

*Before the*  
**Federal Communications Commission**  
*Washington, DC 20554*

**SDK FRANCO LLC**

)  
) **File No. 0000112788**  
) **Facility No. 148239**

*For License to Cover Construction Permit for K223CW*

Filed with: **Office of the Secretary**  
Directed to: **Audio Division, Media Bureau**

**INFORMAL OBJECTION**

Jose Zamora hereby files this Informal Objection against this Station and this application for license for construction permit.

I am a resident of the Houston area. This station has been operating illegally for quite some time. According to the history of this station, this station originally was licensed to George West, Texas. Its 2016, in construction permit file number BMPFT-20160912ADA, it was allowed to change locations as long as it would rebroadcast KCOH(AM) for four years. "Period of silence shall not count toward fulfillment of this requirement." Attachment A.

As far as I have seen, this station has never complied with this requirement.

From September 2017 to February 2020, Station K223CW rebroadcast Station KJOZ(AM). I personally monitored the station on a periodic basis during that time. The station on the FM translator clearly identified itself as "KJOZ." The fact that KJOZ(AM) was broadcast previously is consistent with the filing made by the former licensee, where the former licensee said that station was required to rebroadcast KJOZ(AM). Attachment 2. It also should be noted that in the CP that the current licensee is trying to get granted, the current licensee ADMITS that a station other than KHOU is being broadcast, and claims that "KJOZ" is being rebroadcast, which is the WRONG PROGRAMMING.

From February 1, 2020, I believe Station K223CW originated programming. The type of programming it was broadcasting was RB music original programming, with no call sign from any primary station, local or otherwise. What I heard in the way of origination of programming is consistent with what the former licensee accused the current licensee of in Attachment 2.

It also should be noted that in the current license application where SDK Franco claims that KJOZ is being rebroadcast, that also is a lie. I have listened to the FM translator as recently as last week. The station being rebroadcast identified itself as KFNC, a station owned by Gow Communications in Mont Belview, Texas. That is the call letters it uses on the FM translator. I

also confirmed that is the station being rebroadcast by listening to both stations, and confirming that the programming is identical. It also should be noted that K223CW is licensed as a fill-in translator. Even if the restriction existing on the FM translator for primary station did not exist, KFNC would not qualify as a "fill-in" since the translator is outside the FM translator's 60 dBu contour. See the REC maps in Attachment 3.

Since the pending application specifies an improper Primary Station and is operating at an improper power with that primary station, the license to cover should be denied.

This information is this is made under penalty of perjury.

Respectfully submitted,

**Jose Zamora**

13310 Indianapolis St.  
Houston, TX 77015  
832-264-0250

December 18, 2020

This is being served on:

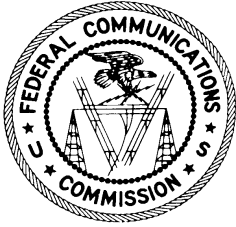
**Francisco T. Montero**  
**Fletcher Heald & Hildreth PLLC**  
**1300 N 17<sup>th</sup> St.**  
**Suite 1100**  
**Arlington, VA 22209**

A handwritten signature in black ink, appearing to read 'Jose Zamora', with a large, stylized initial 'J'.

**Barry Friedman**  
**Thompson Hine**  
**1919 M St., NW**  
**Suite 700**  
**Washington, DC 20036**

**Gow Media**  
**Suite 415**  
**53535 West Alabama**  
**Houston, TX 77056**

Attachment A



**United States of America**  
**FEDERAL COMMUNICATIONS COMMISSION**  
**FM BROADCAST TRANSLATOR/BOOSTER STATION**  
**CONSTRUCTION PERMIT**

Authorizing Official:

Official Mailing Address:

CENTRO CRISTIANO DE VIDA ETERNA  
8230 ANTOINE DR.  
HOUSTON TX 77088

James D. Bradshaw  
Deputy Chief  
Audio Division  
Media Bureau

Facility Id: 148239

Call Sign: K223CW

Permit File Number: BMPFT-20160727ACD

Grant Date: September 06, 2016

The authority granted herein has no effect on the expiration date of the underlying construction permit.

This permit modifies permit no.: BNPFT-20130826ADD

Commission rules which became effective on February 16, 1999, have a bearing on this construction permit. See Report & Order, Streamlining of Mass Media Applications, MM Docket No. 98-43, 13 FCC RCD 23056, Para. 77-90 (November 25, 1998); 63 Fed. Reg. 70039 (December 18, 1998). Pursuant to these rules, this construction permit will be subject to automatic forfeiture unless construction is complete and an application for license to cover is filed prior to expiration. See Section 73.3598.

Name of Permittee: CENTRO CRISTIANO DE VIDA ETERNA

Principal community to be served: TX-HOUSTON

Primary Station: KCOH (AM) , Frequency 1230 kHz, HOUSTON, TX

Via: Other

Frequency (MHz): 92.5

Channel: 223

Hours of Operation: Unlimited

Antenna Coordinates: North Latitude: 29 deg 47 min 51 sec  
 West Longitude: 95 deg 22 min 05 sec

Transmitter: Type Accepted. See Sections 73.1660, 74.1250 of the Commission's Rules

Antenna type: (directional or non-directional): Directional

Major lobe directions 270  
 (degrees true):

Horizontally	Vertically
Polarized	Polarized
Antenna:	Antenna:

Effective radiated power in the Horizontal Plane (kw):	0.01
Height of radiation center above ground (Meters):	152
Height of radiation center above mean sea level (Meters):	167

Antenna structure registration number: 1060608

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 Pursuant to Revitalization of the AM Radio Service, First Report and Order, 30 FCC Rcd 12145, 12153 para. 16 (2015), the permittee/licensee and any successor in interest (licensee) shall be subject to the following restrictions. From the grant of the construction permit and continuing until the facility has achieved four years of on-air operations rebroadcasting the primary AM station identified on this authorization, the licensee may NOT change such primary station being rebroadcast by this translator, nor may it rebroadcast another station when the primary station identified on this authorization is silent. Periods of station silence shall not count toward the fulfillment of this four-year requirement. During this same four-year period the licensee may not assign or transfer the construction permit/license to another party, unless it is to the licensee of the AM station identified on this authorization or unless such assignment or transfer provides for the continuing right of the primary station to rebroadcast on the translator. Minor modifications of this authorization are permitted, provided that the translator will continue to rebroadcast the AM station for which the modification was granted.
- 2 Prior to commencing program test operations, FM Translator or FM Booster permittee must have on file at the Commission, FCC Form 350, Application for an FM Translator or FM Booster Station License, pursuant to 47 C.F.R. Section 74.14.

Special operating conditions or restrictions:

- 3 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.

\*\*\* END OF AUTHORIZATION \*\*\*

## Attachment 2

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
<b>Notification of Suspension of Operations</b>		FOR COMMISSION USE ONLY FILE NO.
Read Instructions/FAQ before filling out form		

**Section I - General Information**

1.	Legal Name of the Applicant CENTRO CRISTIANO DE VIDA ETERNA		
	Mailing Address 8230 ANTOINE DR.		
	City HOUSTON	State or Country (if foreign address) TX	Zip Code 77088 -
	Telephone Number (include area code) 7138758728		E-Mail Address (if available) APOSTOLGUEVARA@GMAIL.COM
	Call Sign K223CW	Facility ID Number 148239	
2.	Contact Representative (if other than licensee/permittee) DAN J. ALPERT		Firm or Company Name THE LAW OFFICE OF DAN J. ALPERT
	Mailing Address 2120 N. 21ST RD.		
	City ARLINGTON	State or Country (if foreign address) VA	ZIP Code 22201 -
	Telephone Number (include area code) 7032438690		E-Mail Address (if available) DJA@COMMLAW.TV
3.	Purpose:		
	<input checked="" type="radio"/> Notification of Suspension of Operations		
	<input type="radio"/> Notification of Suspension of Operations and Request for Silent STA		
	<input type="checkbox"/> Request for Silent STA		
	<input type="checkbox"/> Request to Extend STA		
	<input type="checkbox"/> Resumption of Operations		
4.	Community of License: City: HOUSTON    State: TX		
5.	Reason for going silent:		
	<input type="checkbox"/> Technical <input type="checkbox"/> Financing <input type="checkbox"/> Staffing		
	<input type="checkbox"/> Program Source <input checked="" type="radio"/> Other		
6.	Please provide a justification for the request		[Exhibit 4]
7.	Date Station will go silent:    02/01/2020    (mm/dd/yyyy)		
8.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.		<input checked="" type="radio"/> Yes <input type="checkbox"/> No

I hereby certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing	Typed or Printed Title of Person Signing
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MARTIN GUEVARA	PRESIDENT
Signature	Date (mm/dd/yyyy) 04/29/2020

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

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## Exhibits

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### Exhibit 4

**Description:** SILENT NOTIFICATION NARRATIVE

PURSUANT TO 'MEDIATED SETTLEMENT AGREEMENT FOR TEMPORARY ORDERS' DATED DECEMBER 11, 2019, AND 'AGREED FINAL DECREE OF DIVORCE' DATED JANUARY 29, 2020, IT WAS AGREED BETWEEN SARA FRANCO (NEE GUEVARA) AND HECTOR GUEVARA THAT FOLLOWING RECEIPT OF FCC CONSENT SARA FRANCO WOULD OBTAIN OWNERSHIP OF STATIONS K287BQ, K223CW, AND K218EJ, CURRENTLY LICENSED TO CENTRO CRISTIANO DE VIDA ETERNA.

AN APPLICATION (FCC FORM 345) WAS FILED WITH THE FCC ON JANUARY 8, 2020, FOR ASSIGNMENT OF THE LICENSES FOR K287BQ AND K223CW FROM CENTRO CRISTIANO DE VIDA ETERNA AND SDK FRANCO LLC. FILE NO. BALFT-20200108AAX. THE APPLICATION WAS GRANTED ON APRIL 17, 2020.

HOWEVER, ON OR ABOUT FEBRUARY 1, 2020, PRIOR TO THE GRANT OF THE ASSIGNMENT APPLICATIONS, AND WITHOUT THE CONSENT OR COOPERATION OF CENTRO CRISTIANO DE VIDA ETERNA, SARA FRANCO OR HER REPRESENTATIVES TOOK CONTROL OF STATIONS K287BQ AND K223CW, AND WOULD NOT PERMIT THE STATIONS' AFFAIRS TO BE CONDUCTED OR OVERSEEN BY CENTRO CRISTIANO DE VIDA ETERNA FOLLOWING THAT DATE.

SPECIFICALLY, IN THIS CASE, PURSUANT TO THE RESTRICTIONS OF 'REVITALIZATION OF THE AM RADIO SERVICE,' STATION K223CW IS REQUIRED UNDER ITS LICENSE TO REBROADCAST KJOZ(AM). FROM THE GRANT OF THE CONSTRUCTION PERMIT FOR K223CW AND CONTINUING UNTIL K223CW HAS ACHIEVED FOUR YEARS OF ON-AIR OPERATIONS REBROADCASTING KJOZ(AM), K223CW MAY NOT CHANGE THE PRIMARY STATION BEING REBROADCAST, NOR MAY K223CW REBROADCAST ANOTHER STATION WHEN KJOZ IS SILENT. HOWEVER, ON FEBRUARY 1, 2020, FRANCO UNILATERALLY CHANGED THE PROGRAMMING OF K223CW, AND AS A RESULT, K223CW HAS NOT REBROADCAST KJOZ SINCE FEBRUARY 1, 2020. SINCE FEBRUARY 1, 2020, CONTINUES TO ASSERT CONTROL OVER K223CW, AND FRANCO IS ENGAGING AT THIS TIME IN WHAT IS BELIEVED TO BE ORIGINATION OF ORIGINAL PROGRAMMING ON K223CW.

THEREFORE, EVEN THOUGH THE STATION WAS TAKEN SILENT ON APRIL 25, 2020, THE LAST DATE K223CW OPERATED WITH LEGAL FACILITIES WAS FEBRUARY 1, 2020 (THE DATE K223CW CEASED REBROADCASTING KJOZ(AM)), AND WHICH IS THE DATE REPORTED IN THIS APPLICATION.

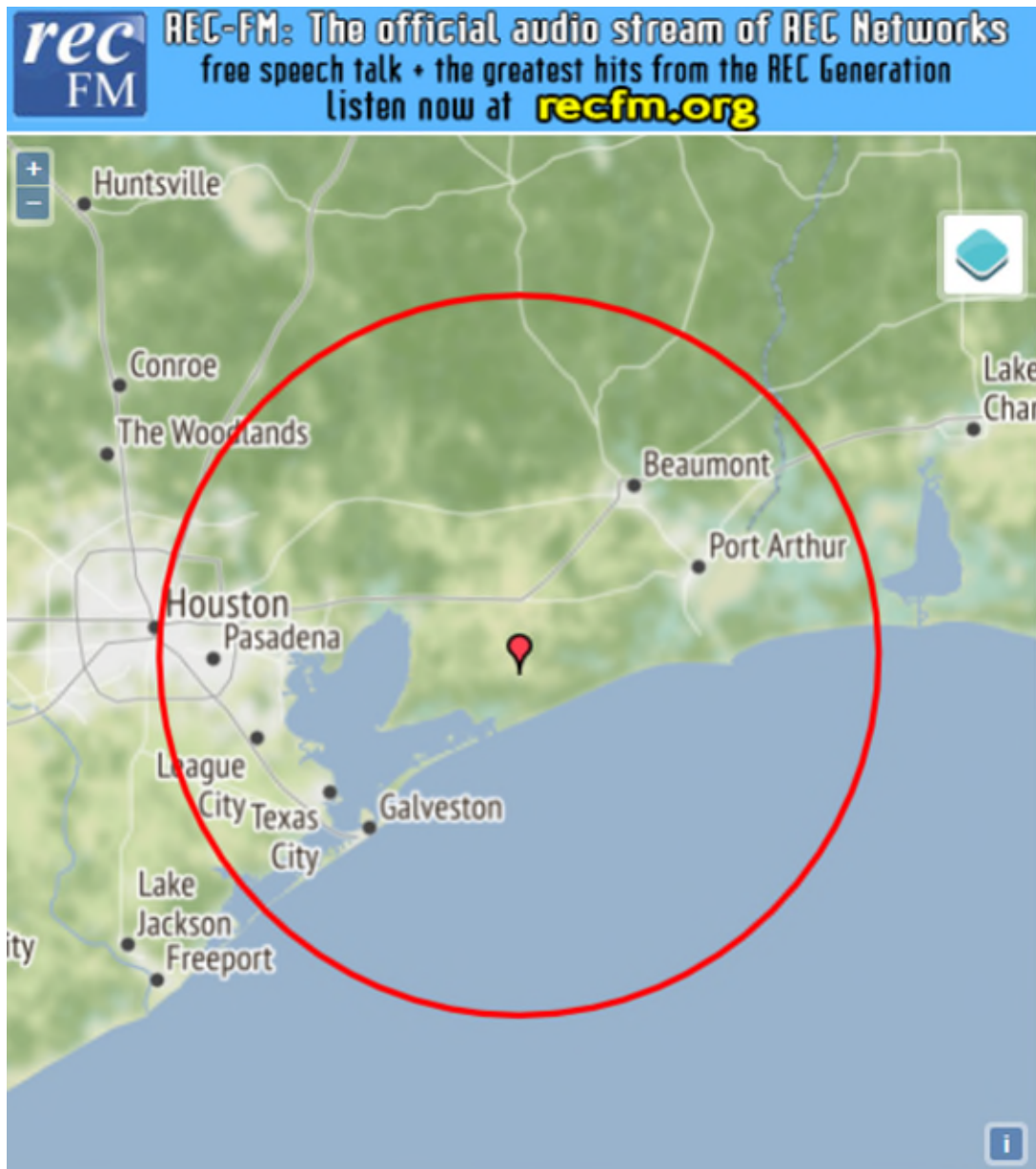
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### Attachment 4

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## Attachment 3

KFNC



K223CW

