

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

In the Matter of:

**ETHREE GROUP, INC.**

**For a New NCE-FM Station at  
Key Colony Beach, Florida**

)  
) **File No. 0000167098**  
)  
) **Facility ID 768682**  
)  
) **MX Group 52**  
)  
)

To: Office of the Secretary  
Federal Communications Commission  
Attn: Chief, Audio Division, Media Bureau

## **Reply to Petition to Deny**

EThree Group, Inc. (EGI) an applicant for noncommercial educational FM station in Key Colony Beach, Florida here by submits its timely Reply to the Petition to Deny filed by Vida Ministry, Inc. (VMI) in regards to Memorandum Opinion and Order, DA 22-238 MX Group 52. EGI hereby denies all claims made by VMI in VMI's Petition to Deny against EGI.

EGI does acknowledge that an exhibit for another application somehow was attached to this instant application and further attest that there were filing issues with the FCC LMS system, which we thought were later rectified. The claims within the EGI application are true irrespective of the erroneous exhibit. The proposed application does

serve Key Colony Beach, Florida (see attached Exhibit 1). Even using VMI claims of 4299 persons<sup>1</sup> served by EGI application, EGI application provides new secondary coverage to this population which is well above the minimum requirements of 2000 people and 10 percent of the total coverage which VMI states is 11,434<sup>2</sup> along with EGI application. Since VMI states no 'fair distribution preference' in its application<sup>3</sup>, and EGI does state a 'fair distribution preference', thus the 'fair distribution preference' is not eliminated in MX Group 52 and EGI application has a superior application to the other and will best serve the local community and public interests.

Wherefore, EGI respectfully request that the Commission dismiss VMI's Petition to Deny and proceed to grant EGI application for a construction permit to move forward with the construction of the proposed FM noncommercial educational station as to best serve the local community and public interest.

Respectfully Submitted;

Charles Keiler – CPBE, CSTE, CSRE,

President - E Three Group, Inc.

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<sup>1</sup> See VMI Petition to Deny – Attachment 1 – Engineering Report

<sup>2</sup> Id. 1

<sup>3</sup> See VMI Petition to Deny – Page 1

## **CERTIFICATE OF SERVICE**

I, Charles Keiler, do hereby certify that a copy of the foregoing Reply To Petition To Deny was this May 5, 2022 sent via email to the following:

Mr. James Bradshaw, Deputy Division Chief  
Audio Division – Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street SW.  
Washington DC 20554  
[james.bradshaw@fcc.gov](mailto:james.bradshaw@fcc.gov)

Dan J Albert  
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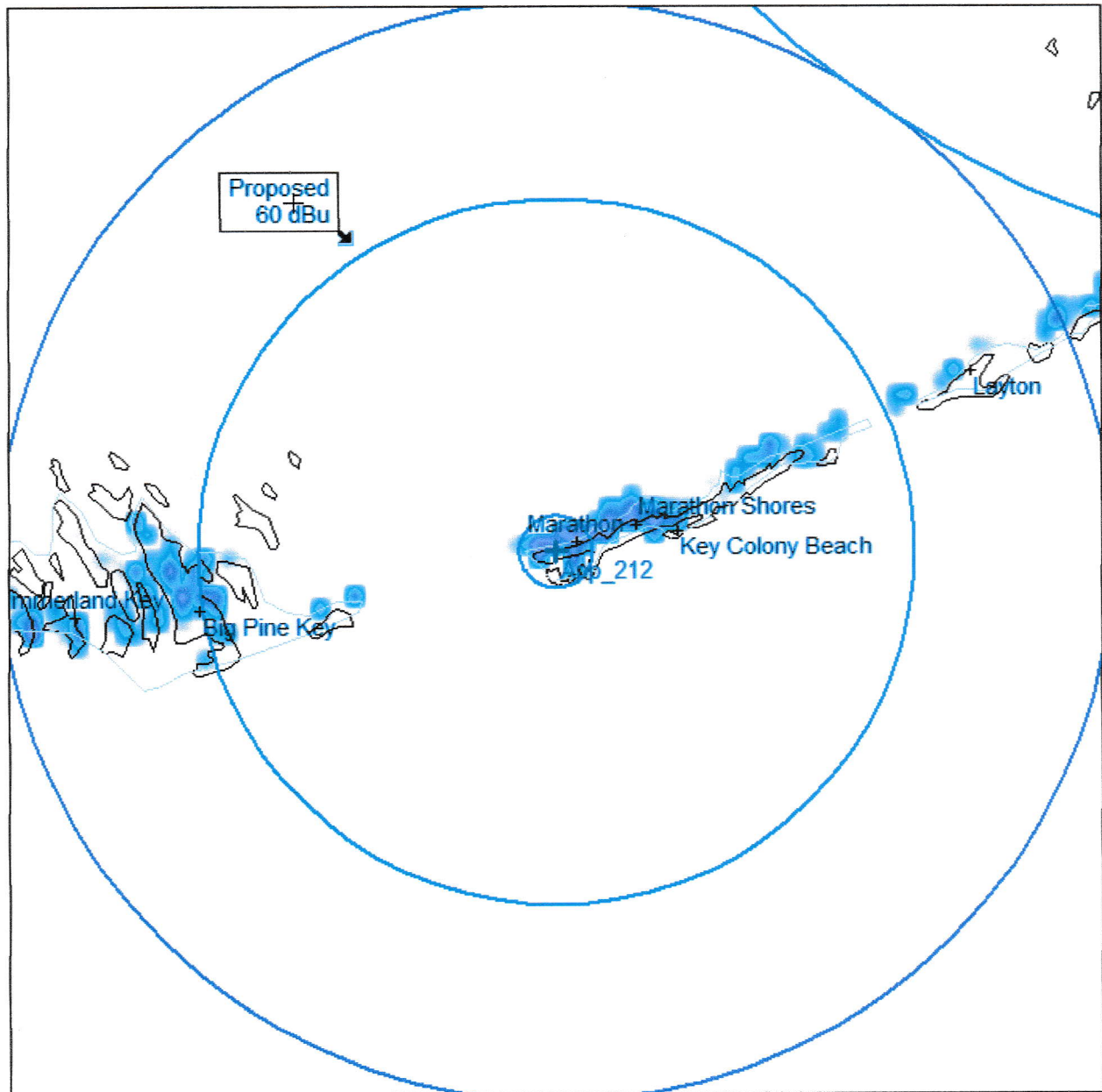
/s/ Charles Keiler

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Charles Keiler

## **EXHIBIT 1**

**EThree Group, Inc.**  
Regarding Facility NCE App – Key Colony Beach, FL



First Service 60 dBu – Pop Served 0  
Second Service 60 dBu – Pop Served 4299<sup>1</sup>  
Aggregate – Pop 11434

<sup>1</sup> See VMI Petition to Deny 04/08/2022