

Before the
Federal Communications Commission
Washington, D.C. 20554

In re Application of)	
)	
NORTHWEST ROCK N ROLL)	FCC File No. 0000115909
PRESERVATION SOCIETY)	Facility ID No. 150021
)	
For License to Cover)	Call sign K266BM
FM Translator)	
Olympia, WA)	

To: Marlene H. Dortch, Secretary

Informal Objection

Bicoastal Media Licenses IV, LLC (“Bicoastal”), the permittee of K267CX, Centralia, Washington, Facility ID 202510,¹ by counsel, hereby respectfully objects to the above-referenced license application filed by Northwest Rock ‘N’ Roll Preservation Society (“NWR”).

On June 8, 2020, NWR, the licensee of K266BM, Olympia, Washington, filed a license to cover a modification of its license to operate with 250 watts and rebroadcast KGTK, Facility ID 47567, Olympia, Washington. NWR also represented in its application for a construction permit in BMPFT-20190618ABI that it would rebroadcast KGTK.

NWR is *not* rebroadcasting KGTK. Attached as Exhibit 1 is a Declaration of Larry Miner attesting to the fact that K266BM is rebroadcasting KGHO-LP, Facility ID 134721, Hoquiam, Washington. The top of the hour station identification recites the translator is

¹ NWR objected to Bicoastal’s construction permit for a new fill-in translator for its AM station, KELA, Centralia-Chehalis, Washington, Facility ID 32996. The Commission granted the construction permit for K267CX in BNPFT-20180430AAV, but it remains administratively tolled because NWR filed a Petition for Reconsideration on December 31, 2019, which remains pending. See Correspondence File in CDBS for FCC File No. BNPFT-20180430AAV.

rebroadcasting KGHO-LP. The same fact was affirmed in a Petition for Reconsideration filed May 28, 2020 on behalf of Bustos Media Holdings, LLC, FCC File No. BNPFT-20180418ABI, in which its counsel stated he traveled to Olympia and Yelm, Washington, and personally heard on the K266BM signal “KGHO-LP Hoquiam Olympia Tacoma” identified at 10:00 a.m. local time on May 6, 2020.²

Not only has NWR represented multiple times in its applications that the translator will rebroadcast KGTK,³ NWR persisted in that representation in its Reply to Opposition to Petition for Reconsideration, filed against Bicoastal’s construction permit application in BNPFT-20180430AAV, in which NWR acknowledges that “it cannot rebroadcast an LPFM at 250 watts at the licensed location.”⁴ Yet that is what it is attempting to do – it is rebroadcasting the signal of an LPFM station far beyond the permissible limits, while boosting the signal to 250 watts on the ruse it is a fill-in translator rebroadcasting a completely different unrelated AM station, contrary to 47 C.F.R. §74.1235(b)(2) which limits non-fill-in translators such as K266BM to an effective radiated power of 10 watts, owing to radial HAAT values in excess of 540 meters on each of the 12 standard radials. To increase power from 10 watts to 250 watts gives NWR motivation to deceive the Commission.⁵

² See https://licensing.fcc.gov/cgi-bin/ws.exe/prod/cdbs/forms/prod/cdbsmenu.htm?context=25&appn=101818112&formid=917&fac_num=202942 (last visited June 11, 2020).

³ In addition to the above-captioned application, see BPFT-20190618ABI and BMPFT-20170925ADX.

⁴ See https://licensing.fcc.gov/cdbs/CDBS_Attachment/getattachment.jsp?appn=101815306&qnum=5000©num=1&exhnum=2 (last visited June 11, 2020), at page 4.

⁵ Bicoastal explained other NWR’s deceptions in its Opposition to Informal Objection in FCC File No. BNPFT-20180430AAV, filed December 7, 2018, which Bicoastal hereby incorporates by reference, at https://licensing.fcc.gov/cdbs/CDBS_Attachment/getattachment.jsp?appn=101797203&qnum=5000©num=1&exhnum=1 along with its Opposition to Petition for Reconsideration at https://licensing.fcc.gov/cdbs/CDBS_Attachment/getattachment.jsp?appn=101814839&qnum=5000©num=1&exhnum=1 (last visited Jun 11, 2020) in connection with NWR’s opposition to Bicoastal’s K267CX translator.

The Commission must not allow NWR to continue to flaunt its rules. Bicoastal Media Licenses IV, LLC, therefore, respectfully requests that the Commission deny the license application.

Respectfully submitted,
BICOASTAL MEDIA LICENSES IV, LLC

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/s/
Melodie A. Virtue
Its Attorney

June 12, 2020

Exhibit A

Declaration of Larry Miner attached

DECLARATION

I, Larry Miner, do hereby declare under penalty of perjury, the following:

I am the General Manager of radio stations KELA(AM), Centralia-Chehalis, WA, and KMNT(FM), Chehalis, WA, which are licensed to Bicoastal Media Licenses IV, LLC.

I listened to the station ID for K266BM, Facility ID 150021, Olympia, WA, licensed to Northwest Rock N Roll Preservation Society, for purposes of determining which station it is rebroadcasting and to record its top-of-the-hour station identification. While listening, I did not hear any identification or reference to KGTK, Olympia, WA.

I recorded the K266BM station ID at 1 pm on October 14, 2019 using my iPhone. The audio file is



embedded here Oct 14 2019 1pm.m4a . The announcement given was: "And the places you can find Classic Rock 'n Roll KGHO-LP 99.9 Hoquiam, 92.7 Aberdeen, 101.1 Olympia Lacy and Tumwater, and 104.1 Tacoma."

I recorded the K266BM station ID at 1 pm on June 11, 2020 using my iPhone. The audio file is embedded



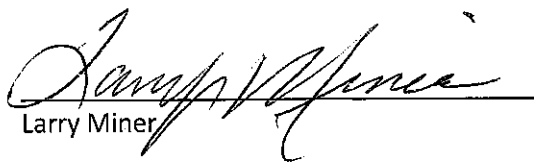
here June 11 1pm.m4a . The translator call sign K266BM is barely intelligible under the music bed, as well as a reference to the frequency for KGHO-LP.

In addition, I recorded the station ID at 9 am on June 11, 2019, which is embedded here



June 11 9am.m4a . The announcement was "101.1 Olympia and 104.1 Tacoma".

The foregoing is true and correct based on my personal knowledge.


Larry Miner

Dated June 12, 2020

Certificate of Service

The undersigned, a shareholder of Foster Garvey PC, hereby certifies that a copy of the foregoing “Informal Objection” was served this date, by U.S. Postal Service First Class mail, postage prepaid, or via electronic mail to those designated with an asterisk, upon the following:

*Albert Shuldiner, Division Chief
Audio Division, Media Bureau
Federal Communications Commission
Albert.Shuldiner@FCC.gov

Brian Spencer, President
Northwest Rock ‘N’ Roll Preservation Society
P. O. Box 2673
Olympic, WA 98507

June 12, 2020

/s/
Melodie A. Virtue