

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In re Application of)	
)	
BEASLEY MEDIA GROUP LICENSES, LLC)	For Renewal of License
)	File No. 0000115026
Station WDMK (FM), Detroit, MI)	Facility ID No. 4597
)	

To: Marlene H. Dortch, Secretary
Federal Communications Commission

Attn: Media Bureau, Audio Division

OPPOSITION

Beasley Media Group Licenses, LLC (“Beasley”), licensee of Station WDMK(FM), Detroit, MI, by its attorneys, hereby opposes the informal objection to the above-referenced renewal application filed by Triangle Access Broadcasting, Inc. (“Triangle”) on August 10, 2020.¹ Triangle claims that the three FM translators associated with WDMK—W260CB, W252BX and W228CJ—substantially overlap, and that a technical need showing was not submitted. Triangle states that “if Beasley cannot demonstrate that a technical need has existed for its multiple translators that have been retransmitting WDMK-HD-2, then the Bureau should find that Beasley has failed to operate its FM translator stations in the public interest, convenience and necessity during the previous license term.”²

¹ Section 73.3587 of the Commission’s rules provides that the time limits set forth in Section 1.45 of the FCC’s Rules do not apply to responses to informal objections. Nonetheless, Beasley is filing this Opposition within the 30-day time period that applies to oppositions to petitions to deny renewal applications. *See* 47 CFR § 73.3584(b).

² Informal Objection at 2.

Beasley acquired the licenses of Station WDMK(FM) and FM translator stations W260CB, W252BX and W228CJ from Radio One of Detroit, LLC (“Radio One”) on September 1, 2019 (File No. BALH-20190614AAH). At the time of the acquisition, W260CB and W252BX were rebroadcasting the programming broadcast on WDMK- HD-2, and W228CJ was not transmitting programming.³ To ensure that W228CJ could resume operations as expeditiously as possible, Beasley fed the same HD-2 programming to W228CJ. Beasley was aware that WDMK was the primary station for all three FM translators, but did not know that W228CJ was authorized to retransmit WDMK-HD-3. After receiving the Informal Objection, Beasley investigated and determined that Radio One had not submitted a technical need showing because W228CJ was retransmitting a different digital subchannel of the same primary station than W260CB and W252BX were retransmitting.⁴

Because of the substantial overlap between W228CJ and each of the other FM translators, Beasley decided to change the primary station of W228CJ to one of the other stations it operates in the Detroit market-- WMGC-FM. By letter dated September 3, 2020, Beasley notified the FCC of this change.⁵ Because W228CJ is now retransmitting a different primary station than W260CB and W252BX, a technical need showing is not necessary.

³ Beasley does not know how long the translator had been silent before it acquired the stations.

⁴ *See In re Coe W. Ramsey, Esq.*, 32 FCC Rcd 10105, 10122 (M. Bur. 2017) (“Because each FM translator can rebroadcast the signal of only one such digital subchannel, it is logical to conclude that each digital subchannel, rather than the primary station’s signal as a whole, constitutes a ‘signal’ for the purposes of the technical need rule.”)

⁵ *See* Letter to Marlene Dortch dated September 3, 2020, attached hereto as Attachment 1.

For the reasons set forth above, Beasley respectfully requests that Triangle's informal objection be dismissed and that the WDMK renewal application be granted.

Respectfully submitted,

BEASLEY MEDIA GROUP LICENSES, LLC

By: /s/
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September 9, 2020

Its Attorneys

ATTACHMENT 1



WASHINGTON, DC

SALLY A. BUCKMAN
MANAGER
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September 3, 2020

VIA OVERNIGHT COURIER

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9050 Junction Drive
Annapolis Junction, MD 20701

Attn: Audio Division

**Re: Beasley Media Group Licenses, LLC
Notice of Station Rebroadcast by
W228CJ, Detroit, Michigan
(Facility ID No. 148674)**

Dear Ms. Dortch:

Beasley Media Group Licenses, LLC (“Beasley”), licensee of FM translator W228CJ, Detroit, Michigan (Facility ID No. 148674), by its attorneys, hereby notifies the Commission that the station being rebroadcast by W228CJ is WMGC-FM (Facility ID No. 40407). WMGC-FM is licensed to Beasley. Therefore, W228CJ is authorized to rebroadcast the signals.

CDBS currently show that W228CJ is rebroadcasting WDMK(FM). Please make the necessary updates to CDBS.

Please date-stamp the enclosed “Return Copy” of this letter and return it in the enclosed UPS envelope. Should there be any questions concerning this matter, please contact the undersigned counsel.

Sincerely,

/s/
Sally A. Buckman

cc: Robert Gates
Khoa Tran (Khoa.Tran@FCC.gov)

CERTIFICATE OF SERVICE

I, Sharon Krantzman, certify that on this 9th day of September 2020, I mailed a copy of the foregoing Opposition by first-class U.S. mail, postage-paid to the following:

****Al Shuldiner**

Chief of the Audio Division
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Steven L. White

Director

Triangle Access Broadcasting, Inc.
7813 Highlandview Cir.
Raleigh, NC 27613-4109

****Sent by email only**

/s/

Sharon Krantzman