

SCIARRINO & SHUBERT, PLLC  
*BROADCAST & MEDIA LEGAL SERVICES*

Dawn M. Sciarrino‡  
dawn@sciarrinolaw.com  
(202) 256-9551

Katherine Tranchemontagne\*†  
ksuh@sciarrinolaw.com  
(202) 905-8291

Megan Wilson Davis\*^  
megan@sciarrinolaw.com  
(979) 574-9272

August 10, 2022

FILED VIA LMS

Marlene H. Dortch, Secretary  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

Re: Interference Complaint  
W230DH, Hopkinsville, KY (FIN: 202114)  
License to Cover LMS File No. 0000185461

INTERFERENCE COMPLAINT

Sound Broadcasters, Inc. (“Sound”), licensee of WKTG(FM), Madisonville, KY (FIN: 60877) (the “Station”), pursuant to Sections 74.1203 and 74.1204, hereby submits this complaint regarding objectionable interference to full power FM Station WKTG(FM) caused by FM Translator Station W230DH, Hopkinsville, KY (FIN: 202114). W230DH is licensed to HOP Broadcasting, Inc. (“HOP”) and operating pursuant to Program Test Authority while its above-referenced application for license to cover is pending.<sup>1</sup>

W230DH is causing prohibited interference to a full power station in contravention of the Commission’s Rules and has failed to remedy the interference despite expressly acknowledging its existence within WKTG(FM)’s protected contour. Repeated attempts to seek resolution with

---

<sup>1</sup> Construction Permit LMS File No. 0000179749.

330 FRANKLIN RD. SUITE 135A-133 BRENTWOOD, TN 37027-3280  
202.217.3929 (FAX)

‡ Admitted in TN, DC, NY and VA \* Of Counsel † Admitted in DC ^Admitted in TX

the secondary service's licensee, engineer and counsel have resulted in unacceptable delay, continued interference, and requests for the complaining listener's names and contact information, as well as the contents of this complaint.

The revision to the interference rules in 2019 was designed in part to streamline the interference complaint procedures, protect full power stations, eliminate the need for complaining listeners to be directly involved in the complaint resolution process and stop abuses by the interfering translator, particularly with respect to listener involvement. Nonetheless, HOP's counsel claims that it will... "identify whether interference exists and to resolve listener complaints in a mutually acceptable fashion..."<sup>2</sup> This after HOP's President and engineer both acknowledged the interference and promised to *promptly change channels*.

Section 74.1203(a) of the Commission's specifically states ....

"An authorized FM translator or booster station will not be permitted to continue to operate if it causes any actual interference to: .... (3) The direct reception by the public of the off-the-air signals of any full-service station or previously authorized secondary station."

The rule further states that "...

Interference will be considered to occur whenever reception of a regularly used signal is impaired by the signals radiated by the FM translator or booster station, regardless of the channel on which the protected signal is transmitted; except that no listener complaint will be considered actionable if the alleged interference occurs outside the desired station's 45 dBu contour. Interference is demonstrated by:

- (i) The required minimum number of valid listener complaints as determined using Table 1 of this section and defined in § 74.1201(k) of this part;
- (ii) A map plotting the specific location of the alleged interference in relation to the complaining station's 45 dBu contour;

---

<sup>2</sup> See Exhibit E, *infra*.

- (iii) A statement that the complaining station is operating within its licensed parameters;
- (iv) A statement that the complaining station licensee has used commercially reasonable efforts to inform the relevant translator licensee of the claimed interference and attempted private resolution; and
- (v) U/D data demonstrating that at each listener location the undesired to desired signal strength exceeds  $-20$  dB for co-channel situations,  $-6$  dB for first-adjacent channel situations or  $40$  dB for second- or third-adjacent channel situations, calculated using the methodology set out in § 74.1204(b).”

Addressing the rule’s requirements section by section, Sound herein demonstrates without question that W230DH is causing prohibited interference to full power station WTKG(FM). The Commission must order HOP to cease broadcasting on W230DH immediately and dismiss its pending application for license to cover. To wit:

- 1) The protected contour population of WKTG is 372,357 persons. *See Exhibit A* (Engineering Report). Therefore, at least 8 listener complaints complying with the §74.1201(k) requirements must be included. The complaints demonstrating interference from W230DH to WKTG(FM) are attached hereto. *See Exhibit B* (Listener Complaints).
- 2) A map showing the location of the complaints within the WKTG(FM) 45 dBu contour is attached hereto. *See Exhibit A*.
- 3) Sound notified HOP repeatedly regarding the interference to WKTG(FM) and HOP acknowledged that it was aware of the objectionable interference and indicated would promptly change channels. In fact, the owner of Sound, Robert Kelley, contacted the HOP Station Manager, Jeff Sisk, by telephone on June 2, 2022 and was told to contact the licensee’s president and CEO, Mike Tarter. Mr. Kelley then contacted Mr. Tarter on June 3<sup>rd</sup> and 9<sup>th</sup> and was assured they were doing everything they could to move channels quickly.

*See Exhibit C* (Declaration of Robert Kelley). There was also extensive communication between Sound's consulting engineer, George Nicholas, and HOP's engineer, Chuck Anderson, by telephone and additionally by email on June 7, 10 and 21<sup>st</sup>. *See Exhibit D* (Email Correspondence). Finally, the undersigned counsel to Sound reached out via email to HOP's counsel to seek resolution to the interference. Rather than attempt to resolve the matter, HOP's counsel twice demanded the contents of this complaint. *See Exhibit E*.

The admission by HOP's representatives acknowledging awareness of the caused interference (and starkly contrary to their counsel's assertions in their August 5, 2022 letter attached at Exhibit E) and HOP's repeated promises that a change of channel would be forthcoming demonstrate that Sound used commercially reasonable efforts to resolve the interference being caused by W230DH.

In other words, private resolution is at an impasse because, since being informed of the interference HOP has repeatedly stated that it knew W230DH was causing WKTG(FM) interference and that the channel would be changed but, apparently not until the pending interfering license application was granted. This contravenes both the letter and the spirit of the 2019 revisions to the translator interference rule. HOP recognizes the interference and is now waiting to get preferential standing so that it can file a displacement application. HOP made a calculated decision to move in the direction of a co-channel station and improve their facilities; now the predicted interference has manifested itself and the translator must be turned off.

4) WKTG(FM) is operating within its licensed parameters. *See Exhibits A and G*

(Declaration of David Hertel).

5) The U/D data demonstrating that at each listener location the undesired to desired signal strength exceeds -20 dB is attached hereto as **Exhibit A**.

As demonstrated above, Sound has met the Commission's threshold and requests that HOP be directed to cease broadcasting on W230DH immediately and dismiss its pending application for license.

Respectfully Submitted,

*/s/ Dawn M. Sciarrino*

Dawn M. Sciarrino  
Counsel to Sound Broadcasters, Inc.

# TRANSLATOR INTERFERENCE ANALYSIS

## WKTG(FM) Ch 230 C2 – Madisonville, KY

This report is a summary analysis of FM signal interference to WKTG (FM) Channel 230 C2, Madisonville, KY. Sound Broadcasters, Inc., licensee of WKTG (“Sound”) has retained George Nicholas Communications, LLC., to provide technical consulting regarding destructive interference from co-channel translator W230DH, Hopkinsville, KY., Licensed to HOP Broadcasting, Inc., Hopkinsville, KY.

All of the data herein has been calculated using V-Soft Communication’s Probe 5, using the latest FCC and US Census data.

Pursuant to the requirements of 74.1203, we submit the following information:

74.1203 (a)(1) Secondary translator W230DH is causing destructive interference to full-service WKTG 230C2;

74.1203 (a)(3) The maps in this report depict the pertinent 45 dBu contour of WKTG. As shown, all of the noted interference complaints are within the 45 dBu FCC F(50,50) predicted coverage contour. Table 1 of this report includes the names of the complainants, as well as geographic coordinates of the interference site, used in the signal analysis;

74.1203 (a)(3)(i) The required number of complaints is met, and exceeded, based on the population of the WKTG protected contour. The total persons in the WKTG protected contour is 372,357 persons, using the 2022 US Census of Population. This requires WKTG to show a minimum of 8 listener complaints, according to Table 1 of 74.1203 (a)(3);

74.1203 (a)(3)(ii) Map1 and Map2 of this report show the locations of the listener complaints, within the 45 dBu FCC F(50,50) contour;

74.1203 (a)(3)(iii) A Technical Statement from Contract Engineer David Hertel, stating WKTG is operating at licensed output power is also included in this report;

74.1203 (a)(3)(v) Table 1 of this report shows the names and geographic coordinates of the complainants, as well as the predicted (desired) signal of WKTG vs. the (undesired) signal of W230DH. As shown, all of the interfering signals qualify as FCC defined interference, as they are all above the -20 dB minimum required protection for co-channel FM stations (and of course confirmed on the listener’s radios). The results of Table 1 were calculated using V-Soft’s Probe 5 D/U FCC interference calculations.

I certify this report was made by the undersigned, whose qualifications are a matter of record with the Federal Communications Commission. All of the data is true and correct, to the best of my knowledge and belief.



George Nicholas  
Technical Consultant,  
Cedar Rapids, IA  
August 9, 2022

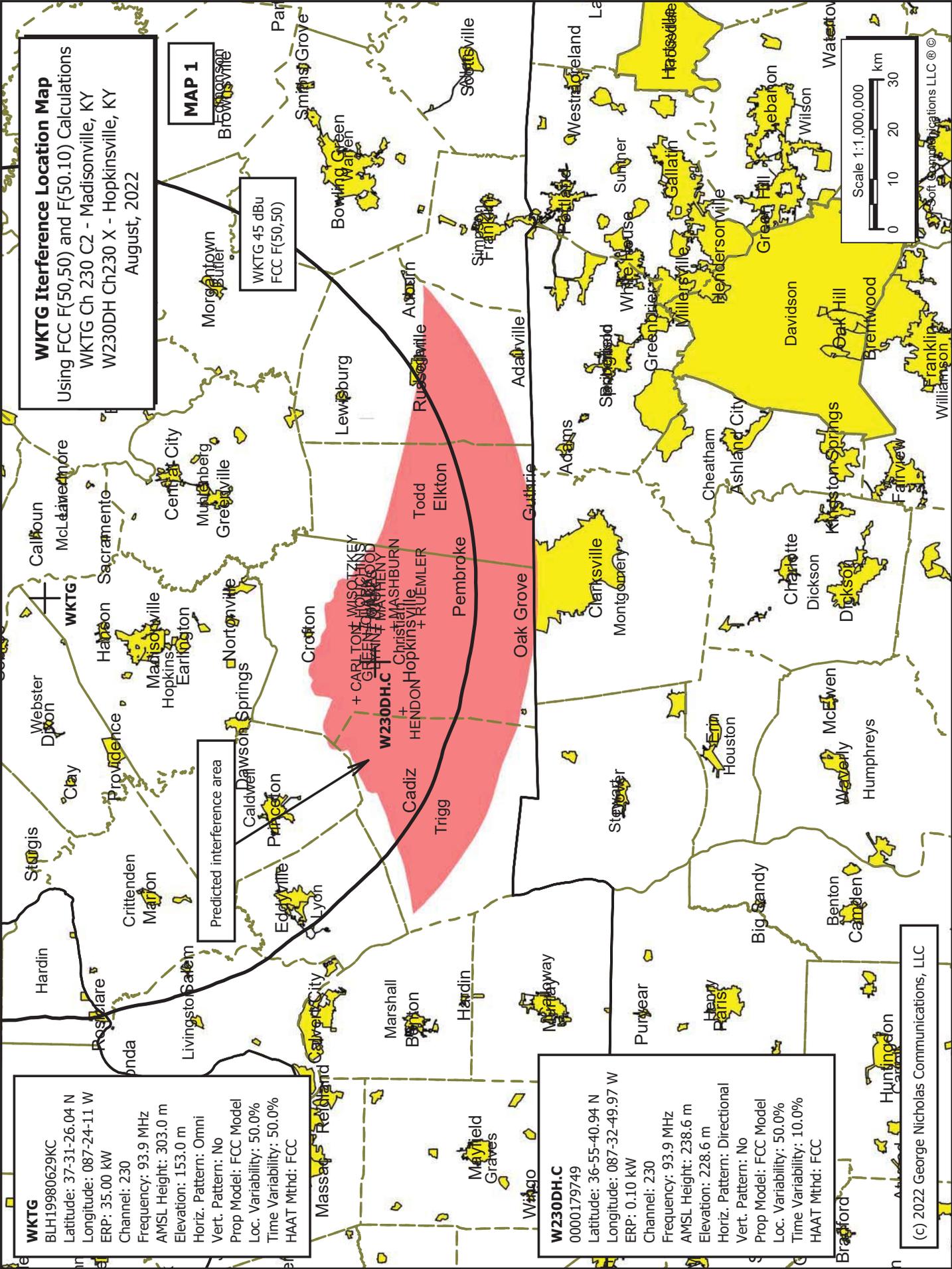
Table 1 WKTG- Locations:

First Name	Last Name	Digital Degrees N Lat	Digital Degrees W Lng	D-M-S N Lat	D-M-S W Lng
RICHARD	WISOTZKEY	36.96883N	87.46579W	36-58-7.79	87-27-56.84
DWAYNE A.	HOUCHINS	36.95472N	87.46736W	36-57-16.99	87-28-02.50
JIMMY	MILLWOOD	36.93672N	87.46972W	42-21-36.36	87-28-10.99
JON	LUCK	36.92654N	87.47172W	36-55-36.54	87-28-18.19
KEN	MATHENY	36.91750N	87.47435W	36-55-03.00	87-28-27.66
SCOTT	MASHBURN	36.89348N	87.46915W	36-53-36.53	87-28-08.94
RANDI W.	RUEMLER	36.84486N	87.46301W	36-50-41.50	87-47-46.84
HANK	HENDON	36.87735N	87.65788W	36-52-38.46	87-39-28.37
CYNTHIA L.	CLARK	36.94397N	87.48420W	36-56-38.29	87-29-03.12
CHRISTOPHER D.	CARLTON	36.96151N	87.63332W	36-57-41.44	87-37-59.95
LOGAN	LYNN	36.92729N	87.47114W	36-55-38.24	87-28-16.10
DAVID	GREEN	36.94146N	87.46889W	36-56-29.26	87-28-08.00
JAMES JIM	OAKES	36.95583N	87.46692W	36-57-20.99	87-28-00.91

Probe 5 Calculations:

Name	N Lat	W Lng	WKTG(230) dBu	W230DH.C(230) dBu	U/D Delta dB*
WISOTZKEY	36-58-07.79	087-27-56.84	55.542	47.888	-7.654
HOUCHINS	36-57-16.99	087-28-02.50	54.818	50.161	-4.687
MILLWOOD	36-56-12.19	087-28-10.99	53.913	53.096	-0.817
LUCK	36-55-36.54	087-28-18.19	53.416	55.253	1.837
MATHENY	36-55-03.00	087-28-27.66	52.947	59.596	6.649
MASHBURN	36-53-36.53	087-28-08.94	51.826	58.770	6.944
RUEMLER	36-50-41.50	087-27-46.84	49.552	53.764	4.212
HENDON	36-52-38.46	087-39-28.37	49.398	49.488	0.090
CLARK	36-56-38.29	087-29-03.12	54.174	54.582	0.408
CARLTON	36-57-41.44	087-37-59.95	53.526	47.421	-6.105
LYNN	36-55-38.24	087-28-16.10	53.443	55.025	1.582
GREEN	36-56-29.26	087-28-08.00	54.151	52.147	-2.004
OAKES	36-57-20.99	087-28-00.91	54.877	50.000	-4.877

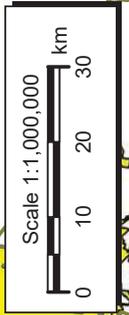
\*-Any signal that exceeds -20dB U/D indicates interference



**WKTG Interference Location Map**  
 Using FCC F(50,50) and F(50,10) Calculations  
 WKTG Ch 230 C2 - Madisonville, KY  
 W230DH Ch230 X - Hopkinsville, KY  
 August, 2022

**MAP 1**

WKTG 45 dBu  
 FCC F(50,50)



Soft Communications LLC ©

**WKTG**  
 BLH19980629KC  
 Latitude: 37-31-26.04 N  
 Longitude: 087-24-11 W  
 ERP: 35.00 kW  
 Channel: 230  
 Frequency: 93.9 MHz  
 AMSL Height: 303.0 m  
 Elevation: 153.0 m  
 Horiz. Pattern: Omni  
 Vert. Pattern: No  
 Prop Model: FCC Model  
 Loc. Variability: 50.0%  
 Time Variability: 50.0%  
 HAAT Mthd: FCC

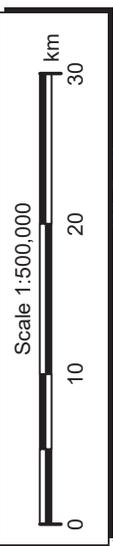
**W230DH.C**  
 0000179749  
 Latitude: 36-55-40.94 N  
 Longitude: 087-32-49.97 W  
 ERP: 0.10 kW  
 Channel: 230  
 Frequency: 93.9 MHz  
 AMSL Height: 238.6 m  
 Elevation: 228.6 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: No  
 Prop Model: FCC Model  
 Loc. Variability: 50.0%  
 Time Variability: 10.0%  
 HAAT Mthd: FCC

(C) 2022 George Nicholas Communications, LLC

**WKTG Interference Location Map**  
 Using FCC F(50,50) and F(50,10) Calculations  
 WKTG Ch 230 C2 - Madisonville, KY  
 W230DH Ch230 X - Hopkinsville, KY  
 August, 2022

**MAP 2**

WKTG 45 dBu  
 FCC F(50,50)

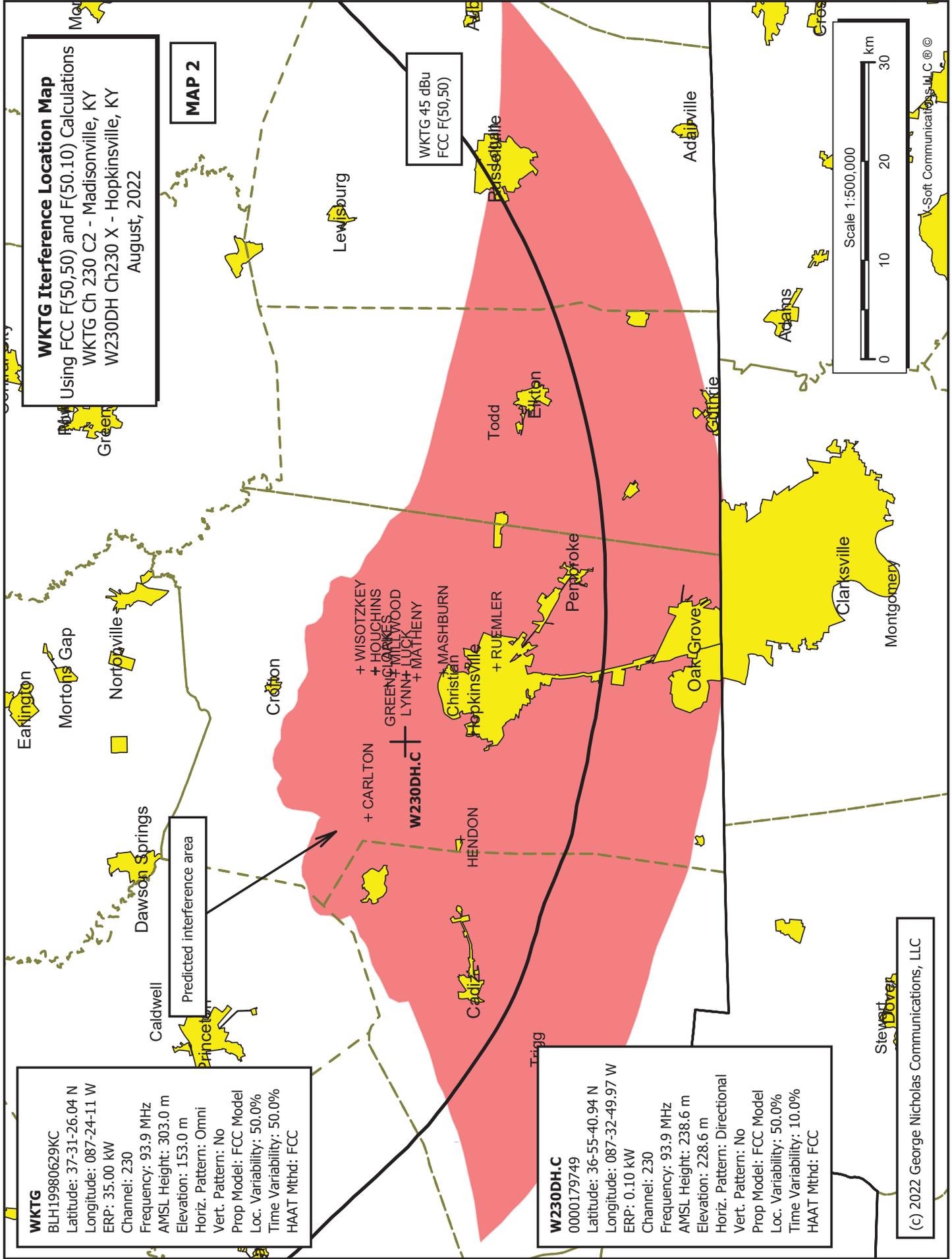


© Soft Communications, LLC

**WKTG**  
 BLH19980629KC  
 Latitude: 37-31-26.04 N  
 Longitude: 087-24-11 W  
 ERP: 35.00 kW  
 Channel: 230  
 Frequency: 93.9 MHz  
 AMSL Height: 303.0 m  
 Elevation: 153.0 m  
 Horiz. Pattern: Omni  
 Vert. Pattern: No  
 Prop Model: FCC Model  
 Loc. Variability: 50.0%  
 Time Variability: 50.0%  
 HAAT Mthd: FCC

**W230DH.C**  
 0000179749  
 Latitude: 36-55-40.94 N  
 Longitude: 087-32-49.97 W  
 ERP: 0.10 kW  
 Channel: 230  
 Frequency: 93.9 MHz  
 AMSL Height: 238.6 m  
 Elevation: 228.6 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: No  
 Prop Model: FCC Model  
 Loc. Variability: 50.0%  
 Time Variability: 10.0%  
 HAAT Mthd: FCC

(C) 2022 George Nicholas Communications, LLC



Predicted interference area

Steward  
 Doves

FULL NAME: Richard (Mike) Wisotzkey

ADDRESS: 620 Pennyrite DR Madisonville Ky  
42431

PHONE NUMBER: 270-836-2885

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

ON July 23-2022 went shopping in Hopkinsville Ky  
① Tractor Supply 10710 Eagle way

AS I WAS driving I had WKTG ON by the time  
I went through Crofton KY I started  
to lose WKTG signal. By the time I arrived  
in Hopkinsville WHOP 93.7 overrode  
WKTG completely.

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? Daily

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8  
and 9 AM on Highway 66 between Goodtown and Badtown, KY or at  
my residence most Saturdays when I am doing my house cleaning)

I listen to WKTG everyday around 3hrs per-day  
I'm retired while I drive around town to shop  
and at my ~~home~~ ~~horse~~ barn I ~~will~~ have WKTG  
ON.

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR  
FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND  
BROADCASTERS, INC.

SIGNATURE Mike Wisotzkey

DATE: 8/1/2022

FULL NAME: Dwayne A. Houchins

ADDRESS: P.O. Box 136 Crofton Ky. 42217

PHONE NUMBER: 270-839-6708

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

Leaving Crofton going to Hopkinsville  
mile marker 16 on Pennyrite Parkway

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? A lot more

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8 and 9 AM on Highway 66 between Goodtown and Badtown, KY or at my residence most Saturdays when I am doing my house cleaning)

Monday thru Sunday in my shop, mowing yard, working  
in yard & garden at least 6 to 8 hours a day.

1<sup>st</sup> pre set on every radio, vehicles, shop & house  
Monday thru Friday 6:00AM traveling to work

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND BROADCASTERS, INC.

SIGNATURE Dwayne Houchins

DATE: 6-22-22

FULL NAME: Jimmy (Danny) Millwood  
ADDRESS: 1251 Eastside Ln Madisonville KY  
PHONE NUMBER: 270-619-2014

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

IG 69 south at mile marker 15; it starts  
cutting out by mile marker 13 95.3  
is heard plain as day.

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? Every day

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8  
and 9 AM on Highway 66 between Goodtown and Badtown, KY or at  
my residence most Saturdays when I am doing my house cleaning)

I'm a truck driver. I listen all day 5 days  
a week until mile marker 13 south on IG 69

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR  
FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND  
BROADCASTERS, INC.

SIGNATURE   
DATE: 7-11-2022

FULL NAME: Jon Luck

ADDRESS: Madisonville

PHONE NUMBER: 270-871-0485

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

Some static at Hopkins/Christian line  
on Pennysile pkwy and loss of signal  
at mm 14 just north of Hopkinsville

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? yes

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8  
and 9 AM on Highway 66 between Goodtown and Badtown, KY or at  
my residence most Saturdays when I am doing my house cleaning)

Monday - Friday 7am - 8am and when  
driving otherwise

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR  
FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND  
BROADCASTERS, INC.

SIGNATURE 

DATE: 4/27/22

FULL NAME: KEN MATHENY

ADDRESS: 450 Country Club Ln Madisonville

PHONE NUMBER: 270-871-6540

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

When Taking I-69 on 169 South to  
Hopkinsville Ky. Your Radio station starts  
Fading From milepost 13 to South 7

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? YES

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8  
and 9 AM on Highway 66 between Goodtown and Badtown, KY or at  
my residence most Saturdays when I am doing my house cleaning)

All The Time everywhere I go! In the Past it  
was all commercials and in the last year it has been  
GREAT Rock & Roll. Thank you very much!

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR  
FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND  
BROADCASTERS, INC.

SIGNATURE Ken W. Matheny & Debra Steukler

DATE: 7/30/22

FULL NAME: Scott Mashburn

ADDRESS: 637 Shamrock Dr. Madisonville

PHONE NUMBER: 270-871-9384

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

1<sup>st</sup> TIME SKYLINE DRIVE

2<sup>nd</sup> TIME EXIT 11 ON PARKWAY (I-169)

3<sup>rd</sup> TIME EXIT 6 ON PARKWAY (I-169)

ALL FROM 95.3 WTOP - OCCURRED IN A 2 MONTH PERIOD

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? YES

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8 and 9 AM on Highway 66 between Goodtown and Badtown, KY or at my residence most Saturdays when I am doing my house cleaning)

most all day (during work) - 5 or 6 days  
a week

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND BROADCASTERS, INC.

SIGNATURE 

DATE: 7-13-2022

FULL NAME: RANDI W. RUMER

ADDRESS: 117 HOLLY LANE WHITE HOUSE, TN 37188

PHONE NUMBER: 615 594-1089.

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

THE LOCATION WAS THE PENNYRILE PARKWAY AT PEMBROKE ROAD. I COULD HEAR 95.3 WITH AT 93.9 MHz. ANOTHER TIME

I WAS ON EAGLE WAY BYPASS ON THE WEST SIDE OF HOBKINSVILLE.  
IN MY OPINION IT WAS MALICIOUS INTERFERENCE AND NOT FROM ATMOSPHERIC CONDITIONS ON VHF FREQUENCIES.

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? Yes.

If so, approximately how many times per month and at what location?

(For example: Monday through Friday on my way to work between 8 and 9 AM on Highway 66 between Goodtown and Badtown, KY or at my residence most Saturdays when I am doing my house cleaning)

I LISTEN ON I-165 FROM BOWLING GREEN TO OVERBORO WHEN 93.3 WDS FADES OUT

ALSO ON GREENVIEW ROAD COMING UP FROM ~~ETOWA~~ EUKTOP, KY.

I ALSO TRAVEL OUT TOWARDS PRINCEFORD FROM TIME TO TIME. I DO

FIELD SERVICE ON MRI & CT MACHINES MOSTLY IN WEST KY.

PLEASE FEEL FREE TO CONTACT ME AT ABOVE NUMBER. I HEREBY <sup>GET THIS RESOLVED</sup> TOWARD

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND BROADCASTERS, INC.

SIGNATURE

Randi Rumer

DATE:

7-28-2022.

FULL NAME: Hank Hendon

ADDRESS: 963 Wingtip Circle Hopkinsville Ky 42240

PHONE NUMBER: 270 836 7953

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

City of Hopkinsville, West of town

Highway 91, Gracey,

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? yes

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8 and 9 AM on Highway 66 between Goodtown and Badtown, KY or at my residence most Saturdays when I am doing my house cleaning)

Monday - Friday 6:30 AM - 2:00 PM

Work in County of Christian

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND BROADCASTERS, INC.

SIGNATURE Hank Hendon

DATE: 6/24/22

FULL NAME: Cynthia L Clark  
ADDRESS: 1900 Empire Rd, Crofton, Ky 42217  
PHONE NUMBER: 270-339-0800

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

N US Hwy 41 after passing  
Hickory Smokehouse Rd.

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? yes

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8  
and 9 AM on Highway 66 between Goodtown and Badtown, KY or at  
my residence most Saturdays when I am doing my house cleaning)

M-F 7:00-7:30AM | 5:00-6:00 PM

Many weekend also if traveling. Also -  
I 169 North after going under Woodburn Hwy  
Rd.

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR  
FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND  
BROADCASTERS, INC.

SIGNATURE Cynthia L Clark

DATE: 4-22-2022

FULL NAME: Christopher D. Carlton

ADDRESS: 5062 Highway 672 Dawson Springs Ky.

PHONE NUMBER: 270 875 9908

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

\_HIGHWAY 91 ON MY WAY TO WORK IN HOPKINSVILLE 10 MILE  
MARKER \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? \_Yes\_\_\_\_\_

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8  
and 9 AM on Highway 66 between Goodtown and Badtown, KY or at  
my residence most Saturdays when I am doing my house cleaning)

I LISTEN TO wktg AT HOME ALL OF THE TIME I ALSO LISTEN TO YOU IN  
THE MORNING, AT LUNCH AND ON THE WAY HOME I WAS ABLE TO DO  
THIS BUT NOW YOU ARE GONE BY THE TIME I GET 9 MILES FROM MY  
HOUSE \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR  
FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND  
BROADCASTERS, INC.

SIGNATURE\_ Chris Carlton \_\_\_\_\_

DATE: \_\_7/6/22\_\_\_\_\_

FULL NAME: Logan Lynn

ADDRESS: 511 Brown Ln, Madisonville Ky 42431

PHONE NUMBER: 270-875-1365

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

Hopkinsville, Ky 93.9 cuts out about  
3 miles before the first Hopkinsville exit on  
the parkway. 95.3 is what is cutting in.

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? yes

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8 and 9 AM on Highway 66 between Goodtown and Badtown, KY or at my residence most Saturdays when I am doing my house cleaning)

Monday through Friday on my way to work in  
Hopkinsville coming from Madisonville between  
7 AM and 8 AM

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND BROADCASTERS, INC.

SIGNATURE Logan Lynn

DATE: June 20<sup>th</sup>, 2022

FULL NAME: David Green

ADDRESS:4715 State Route 853 Greenville, KY 42345

PHONE NUMBER:(270) 841-9159

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

\_ ON MY JOURNEY TO WORK IN HOPKINSVILLE KY WHICH I TRAVEL ALMOST DUE SOUTH THE WHOLE WAY, ABOUT 3-4 MILES NORTH OF THE EXIT 11 INTERCHANGE OF THE PENNYRILE PARKWAY IS WHERE THE 93.9 SIGNAL BECOMES INTERRUPTED. 95.3 WHOP HOPKINSVILLE IS THE STATION THAT BECOMES PREDOMINANT ON THE 93.9 FREQUENCY. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? \_Yes\_\_\_\_\_

If so, approximately how many times per month and at what location?  
(For example: Monday through Friday on my way to work between 8 and 9 AM on Highway 66 between Goodtown and Badtown, KY or at my residence most Saturdays when I am doing my house cleaning)

\_ I listen to 93.9 daily (at least M-F) from 9pm-10pm and from 6:30am-7:30 am any travels to work and back from Greenville KY to Hopkinsville,  
KY. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR FAMILIAL RELATIONSHIP TO WKMG RADIO STATION OR SOUND BROADCASTERS, INC.

SIGNATURE **David Green** \_\_\_\_\_

DATE: 7-10-22

\_\_\_\_\_

James

FULL NAME: Jim Oakes

ADDRESS: 402 Skyline Park Drive Hopkinsville KY 42240

PHONE NUMBER: 270 348 0907

SPECIFIC DESCRIPTION OF LOCATION OF INTERFERENCE

Can no longer listen to 93.9 in Hopkinsville, I frequently travel to Madisonville + Evansville. Lose signal about 5 miles outside of Hopkinsville coming back. Signal is good from 5 miles outside Hopkinsville to Evansville. on 69

DO YOU LISTEN AT LEAST TWICE PER MONTH TO WKTG? Formerly <sup>listened</sup> every day, when in my car, when had signal, now I

If so, approximately how many times per month and at what location?

(For example: Monday through Friday on my way to work between 8 and 9 AM on Highway 66 between Goodtown and Badtown, KY or at my residence most Saturdays when I am doing my house cleaning)

here 95.3 (I think) bleeding over. Have 93.9 preset on radio in both my cars, useless right now. Most of my listening falls between 8 AM and 6 PM daily. Thanks

I HEREBY STATE THAT I HAVE NO LEGAL, FINANCIAL, EMPLOYMENT, OR FAMILIAL RELATIONSHIP TO WKTG RADIO STATION OR SOUND BROADCASTERS, INC.

SIGNATURE James Oakes

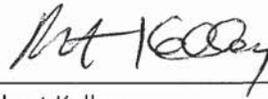
DATE: 6-24-22

RICHARD WISOTZKEY 36.96883N 87.46579W  
DWAYNE A. HOUCHINS 36.95472N 87.46736W  
JIMMY MILLWOOD 36.93672N 87.46972W  
JON LUCK 36.92654N 87.47172W  
KEN MATHENY 36.91750N 87.47435W  
SCOTT MASHBURN 36.89348N 87.46915W  
RANDI W. RUEMLER 36.84486N 87.46301W  
HANK HENDON 36.87735N 87.65788W  
CYNTHIA L. CLARK 36.94397N 87.48420W  
CHRISTOPHER D. CARLTON 36.96151N 87.63332W  
LOGAN LYNN 36.92729N 87.47114W  
DAVID GREEN 36.94146N 87.46889W  
JAMES JIM OAKES 36.95583N 87.46692W

Declaration of Robert Kelley

I, Robert Kelley, President of Sound Broadcasters, Inc. Licensee of WKTG(FM), Madisonville, KY hereby state under penalty of perjury that the attached emails are true and correct copies of emails between myself and Mike Tarter and that I have read the foregoing interference complaint and exhibits thereto and the facts stated therein are true and correct to the best of my knowledge and belief.

Stated the 10<sup>th</sup> day of August 2022.

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

Robert Kelley  
President, Sound Broadcasters, Inc.

## Dawn Sciarrino

---

**From:** Bob Kelley <bob.kelley@wktg.net>  
**Sent:** Monday, August 8, 2022 11:20 AM  
**To:** Dawn Sciarrino  
**Subject:** FW: WHOP translator

Bob Kelley  
President/General Manager  
Sound Broadcasters, Inc.  
WKTG/WFMW

Sound Broadcasters, Inc. does not discriminate in the sale of advertising, and will accept no advertising which is placed with an intent to discriminate on the basis of race, gender, ethnicity, or sexual orientation.

---

**From:** Bob Kelley  
**Sent:** Thursday, June 9, 2022 3:04 PM  
**To:** Mike Tarter <mitarter@forchtbroadcasting.com>  
**Subject:** RE: WHOP translator

Besides waiting for the FCC, what exactly are you looking at doing to stop the interference? Have you looked into only having it on a short time? Can you reduce power? Words on an email don't make things any better as I drive down the road unable to listen to my station. And one of my better advertisers can't hear his commercials play. This has been going on since March and is apparently hung up at the Commission. I'm taking your response as a "no" and you are not going to do anything but wait.

Bob Kelley  
President/General Manager  
Sound Broadcasters, Inc.  
WKTG/WFMW

Sound Broadcasters, Inc. does not discriminate in the sale of advertising, and will accept no advertising which is placed with an intent to discriminate on the basis of race, gender, ethnicity, or sexual orientation.

---

**From:** Mike Tarter <[mitarter@forchtbroadcasting.com](mailto:mitarter@forchtbroadcasting.com)>  
**Sent:** Thursday, June 9, 2022 2:51 PM  
**To:** Bob Kelley <[bob.kelley@wktg.net](mailto:bob.kelley@wktg.net)>  
**Subject:** RE: WHOP translator

Bob- I assure you, we are moving as quickly as possible to resolve the interference you raised last week. We appreciate your continued patience while we work towards that resolution.

---

**From:** Bob Kelley <[bob.kelley@wktg.net](mailto:bob.kelley@wktg.net)>  
**Sent:** Thursday, June 9, 2022 11:59 AM  
**To:** Mike Tarter <[mitarter@forchtbroadcasting.com](mailto:mitarter@forchtbroadcasting.com)>  
**Subject:** WHOP translator

**WARNING:** This message came from an external source. Please use caution when opening any attachments or clicking on links.

Mike,

Good morning. As this application languishes at the FCC, I am hearing listener complaints as well as advertiser complaints. This could go on for several more months. I am asking you for some kind of immediate drastic remediation in the interference being caused by your translator to my radio station. This should allow a way for your plans to play out. Please advise.

Bob

Bob Kelley  
President/General Manager  
Sound Broadcasters, Inc.  
WKTG/WFMW

Sound Broadcasters, Inc. does not discriminate in the sale of advertising, and will accept no advertising which is placed with an intent to discriminate on the basis of race, gender, ethnicity, or sexual orientation.

## Dawn Sciarrino

---

**From:** Bob Kelley <bob.kelley@wktg.net>  
**Sent:** Monday, August 8, 2022 11:20 AM  
**To:** Dawn Sciarrino  
**Subject:** FW: WHOP translator

Bob Kelley  
President/General Manager  
Sound Broadcasters, Inc.  
WKTG/WFMW

Sound Broadcasters, Inc. does not discriminate in the sale of advertising, and will accept no advertising which is placed with an intent to discriminate on the basis of race, gender, ethnicity, or sexual orientation.

---

**From:** Bob Kelley  
**Sent:** Tuesday, June 7, 2022 11:02 AM  
**To:** Mike Tarter <mitarter@forchtbroadcasting.com>  
**Subject:** RE: WHOP translator

Mike, there's not much patience left on this

Bob Kelley  
President/General Manager  
Sound Broadcasters, Inc.  
WKTG/WFMW

Sound Broadcasters, Inc. does not discriminate in the sale of advertising, and will accept no advertising which is placed with an intent to discriminate on the basis of race, gender, ethnicity, or sexual orientation.

---

**From:** Mike Tarter <[mitarter@forchtbroadcasting.com](mailto:mitarter@forchtbroadcasting.com)>  
**Sent:** Friday, June 3, 2022 4:39 PM  
**To:** Bob Kelley <[bob.kelley@wktg.net](mailto:bob.kelley@wktg.net)>  
**Subject:** Re: WHOP translator

Bob-  
Doing fine, hope you are as well.

Please know that we are working as fast as humanly possible to get this project complete. We are not intending to cause anyone any issues or disruptions. This is only temporary, and we are moving as quickly as possible.

I am sorry for the issues, and I appreciate your patience.

Mike

## Mike Tarter

President/CEO

*Forcht Broadcasting*

675 Monticello Street

Somerset, KY 42503

606-485-4444 (Office)

606-344-6103 (Mobile)



---

**From:** Bob Kelley <[bob.kelley@wktg.net](mailto:bob.kelley@wktg.net)>  
**Sent:** Friday, June 3, 2022 3:48 PM  
**To:** Mike Tarter <[mitarter@forchtbroadcasting.com](mailto:mitarter@forchtbroadcasting.com)>  
**Subject:** WHOP translator

**WARNING:** This message came from an external source. Please use caution when opening any attachments or clicking on links.

Hi Mike.....Hope you are doing well. My consulting engineer has been talking to Chuck Anderson about your 93.9 translator in Hopkinsville and your plans to eventually move to another frequency as soon as the FCC gets moving. Please know that this is causing significant interference in my 45 db contour for WKTG and the sooner this can get resolved the better. Are there any steps you can take in the meantime to help reduce this interference? As you know, this has been going on since February and I am getting listener complaints.

Bob

Bob Kelley  
President/General Manager  
Sound Broadcasters, Inc.  
WKTG/WFMW

Sound Broadcasters, Inc. does not discriminate in the sale of advertising, and will accept no advertising which is placed with an intent to discriminate on the basis of race, gender, ethnicity, or sexual orientation.

**From:** charles anderson <[cmanderson43@yahoo.com](mailto:cmanderson43@yahoo.com)>  
**Sent:** Wednesday, June 22, 2022 10:28 AM  
**To:** George Nicholas <[gnicholas@nrgmedia.com](mailto:gnicholas@nrgmedia.com)>  
**Subject:** Re: [EXTERNAL] W230DH TRANSLATOR

The application will be filed as soon as FCC processes permit. My client want to change frequency as soon as possible.

**Charles M. Anderson, PhD**  
**Anderson Associates**  
**5900 Lake Cyrus Drive**  
**Hoover, AL 35244**  
**(270)535-4432**

<http://www.andersonassociatesradio.com>

On Tuesday, June 21, 2022 at 03:58:06 PM CDT, George Nicholas <[gnicholas@nrgmedia.com](mailto:gnicholas@nrgmedia.com)> wrote:

Hi Chuck – Has this been done yet? The client is anxious to get the interference resolved. Anything I can do to help? Let me know.

Thanks!

-gn

**From:** charles anderson <[cmanderson43@yahoo.com](mailto:cmanderson43@yahoo.com)>  
**Sent:** Saturday, June 11, 2022 12:24 PM  
**To:** George Nicholas <[gnicholas@nrgmedia.com](mailto:gnicholas@nrgmedia.com)>  
**Subject:** Re: [EXTERNAL] W230DH TRANSLATOR

I expect an application to change channel to be filed on Monday with a request for expedited processing.

Charles M. Anderson, PhD

Anderson Associates

5900 Lake Cyrus Drive

Hoover, AL 35244

**(270)535-4432**

<http://www.andersonassociatesradio.com>

On Friday, June 10, 2022 at 02:10:44 PM CDT, George Nicholas <[gnicholas@nrgmedia.com](mailto:gnicholas@nrgmedia.com)> wrote:

Hi Chuck – Do we have any idea on the FCC timeline, or is there anything we can do to speed up the process? HOP has refused to discontinue operation, and per our discussion, we are holding off on formal complaint, for the moment.

Please advise.

Thanks!

gn

**From:** charles anderson <[cmanderson43@yahoo.com](mailto:cmanderson43@yahoo.com)>  
**Sent:** Tuesday, June 07, 2022 11:40 AM  
**To:** George Nicholas <[gnicholas@nrgmedia.com](mailto:gnicholas@nrgmedia.com)>  
**Subject:** [EXTERNAL] W230DH TRANSLATOR

George:

This is confirm that WHOP will be moving as quickly as FCC processes permit to change the frequency of this translator.

Chuck

**Charles M. Anderson, PhD**

**Anderson Associates**

**5900 Lake Cyrus Drive**

**Hoover, AL 35244**

**(270)535-4432**

<http://www.andersonassociatesradio.com>

**NOTICE: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

**Dawn Sciarrino**

---

**From:** Avett, Reid <Reid.Avett@wbd-us.com>  
**Sent:** Friday, July 15, 2022 3:05 PM  
**To:** Dawn Sciarrino  
**Cc:** Robert Gates  
**Subject:** RE: W230DH (FIN: 202114) interference to WKTG(FM) (FIN: 60877)

Dear Dawn –

Thanks for your email.

My client, HOP Broadcasting, Inc., would like to resolve this matter privately, if possible. To that end, my client has received notice of the alleged interference claim – but it has not received any information supporting the claim, including any of the standardized requirements set forth in Paragraph 23 of the FM Translator Interference Report & Order (FCC 19-40). On behalf of my client, I request the Paragraph 23 information at your earliest convenience so that my client can review and work to resolve this matter privately.

Regards,

Reid

**F. Reid Avett**

Partner  
Womble Bond Dickinson (US) LLP

d: 202-857-4425  
m: 917-334-6664  
e: [Reid.Avett@wbd-us.com](mailto:Reid.Avett@wbd-us.com)

2001 K Street, NW  
Suite 400 South  
Washington, DC 20006



[womblebonddickinson.com](http://womblebonddickinson.com)



This email is sent for and on behalf of Womble Bond Dickinson (US) LLP. Womble Bond Dickinson (US) LLP is a member of Womble Bond Dickinson (International) Limited, which consists of independent and autonomous law firms providing services in the US, the UK, and elsewhere around the world. Each Womble Bond Dickinson entity is a separate legal entity and is not responsible for the acts or omissions of, nor can bind or obligate, another Womble Bond Dickinson entity. Womble Bond Dickinson (International) Limited does not practice law. Please see [www.womblebonddickinson.com/us/legal-notice](http://www.womblebonddickinson.com/us/legal-notice) for further details.

---

**From:** Dawn Sciarrino <Dawn@sciarrinolaw.com>  
**Sent:** Monday, July 11, 2022 2:05 PM  
**To:** Robert Gates <Robert.Gates@fcc.gov>  
**Cc:** Avett, Reid <Reid.Avett@wbd-us.com>  
**Subject:** W230DH (FIN: 202114) interference to WKTG(FM) (FIN: 60877)

Rob,

I just want to give you a heads up that my client, Sound Broadcasters licensee of WKTG(FM), intends to file an objection against the above referenced application for license. The FM translator has been on air since at least the end of February while the license application has been pending and WKTG(FM) has and continues to receive serious objectionable interference within its protected contour. My client and his engineer have been in discussions with the W230DH permittee, HOP Broadcasting, Inc., and its engineer for a number of weeks, but we've not been able to come to a resolution and the permittee refuses to reduce power or turn off the translator pending resolution of the interference to WKTG(FM). We were told on June 11<sup>th</sup> that the permittee was going to file an application to change channel but no such application has been filed yet. And thus, here we are... I am copying the permittee's counsel so that everyone is aware of the situation.

Best, Dawn

Dawn M. Sciarrino\*  
Sciarrino & Shubert, PLLC  
330 Franklin Road  
Ste. 135A-133  
Brentwood, TN 37027-3280  
(202) 256-9551 (cell)  
(202) 217-3929 (fax)

\*Admitted to practice in TN, NY, VA and DC.

CONFIDENTIALITY NOTICE:

This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please notify the sender, by electronic mail or telephone, of any unintended recipients and delete the original message without making any copies.

CIRCULAR 230 DISCLOSURE: Pursuant to regulations concerning Practice Before the Internal Revenue Service, any tax advice contained herein is not intended or written to be used and cannot be used by a taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer.

## Dawn Sciarrino

---

**From:** Avett, Reid <Reid.Avett@wbd-us.com>  
**Sent:** Friday, August 5, 2022 4:34 PM  
**To:** Dawn Sciarrino  
**Cc:** robert.gates@fcc.gov  
**Subject:** RE: W30DH/WKTG Interference  
**Attachments:** W230DH-WKTG Letter.pdf

Dawn,

Please find attached a letter in reply to your email below. We look forward to working with you to resolve your client's concerns.

Regards,

Reid

### F. Reid Avett

Partner  
Womble Bond Dickinson (US) LLP

d: 202-857-4425  
m: 917-334-6664  
e: [Reid.Avett@wbd-us.com](mailto:Reid.Avett@wbd-us.com)

2001 K Street, NW  
Suite 400 South  
Washington, DC 20006



[womblebonddickinson.com](http://womblebonddickinson.com)



This email is sent for and on behalf of Womble Bond Dickinson (US) LLP. Womble Bond Dickinson (US) LLP is a member of Womble Bond Dickinson (International) Limited, which consists of independent and autonomous law firms providing services in the US, the UK, and elsewhere around the world. Each Womble Bond Dickinson entity is a separate legal entity and is not responsible for the acts or omissions of, nor can bind or obligate, another Womble Bond Dickinson entity. Womble Bond Dickinson (International) Limited does not practice law. Please see [www.womblebonddickinson.com/us/legal-notice](http://www.womblebonddickinson.com/us/legal-notice) for further details.

---

**From:** Dawn Sciarrino <Dawn@sciarrinolaw.com>  
**Sent:** Wednesday, August 3, 2022 5:03 PM  
**To:** Avett, Reid <Reid.Avett@wbd-us.com>  
**Cc:** robert.gates@fcc.gov  
**Subject:** W30DH/WKTG Interference

Reid,  
I haven't heard from you since my email of July 19th, nor has my client heard from your client. As you can see from the attached maps/studies, there is significant co-channel overlap. In cases where there is clear co-channel overlap, as here, the burden does not rest on the full power station to prove interference. This application for construction permit should not have been granted and the translator needs to be taken silent immediately. Furthermore, there is actual objectionable interference occurring which, both you and your client are aware. If W230DH is not taken silent on or

before Friday, August 5<sup>th</sup> at 12 Noon Local Time, we will file a formal complaint with the Commission. Our first request to your client and their engineer to remedy this situation was two months ago on June 3<sup>rd</sup> – and they have done nothing but drag their feet and ignore our requests.

Best,  
Dawn

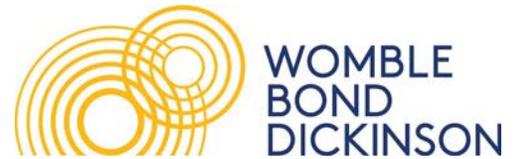
Dawn M. Sciarrino\*  
Sciarrino & Shubert, PLLC  
330 Franklin Road  
Ste. 135A-133  
Brentwood, TN 37027-3280  
(202) 256-9551 (cell)  
(202) 217-3929 (fax)

\*Admitted to practice in TN, NY, VA and DC.

CONFIDENTIALITY NOTICE:

This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please notify the sender, by electronic mail or telephone, of any unintended recipients and delete the original message without making any copies.

CIRCULAR 230 DISCLOSURE: Pursuant to regulations concerning Practice Before the Internal Revenue Service, any tax advice contained herein is not intended or written to be used and cannot be used by a taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer.



August 5, 2022

Dawn Sciarrino, Esq.  
Sciarrino & Associates, PLLC  
5425 Tree Line Drive  
Centreville, VA 20120  
[dawn@sciarrinolaw.com](mailto:dawn@sciarrinolaw.com)

Womble Bond Dickinson (US) LLP

2001 K Street, NW  
Suite 400 South  
Washington, DC 20006

t: 202.467.6900  
f: 202.467.6910

F. Reid Avett  
Partner  
Direct Dial: 202-857-4425  
Direct Fax: 202-261-0095  
E-mail: [Reid.Avett@wbd-us.com](mailto:Reid.Avett@wbd-us.com)

**Re: Your Email of August 3, 2022 – W30DH (sic) / WKTG Interference**

Dear Ms. Sciarrino:

This letter responds to your August 3, 2022 email with the subject of “W30DH (sic) / WKTG Interference”.

This letter constitutes a formal invitation on behalf of HOP Broadcasting, Inc. the Federal Communications Commission licensee of W230DH, Hopkinsville, Kentucky, to provide information on the referenced alleged interference in accord with *Amendment of Part 74 of the Commission’s Rules Regarding FM Translator Interference*, Report and Order, 34 FCC Rcd 3457 (2019) (“*FM Translator Interference Report and Order*”), as affirmed on reconsideration in *Amendment of Part 74 of the Commission’s Rules Regarding FM Translator Interference*, Order on Reconsideration, 35 FCC Rcd 11561 (2020) (“*FM Translator Interference Order on Reconsideration*”). Unfortunately, our previous informal requests for such information have not yet been met with success.

In our previous communications, I requested specific details regarding your client’s allegations that cognizable and actionable interference as recognized by the *FM Translator Interference Report and Order* was indeed occurring to WKTG listeners so that, as contemplated by the *FM Translator Interference Report and Order*, the parties would work together in resolving such claims without the need to burden the Federal Communications Commission. Instead, all we have received from you and your client are unsupported conclusory claims of interference and contour maps which, contrary to one of your statements in your August 3, 2022 email, demonstrate that the subject FM translator was properly granted.

The FCC’s *FM Translator Interference Report and Order*, as upheld by the *FM Translator Interference Order on Reconsideration*, is specific as to what is needed and I direct your attention specifically to paragraphs 11 through 24 in that document, to inform you and your client of such requirements.



HOP Broadcasting, Inc. respectfully requests that it be provided by the WKTG licensee with the following:

- The required minimum number of listener complaints, with each complaint signed and dated by the listener, containing the following information: (1) the complainant's full name, address, and phone number; (2) a clear, concise, and accurate description of the location where the interference is alleged to occur; (3) a statement that the complainant listens to WKTG using an over-the-air signal at least twice a month, to demonstrate the complainant is a regular listener; and (4) a statement that the complainant has no legal, employment, financial, or familial affiliation or relationship with WKTG or anyone associated with it to demonstrate the complainant is disinterested. For the description of the listening locations, please note that the Commission deems appropriate descriptions to include map coordinates, street addresses, street intersections, or other descriptions such as "along Route XX near mile marker XX" or "between Exits 1 and 2 on Route XX" while unacceptable descriptions would include "on my way to work" or "downtown," as they do not inform the complaining station of whether the location is within its 45 dBu contour or provide the translator information with sufficient information to resolve the complaint;
- A map plotting the specific locations of the alleged interference in relation to the 45 dB $\mu$  contour of WKTG;
- A statement that WKTG is operating within its licensed parameters; and
- U/D data demonstrating that at each listener location the ratio of undesired to desired signal strength exceeds 20 dB calculated using the Commission's standard contour prediction methodology.

You claim in your August 3, 2022 email that you intend on August 5, 2022 to "file a formal complaint with the Commission". I again direct your attention to the FCC's *FM Translator Interference Report and Order* at paragraph 23 which states that a mandatory element of your complaint must include "[a] statement that the [WKTG] licensee has used commercially reasonable efforts to inform the relevant translator licensee of the claimed interference and attempted private resolution (emphasis added)". The WKTG licensee clearly cannot make the statement required by the FCC.

Once we receive the information detailed in the FCC's *FM Translator Interference Report and Order*, we will work together with the WKTG licensee to identify whether interference exists and to resolve listener complaints in a mutually acceptable fashion. We intend to work with willing listeners to resolve reception issues using rule-compliant suitable techniques. We may ask that WKTG engage with us in on-off tests and/or field strength measurements at relevant sites. We may also ask that we together engage a mutually acceptable third-party engineer to observe or carry out testing with shared costs.

As the Commission appropriately notes in *FM Translator Interference Report and Order* at paragraph 24, the parties working together as mandated "will eliminate many interference complaints that may be actually due to weak, distant signals from the desired station or related



issues such as multipath fading, atmospheric ducting, poor reception, or other conditions". Therefore, it is in our mutual interests not to burden the Commission until the parties have had an opportunity to work together with shared information.

Accordingly, we renew our request in this formal letter to work with you and your client to resolve the alleged interference and receive the requested supporting information so that we can review and step towards resolution.

Best regards,

**Womble Bond Dickinson (US) LLP**

A handwritten signature in blue ink, appearing to read "F. Reid Avett", with a long, sweeping horizontal line extending to the right.

F. Reid Avett  
Partner

## Declaration

I, David Hertel, a contract engineer for Sound Broadcasters, Inc., licensee of WKTG(FM), hereby state under penalty of perjury that WKTG(FM) is operating within its licensed parameters and has been at all times since W230DH went on air at 93.9 on or about February 28, 2022.

The foregoing is true and correct to the best of my knowledge and belief.

Stated this 8<sup>th</sup> day of August, 2022

A handwritten signature in cursive script, appearing to read "David Hertel", written in black ink.

---

David Hertel

CERTIFICATE OF SERVICE

I, Dawn M. Sciarrino, an attorney with the firm of Sciarrino & Shubert, PLLC, hereby certify that a copy of the foregoing "Interference Complaint" was served by email, this 10<sup>th</sup> day of August 2022 to the following:

F. Reid Avett  
2001 K Street, NW  
Suite 400 South  
Washington, DC 20006  
Womble Bond Dickinson (US) LLP  
Reid.Avett@wbd-us.com

Robert Gates  
Audio Division, Media Bureau  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554  
Robert.gates@fcc.gov

*/s/ Dawn M. Sciarrino*

Dawn M. Sciarrino  
Counsel to Sound Broadcasters, Inc.