Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC

6 February 2020

Applications of	)
	)
SHANKS BROADCASTING, LLC	) FRN 0028454726
For Translator Station Renewal	) FCC File No. 0000088288
W290BD, Montezuma, GA	) Facility ID 153357
	)
EDGEWATER BROADCASTING, INC.	) FRN 0028454726
For Translator Station Renewal	) FCC File No. 0000091905
W258AP, Macon, GA	) Facility ID 152366
	)

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

grants of both of the above-referenced applications. On November 7, 2019, Shanks Broadcasting, LLC

("Shanks") submitted an application for renewal of FM translator W290BD (Facility ID 153357)

retransmitting WBML(AM) (Facility ID 67210). On November 29, 2019, Edgewater Broadcasting,

Inc. ("Edgewater") submitted an application for renewal of FM translator W258AP (Facility ID

152366) that is also retransmitting WBML. Triangle objects because W290BD is a same-area

translator to W258AP while a technical need has not been demonstrated .[1]

As shown in Exhibit A, 94% of the W290BD service area is common with the area served by

W258AP. While Edgewater holds a construction permit to move W258AP, a construction permit is not

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1   47 C.F.R. § 74.1232(b) ("Section 74.1232(b)").

a promise to build. It does not address that substantially overlapping translators transmitting the same programming cannot be licensed. Furthermore, Edgewater's permit still overlaps 50.4% of W290BD when using the KML curves available from the FCC's FM Query tool. As Shanks and Edgewater each operate multiple FM translators, Section 74.1232(b) is applicable.

The Bureau should request copies of the written permissions to rebroadcast WBML and renew only the translator that first received permission. Alternatively, the FCC could inquire of WBML-owner WRWR-AM Radio LLC which translator it prefers to rebroadcast WBML. Finally, the Bureau could renew only W290BD because Edgewater has not been paying regulatory fees on its commercial transmitter employed outside the 501(c)(3)[2] charitable purpose of the organization, such unrelated business activity disqualifying Edgewater from claiming an exemption from regulatory fees. The license for the non-selected translator should expire.

Respectfully Submitted,

Steven L. White
Director; *Triangle Access Broadcasting, Inc.*

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2   26 U.S.C. § 501(c)(3).

Exhibit A

47 CFR 74.1232(b) Evaluation of WBML(AM) Translators

Exhibit A: 47 CFR 74.1232(b) Evaluation of WBML Translators

■ **Procedural Overview:**

Import F(50,50) 60 dBu contours and compute areas. Contours are imported from KML files available through FCC's "FM Query" tool.
Compute overlap between translator and areas covered by other commonly owned / commonly programmed translators.
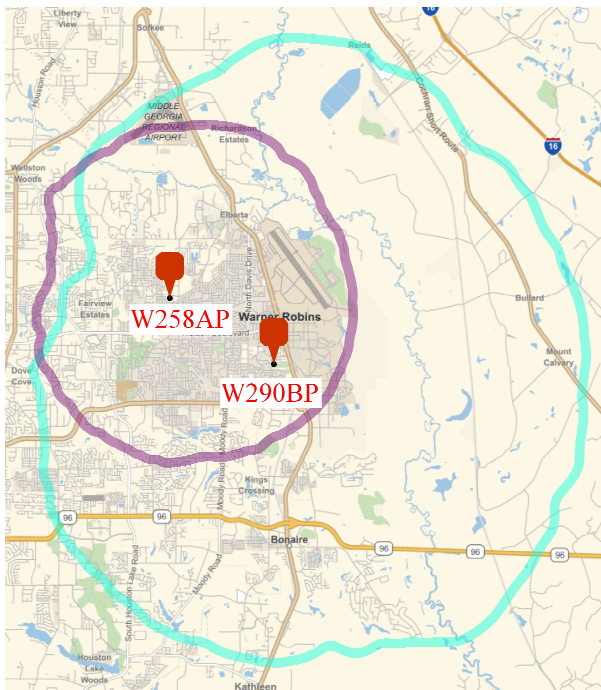A translator is a "same area" translator when area overlap with other common translators exceeds 50%.

KML Import and Area Calculations

Map of Imported Contours

In[699]:= `{kW258AP, kW290BD} = Import[#] & /@ kmlfiles; Show[kW258AP, kW290BD]`

Intersecting Area Calculations

```
In[682]:= i = {1, 2}; (* All translators *)
         fac1 = i[[1]]; fac2 = i[[2]]; (* Get selected facilities *)
         common = BooleanRegion[And, {polygons[[fac1]], polygons[[fac2]]}];
         aoverlap = Area[common];
         (* AND of areas is common service area facility AND all other facilities *)
         overlap1 = 100 * aoverlap / areas[[fac1]];
         (* Common service area / area of facility, converted to % *)
         overlap2 = 100 * aoverlap / areas[[fac2]]; (* As 2-D shapes *)
         sameareagroup = {{FileBaseName[StringSplit[kmlfiles[[fac1]], "\\"][[-1]]], overlap1},
           {FileBaseName[StringSplit[kmlfiles[[fac2]], "\\"][[-1]]], overlap2}}
```

```
Out[685]= {{W258AP, 30.1893}, {W290BD, 94.4832}}
```

```
In[700]:= areaW258AP = GeoArea[Polygon[GeoPosition[kmlW258AP[[All, {1, 2}]], "WGS84"]]];
```

```
In[701]:= areaW290BD = GeoArea[Polygon[GeoPosition[kmlW290BD[[All, {1, 2}]], "WGS84"]]];
```

```
In[702]:= areaCommon = GeoArea[Polygon[GeoPosition[common[[1]], "WGS84"]]];
```

```
In[703]:= {areaCommon, areaW258AP, areaW290BD}
```

$$Out[703]= \left\{ 46.0419\ \text{mi}^2\ ,\ 152.55\ \text{mi}^2\ ,\ 48.7299\ \text{mi}^2 \right\}$$

```
In[693]:= geodesicOverlaps = {100 * areaCommon / areaW258AP, 100 * areaCommon / areaW290BD}
          (* Projections on Earth *)
```

```
Out[693]= {30.1815, 94.4841}
```

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: February 6, 2020

Certificate of Service

I, Steven L. White, certify that a true and correct copy of the foregoing Informal Objection was sent, this 6th day of February, 2020, by first-class, postage paid mail to the following:

Bill Shanks   (Licensee, W290BD)
Shanks Broadcasting, LLC
429 River North Blvd.
Macon, GA 31211-6003

Tom Golding   (Licensee, W258AP)
Edgewater Broadcasting, Inc.
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Twin Falls, ID 83303-0049

John C. Trent, Esq.   (Common Counsel)
Putbrese Hunsaker & Trent, P.C.
200 S. Church St.
Woodstock, VA 22664-1721

By: _____
        Steven L. White