

Before the
Federal Communications Commission
Washington, DC 20554

In re Application of

VIDA MINISTRY INC.

)
) **MX GROUP 200**
) **File No. 0000167104**
) **Facility No. 768210**
Pleading File No. 0000215256

For New Non-Commercial

Educational FM Station at Central Gardens, Texas

Filed with: **Office of the Secretary**

Directed to: **Audio Division, Media Bureau**

OPPOSITION TO PETITION FOR RECONSIDERATION

Vida Ministry Inc. (“VMI”), by its attorney, hereby submits its Opposition to the “Petition for Reconsideration” filed by Call Communications Group, Inc. (“CCGI”) with respect to the Commission’s Letter Decision in *Christian Ministries of the Valley, Inc.*, DA 23-358 (April 27, 2023) (the “*Letter Decision*”), granting the application of VMI for a new NCE FM station in Central Gardens, Texas.¹ With respect thereto, the following is stated:

As stated previously, the VMI Application is a part of the NCE MX Group No. 200, which included four applications proposing service to three different communities in Texas. CCGI successfully demonstrated that the coverage calculations for two other former members of MX Group 200 (Christian Ministries of the Valley, Inc. (“CMV”) and CCS Radio, Inc. (“CCSR”)) were overstated and flawed, due to inclusion of coverage over water. Specifically, after excluding water coverage, CCGI computed and reported that CMV’s proposal would provide service to 1321.0 square kilometers. CCGI also stated that after excluding water

¹ This Opposition ordinarily would have been due under the Commission’s Rules on June 9, 2023. This Opposition nevertheless is timely filed within the June 30, 2023 deadline established by the FCC in Universal Licensing, Tower Construction Notification, E-106, and Antenna Structure Registration Systems are Available, Bureau’s Provide Additional Guidance on File Deadline Extensions, DA 23-529 (June 21, 2023), which extended filing deadlines which occurred between June 9-29, 2023, until June 30, 2023.

coverage, CCSR would provide service to 806.23 square kilometers. The Bureau accepted that information and those figures, and determined that utilizing the correct area and population coverage for all applicants, and using the reduced land area value that Petitioner CCGI itself determined, CCGI did not possess a “10% advantage” over the “next best technical proposal,” and did not meet the rule section criteria for being awarded any additional technical points in MX 200. *Letter Decision* at 5. Since VMI prevailed under the tie-breaking criteria pertaining to the number of existing authorizations in existence by each applicant at the time the applications were filed, VMI rightfully was declared the prevailing applicant. That determination should be affirmed.

In its Petition, CCGI claimed there was “no past example” where the Commission used an objector’s population figures in a comparative points analysis. Petition at 5-6. CCGI is wrong. Objectors’ population figures were used in a Commission level decision in *Comparative Consideration of 18 Groups of Mutually Exclusive Applications for Permits to Construct New or Modified Noncommercial Education FM Stations*, 26 FCC Rcd 803, 809 ¶ 16 (2011). Objections’ population figures also were used by the Bureau in a recent case, *New Media Humanity Association Inc.*, DA 23-260 (MB, March 28, 2023).

The Bureau’s decision was based on the most accurate information available to it. The public interest demands that the most qualified applicant be chosen under the Commission’s criteria. In this case, that applicant was VMI. This matter was correctly decided, and should be affirmed.

WHEREFORE, it is requested that this the Petition for Reconsideration filed by Call Communications Group, Inc., be denied, and the application of Vida Ministry, Inc., for a new NCE station to serve Central Gardens, Texas, be affirmed.

Respectfully submitted,

VIDA MINISTRY INC.

By: ____/Dan J. Alpert/_____
Dan J. Alpert

Its Attorney

*The Law Office of Dan J. Alpert
2120 N. 21st Rd.
Arlington, VA 22201
703-243-8690*

June 30, 2023

CERTIFICATE OF SERVICE

I, Dan J. Alpert, hereby certify that a copy of the foregoing “Opposition to Petition for Reconsideration” is being provided by First Class Mail to the following:

Robert J. Robbins, PhD.
President and General Manager
Call communications Group, Inc.
P.O. Box 561832
Miami, FL 33256

_____/Dan J. Alpert_____
Dan J. Alpert