

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC

16 January 2020

Applications of)	
)	
AMFM RADIO LICENSES, L.L.C.)	FRN 0001800689
For Translator Station Renewals)	
)	
W283AB, Florence, SC)	FCC File No. 0000095213
Facility ID 3116)	
)	
W290CD, Darlington, SC)	FCC File No. 0000095218
Facility ID 3117)	
)	
W250BJ, Florence, SC)	FCC File No. 0000096166
Facility ID 158024)	

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Attn: Media Bureau, Audio Division

INFORMAL OBJECTION

Triangle Access Broadcasting, Inc. (“Triangle”), pursuant to 47 C.F.R. §73.3587, objects to a grant of all of the above-referenced applications. On August 1, 2019, AMFM Radio Licenses, L.L.C. (“iHeartMedia”) submitted original applications for renewals of FM translators W283AB (Facility ID 3116), W290CD (Facility ID 3117), and W250BJ (Facility ID 158024) (the “translators”).¹ On January 6, 2020, iHeartMedia amended the original applications to include cross-ownership compliance statements.² On January 9, 2020, iHeartMedia amended the W250BJ renewal application a second time to correct a typographical error.³ Triangle objects to the renewal of these FM translators because they are same-area translators where no technical need has been shown as required by 47 C.F.R. §

¹ FCC File Nos. 0000079512, 0000079513, and 0000079514.

² FCC File Nos. 0000095213, 0000095218, and 0000095211.

³ FCC File No. 0000096166.

74.1232(b). Triangle also objects because the cross-service translators are being used to create a *de facto* FM station.

WWRK is the currently authorized primary station for all three translators as of January 15, 2020. It is also the primary station for all three renewals as published in a newspaper public notice.⁴ Regarding the W250BJ application, WPEK is approximately 175 miles from W250BJ and is situated outside the AM fill-in area such that W250BJ could not be a co-owned cross-service FM translator.⁵ Given iHeartMedia's additional statement in the January 9, 2020, amendment, Triangle infers that WWRK is the primary intended to be specified for the W250BJ renewal such that all three translators specify the same primary AM station and thus retransmit the same programming.

As shown in Exhibit B, 100% of the W283AB service area is common with the area served by W250BJ. W250BJ also overlaps W290CD by 56%. W250BJ itself is overlapped 64% by the combination of W283AB and W290CD. Triangle is not aware that a technical need has ever been demonstrated to justify additional translators retransmitting WWRK. Such a showing is required “when the same programming would be provided to substantially the same area” as the renewals seek.⁶

Using more than one cross-service translator retransmitting WWRK also raises a concern that a prohibited *de facto* FM station gives iHeartMedia's common ownership too many FM stations in the Florence, SC market.⁷ The station is marketed as “The Rock FMs” on the station webpage with no mention of the AM frequency.⁸ The “FMs” are 94.1 MHz (a co-owned FM station WRZE in the southern portion of the market), 97.9 MHz (W250BJ), and 105.9 MHz (W290CD). Other iHeartMedia-owned stations in the Florence, SC MSA are WZTF-FM (facility ID 3115), WEGX (facility ID 16936), WJMX-FM (facility ID 3114), WDAR-FM (facility ID 3120), and WRZE (facility

⁴ See Exhibit A, a copy of the renewal notice taken from the WWRK public inspection file.

⁵ 47 C.F.R. 74.1201(j), 47 C.F.R. § 74.1232(d),

⁶ 1970 *Translator Order*, 20 RR 2d 1538 (1970), at ¶ 5.

⁷ *Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations*, Report and Order, 24 FCC Rcd 9642, 9655 (2009) at 30. See also 47 C.F.R. 73.3555(a).

⁸ See Exhibit C, snapshots of <https://therockfms.iheart.com> taken on January 15, 2020.

ID 3121). Additional FM stations exceed the allowable allocation attributable to iHeartMedia to make iHeartMedia's cross-service translator arrangement objectionable.

As W250BJ overlaps each of W283AB and W290CD more than 50 percent, covering an area with only a single frequency is the most efficient use of spectrum, and because multiple cross-service FM translators are being used to create a apparent *de facto* FM station, only W250BJ should be renewed to be a single cross-service translator retransmitting WWRK. The Bureau should deny renewal and cancel the licenses of the unnecessary W283AB and W290CD translators.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steven L. White", with a long horizontal flourish extending to the right.

Steven L. White

Director; *Triangle Access Broadcasting, Inc.*

7813 Highlandview Cir
Raleigh, NC 27613-4109

Exhibit A

Public notice specifying WWRK (AM) as the primary station for W283AB, W290CD, and W250BJ

Retrieved January 15, 2020, from WWRK Online Public Inspection File

PUBLIC NOTICE CERTIFICATION FOR FM TRANSLATOR STATION W250BJ

The undersigned hereby certifies that station W250BJ, FLORENCE, SC, licensed to AMFM

RADIO LICENSES, L.L.C., published the attached public notice in

The Morning News on 8/2/19.

Licensee: AMFM RADIO LICENSES, L.L.C.

By: 

Title: Market President

Carolina Publishing

Advertising Affidavit

310 South Dargan Street
Florence, SC 29506
(843) 317-6397

Account Number

2156370

Date

August 02, 2019

QANTUM OF FLORENCE, LLC
PO BOX 103000
FLORENCE, SC 29501-3000

Date	Category	Description	Ad Size	Total Cost
08/08/2019	Legal Notices	Florence, SC - W283AB, W290CD, W250BJ LI	1 x 37 L	176.21

Florence, SC - W283AB, W290CD, W250BJ License Renewals - Newspaper Notice for FM Translators

AMFM RADIO LICENSES, L.L.C. hereby gives public notice that on August 1st, 2019, it filed applications with the Federal Communications Commission seeking to renew its license to operate FM translator stations W283AB, W290CD, and W250BJ. W283AB is located at 34-11-55.0 N, 79-46-05.0 W and serves Florence, SC. The station operates on channel 283 at a power of 250 watts, and engages in the rebroadcasting of station WWRK, in Florence, SC, on frequency 104.5. W290CD is located at 34-18-58.0 N, 79-53-17.0 W and serves Florence, SC. The station operates on channel 290 at a power of 145 watts, and engages in the rebroadcasting of station WWRK, in Darlington, SC, on frequency 105.9. W250BJ is located at 34-14-02.0 N, 79-46-51.0 W and serves Florence, SC. The station operates on channel 250 at a power of 250 watts, and engages in the rebroadcasting of station WWRK, in Florence, SC, on frequency 97.9. Individuals who wish to advise the FCC of facts relating to our renewal applications and to whether these stations have operated in the public interest should file comments and petitions with the Commission by November 1st, 2019.

Further information concerning the FCC's broadcast license renewal process may be obtained from the FCC, Washington, D.C. 20554.

Publisher of the Morning News

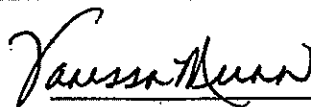
This is to certify that the attached Florence, SC - W283AB, W2 was published in the Morning News in the City of Florence, state of South Carolina on the following dates:

08/02/2019

The First Insertion being given ... 08/02/2019

Newspaper reference: 0001156936

Sworn to and subscribed before me this

8/2/19

Notary Public


Supervisor

State of South Carolina
My Commission expires

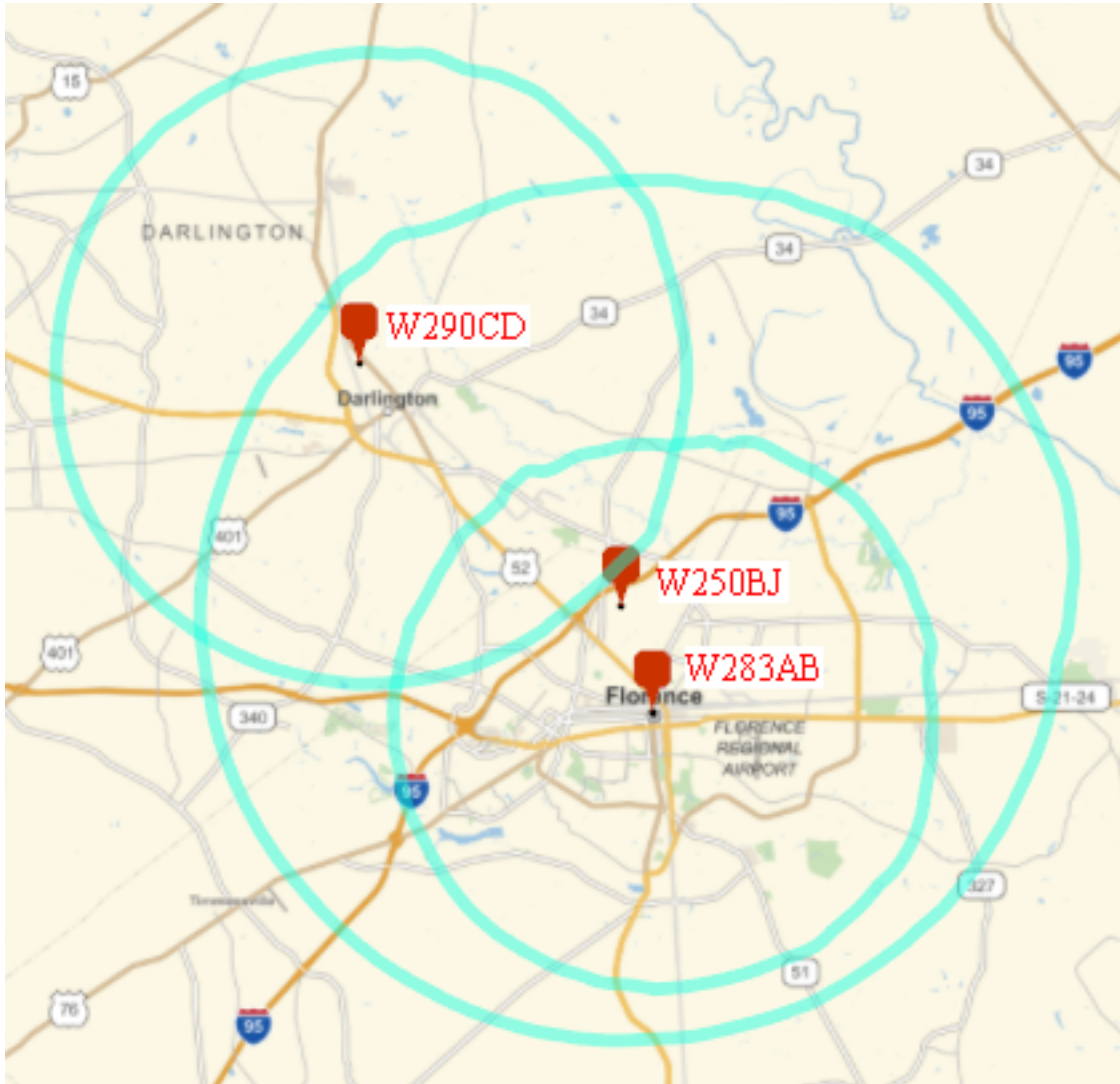
03/12/2029

VANESSA MUNN
Notary Public - State of South Carolina
My Commission Expires
March 12, 2029

THIS IS NOT A BILL. PLEASE PAY FROM INVOICE. THANK YOU

Exhibit B

47 C.F.R. 74.1232(b) Evaluation of AMFM Radio Licenses, L.L.C. Translators



W283AB is overlapped 100% by W250BJ, W290CD is overlapped 56% by W250BJ, and W250BJ is overlapped 64% by the combination of W283AB and W290CD.

Exhibit C

Snapshots of <https://therockfms.iheart.com> taken on January 15, 2020



Listen to the Rock FM's your
Google or Alexa device!



TRENDING



ROCK NEWS

Rock Hall Of Fame Snubs Four Out Of Top Five Fan-Voted Artists

Just Now

...

Certification of Steven L. White

I, Steven L. White, declare under penalty of perjury that I have reviewed the foregoing Informal Objection and, to the best of my knowledge, the facts set forth therein are true and correct.

By: [Electronically Signed]_____
Steven L. White


Dated: January 16, 2020

Certificate of Service

I, Steven L. White, certify that a true and correct copy of the foregoing Informal Objection was sent, this 16th day of January, 2020, by first-class, postage paid mail to the following:

FCC Contact
AMFM Radio Licenses, L.L.C.
7136 S Yale Ave Ste 501
Tulsa, OK 74136-6358

(Licensee/Applicant)

By: 
Steven L. White