2022

CERTIFICATE OF SERVICE

I, Sherry L. Schunemann, a secretary in the law firm of Smithwick & Belendiuk, P.C., do hereby certify that a copy of the foregoing “Reply to Opposition to Interference Complaint” was mailed, by First Class U.S. Mail, postage prepaid, this 6th day of January, 2022, to the following (email only to FCC Staff Members as noted):

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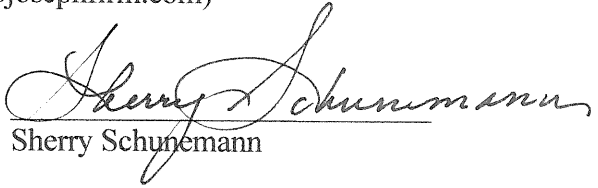
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