

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In re)	
)	Facility ID# 203222
Silver State Broadcasting, LLC)	File No. BLFT-20190415ABG
K276GW, Winchester, Nevada)	File No. BPFT-20190520AAZ
)	LMS File No. 0000093597
For License, Construction Permit)	LMS File No. 0000112302
)	Facility ID No. 203222

To: Secretary
Attn.: Chief, Audio Division,
Media Bureau

**OPPOSITION OF CHINESE VOICE OF GOLDEN CITY
TO SILVER STATE BROADCASTING, LLC'S
PETITION FOR RECONSIDERATION**

I. INTRODUCTION

Chinese Voice of Golden City ("CVGC"), licensee of low power FM radio station DKQLS-LP, licensed to Las Vegas, Nevada (the "Station"), by its attorneys, pursuant to Sections 1.45(b) and 1.106(g), of the Commission's Rules, 47 CFR §§ 1.45(b) and 1.106(g), hereby opposes the Petition for Reconsideration ("Petition") filed July 29, 2020, by Silver State Broadcasting, LLC ("SSB"). The SSB Petition seeks reconsideration of the June 29, 2020 letter ruling of the Chief Audio Division, Media Bureau ("*June 29 Bureau Letter*"),¹ which:

1. dismissed the Petition for Reconsideration filed by Summit American, Inc. ("Summit"), on June 13, 2019;
2. dismissed the Petition for Declaratory Ruling, or in the alternative, Petition for Reconsideration, and to Reinstate Construction Permit filed by SSB on April 15, 2020;
3. dismissed the pending application for a minor modification of license (File No. 93597) filed by SSB;
4. dismissed in part the Petition for Reconsideration filed by Summit on June 3, 2019, but granted the interference claim set forth in the petition, and
5. ordered SSB to cease operation of translator K284CW immediately.

¹ Letter from Albert Shuldiner, Chief, Audio Division, Media Bureau, June 29, 2020.

CVGC shall demonstrate below that the instant Petition must be dismissed or denied for reasons the Bureau has set out in numerous previous decisions. In addition, because SSB merely repeats arguments the Bureau has considered and rejected on several previous occasions, the Petition should also be dismissed as repetitious, pursuant to Section 1.106(k)(3) of the Commission's rules, 47 CFR § 1.106(k)(3).

II. THE SSB PETITION SHOULD BE DISMISSED AS REPETITIOUS

The *June 29 Bureau Letter* provides a thorough discussion of: (1) SSB's failure to resolve the interference to Summit's KJUL(FM), Moapa Valley, Nevada, caused by SSB's K284CW translator, and (2) SSB's unlawful attempt to move the K284CW translator from Channel 284 to Channel 276, licensed to CVGC's KQLS-LP. The *June 29 Bureau Letter* points out that on April 29, 2020 CVGC filed its "Opposition to Petition for Reconsideration, or, in the Alternative, Petition for Reconsideration, and to Reinstate Construction Permit" ("April Opposition") In its April Opposition, CVGC demonstrated that the Administrative Procedure Act ("APA") required that the SSB CP Application be rescinded, having been improperly accepted for filing.

In addition to the applications at issue in the instant Petition, SSB has filed a series of requests for special temporary authority ("STA") to operate on Channel 276. The most recent was filed on April 21, 2020 (the "April STA Request"). On April 22, 2020, the Bureau dismissed the April STA Request.² On May 4, 2020, SSB filed a Petition for Reconsideration of the dismissal of the April STA request ("STA Dismissal Petition"). On May 12, 2020, CVGC filed an Opposition to the STA Dismissal Petition. CVGC pointed out that SSB's STA Application was actually an attempt to circumvent the Bureau's January 8, 2020 Letter decision which

² *Letter from Dave Bickel, Senior Engineer, Audio Division, Media Bureau to Silver State Broadcasting, LLC* (dated April 22, 2020) ("*April 22 Bureau Letter*").

dismissed SSB's STA Request, which sought the same relief to move its translator from Channel 284 to Channel 276.³ Because the *January 8 Bureau Letter* (which SSB never appealed) had become a final order, the April STA application was barred by the *January 8 Bureau Letter*.

On July 20, 2020, the Bureau denied SSB's STA Dismissal Petition.⁴ In doing so the Bureau stated: "We caution Silver State against filing future STA requests proposing to relocate the Translator to channel 276, Las Vegas, Nevada, as this may constitute an abuse of process."⁵ A similar admonition should be directed to SSB regarding the instant Petition.

In the *July 20 Bureau Letter*, the Bureau pointed out that SSB had failed to address the principal reason for denial set forth in the *April 22 Bureau Letter*.⁶ In the instant Petition, SSB merely seeks to reargue the same issues raised in its April 15 Petition and in its STA Dismissal Petition. SSB cites no new facts or changed circumstances in support of the instant Petition. Therefore, it must be dismissed or denied for all of the reasons set forth in CVGC's Opposition, the *June 29 Bureau Letter* and the *July 20 Bureau Letter*. It also should be dismissed as repetitious, pursuant to Section 1.106(k)(3) of the Commission's Rules.

III. CONCLUSION

SSB has merely attempted to reargue issues that have been fully considered and disposed of by the Bureau in numerous Bureau letters. The instant Petition should be dismissed or denied.

³ *Letter from Dave Bickel, Senior Engineer, Audio Division, Media Bureau to Silver State Broadcasting, LLC* (dated January 8, 2020) ("*January 8 Bureau Letter*").

⁴ *Letter from James D. Bradshaw, Senior Deputy Chief, Audio Division, Media Bureau* (dated July 20, 2020) ("*July 20 Bureau Letter*").

⁵ *Id.* at 5.

⁶ *Id.* at 4.

Respectfully submitted,

CHINESE VOICE OF GOLDEN CITY

By its Attorneys,

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