

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC

12 January 2021

| | |
|---------------------------------|---------------------------|
| Application of |) |
| |) |
| COMMUNITY BROADCASTING, INC. |) FRN 0005014162 |
| For Translator License |) FCC File No. 0000130852 |
| Facility ID 201556 |) |
| Call Sign K241CZ, St. James, MO |) |

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 the grant of the above-referenced application (the “Application”). On January 11, 2021, the Bureau accepted for filing Community Broadcasting, Inc.’s (“Community”) Application to license K241CZ. Triangle objects on the grounds that its grant makes K292FO (facility ID 138457, Rolla, MO) an unnecessary translator that would be overlapped more than 85% by the commonly owned combination of KFCV (facility ID 173766, Dixon, MO) and the subject K241CZ. The three stations— as well as the primary station, KMOZ(AM) (facility ID 53651, Rolla MO), for the two translators— all retransmit the same programming. As such, Triangle hereby makes a *prima facie* showing that K292FO would become unnecessary with the licensing of K241CZ.¹ Community should be required to submit a

¹ 47 C.F.R. § 73.1232(b) (“Section 73.1232(b)”). See also *FM Translator and Booster Stations, Report and Order*, 20 RR 2d 1538, ¶ 5 (1970), interpreting the rule to require a technical need showing when either the same programming would be provided to substantially the same area or when a *prima facie* lack of need is demonstrated.

technical need demonstration before the additional translator can be licensed.² Alternatively, the Bureau should require that K292FO's primary station be changed to avoid a substantially redundant service that does not serve the public interest, convenience and necessity.

Exhibit A shows the F(50,50) contours of the translators and FM station KFCV, all retransmitting the same programming. K292FO would be a same-area translator with no obvious technical need because over 85% of its area would be overlapped by other sources of identical programming in the FM band.³ Of course, K292FO is a cross-service translator for KMOZ with a service contour that lies wholly within the KMOZ 2 mV/m daytime service contour, yet an additional signal serving that area.⁴

Exhibit B shows a "Bott Radio Network" station list that includes 90.5 FM in Dixon, MO, (KFCV) and 1590 AM / 106.3 FM in Rolla, MO (KMOZ and K292FO). Because W241CZ shares the KMOZ primary with K292FO, it must also carry the same programming.

In order for Community to be licensed as the public fiduciary of this additional spectrum, the Bureau should ensure that the population in the area of K292FO is better served. The Bureau should dismiss the Application unless the K292FO spectrum is returned or a diversity of programming is offered.

Respectfully Submitted,



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

7813 Highlandview Cir
Raleigh, NC 27613-4109

² Id.

³ K292FO is already overlapped 51% by KFCV even before considering new overlap by K241CZ.

⁴ BPFT-20120125AEU, at Attachment 17's Exhibit E-1.

Exhibit A

Same-Area Evaluation of Community
Broadcasting, Inc.'s K241CZ

Exhibit A: 47 CFR 74.1232(b) Same-Area Evaluation of Community Broadcasting, Inc.'s K241CZ

- Procedural Overview:
Compute F(50,50) 60 dBu contours from FCC LMS data and FCC CURVES.
Find area overlaps between stations.

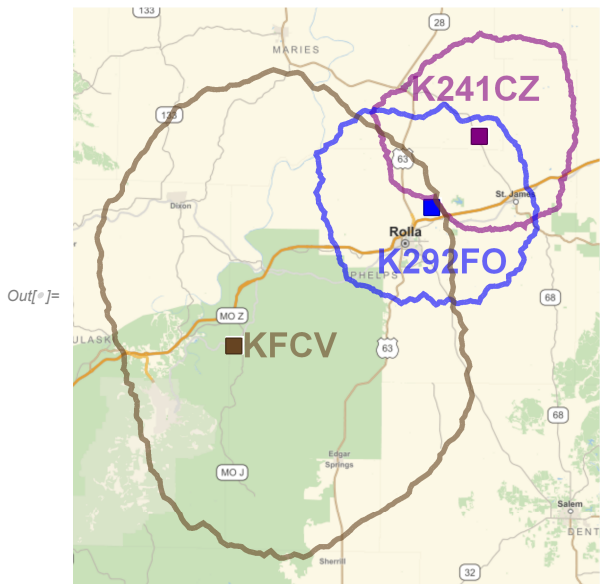
HAAT, 360 Radials (Wolfram-Curated Data) with 50 points per radial

Out[*]= Elevations of K241CZ: 297. meters, K292FO: 367. meters, KFCV: 334. meters
Out[*]= Mean HAATs of K241CZ: 89.1037 meters, K292FO: 104.037 meters, KFCV: 180.229 meters

FCC Curves Field Strength Calculations

Out[*]= All FCC Curves calls returned normal status.

F(50,50) 60 dBu Contours



Intersecting Area Calculations (Identify >= 50% overlaps)

Out[*]=/TableForm=

| | |
|-----------------------------------|--|
| K241CZ overlapped 45.3% by K292FO | K241CZ overlapped 45.3% by K292FO+KFCV |
| K241CZ overlapped 5.4% by KFCV | K292FO overlapped 39.0% by K241CZ |
| K292FO overlapped 51.2% by KFCV | K292FO overlapped 85.5% by K241CZ+KFCV |
| KFCV overlapped 1.2% by K241CZ | KFCV overlapped 13.0% by K241CZ+K292FO |
| KFCV overlapped 13.0% by K292FO | |

Exhibit B

Bott Networks Station List with Same Programming

Bott Radio Network Stations

ARKANSAS

Eureka Springs 95.3 FM
Fayetteville 89.3 FM
Fort Smith 88.9 FM/103.5 FM
Jonesboro 91.1 FM
Walnut Ridge 88.9 FM
West Memphis 90.5 FM

CALIFORNIA

Fresno/Modesto 99.9 FM
Sonora 107.7 FM

ILLINOIS

Quincy 94.9 FM

INDIANA

Ft. Wayne 1090 AM/93.7 FM
Ft. Wayne/Bluffton 100.1 FM
Terre Haute 96.3 FM

IOWA

Keokuk/Burlington 96.3 FM
Sioux City 103.3 FM
Sioux Rapids/Spencer 102.9 FM

KANSAS

Abilene/Junction City 90.5 FM
Arkansas City 96.7 FM
Atchison 89.7 FM
Dodge City 102.5 FM
Emporia 106.1 FM
Garden City 107.9 FM
Hays 103.9 FM
Independence/Coffeyville 91.5 FM
Iola 96.3 FM
Kansas City 92.3 FM
Kansas City 760 AM/101.5 FM
Manhattan 106.1 FM
Newton 106.9 FM
Olathe 96.9 FM
Pittsburg 95.9 FM
Russell 95.1 FM
Topeka 92.5 FM
Wichita 94.3 FM
Wichita/Newton 950 AM/95.5 FM

MISSOURI

Adrian/Butler 88.9 FM
Branson 1570 AM/103.3 FM
Cape Girardeau 103.3 FM
Carthage 104.7 FM
Cole Camp 104.1 FM
Columbia 89.9 FM/100.9 FM
Cuba 103.9 FM
Dixon 90.5 FM
Fulton 92.5 FM
Hannibal 93.3 FM
Hermitage 94.1 FM
Independence 88.9 FM
Jackson 105.5 FM
Jefferson City 89.9 FM/97.1 FM
Joplin 100.5 FM
Kansas City 92.3 FM
Kansas City 760 AM/101.5 FM
Kimberling City 95.7 FM
Kirksville 107.9 FM
Lebanon 92.3 FM
Lexington 1570 AM/107.7 FM
Maryville 101.5 FM
Monett 107.3 FM
Mt. Vernon 103.3 FM
Neosho 104.9 FM
Oran 90.5 FM
Osage Beach 98.7 FM
Poplar Bluff 91.7 FM
Richmond 92.5 FM
Rockaway Beach 103.9 FM
Rolla 1590 AM/106.3 FM
Sedalia 94.7 FM
Sikeston 99.7 FM
Springfield 90.1 FM
St. Joseph 89.7 FM
St. Louis 91.5 FM
St. Louis 1320 AM/95.9 FM
St. Robert 106.5 FM
Stockton 98.3 FM
Sunrise Beach 90.3 FM
Warrensburg 96.9 FM
Warsaw 93.9 FM
West Plains 96.1 FM

NEBRASKA

Beatrice 103.3 FM
Columbus 95.5 FM
Fremont 103.1 FM
Grand Island/Hastings 89.9 FM
Lexington 104.5 FM
Lincoln/Omaha 88.5 FM
Norfolk 96.3 FM
North Platte 107.9 FM
Omaha 93.7 FM/103.3 FM
York 99.3 FM

OKLAHOMA

Ardmore 93.3 FM
Bartlesville 93.7 FM
Del City 102.3 FM
Edmond 95.7 FM
Lawton 106.5 FM
Muskogee 100.7 FM
Oklahoma City 800 AM/94.1 FM
Shawnee/Tulsa 95.1 FM
Stillwater 99.9 FM
Tulsa 92.5 FM

SOUTH DAKOTA

Rapid City 90.3 FM
Yankton/Sioux City 103.3 FM

TENNESSEE

Clarksville 99.5 FM
Dickson 91.5 FM
Gallatin 93.9 FM
Lebanon 91.5 FM
Memphis 640 AM/100.7 FM
Nashville 89.1 FM
Nashville 1160 AM/107.1 FM

TEXAS

Longview/Tyler 90.7 FM

WYOMING

Jackson Hole 1450 AM/94.5 FM



Station list extracted and reformatted from

<https://bottradiationetwork.com/wp-content/uploads/BRN-USASStationMap-12.18.pdf>

Retrieved January 11, 2021

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: January 12, 2021

Certificate of Service


I, Steven L. White, certify that a true and correct copy of the foregoing Informal Objection was sent, this 12th day of January, 2021, by first-class, postage paid mail to the following:

Richard P. Bott, II
Community Broadcasting, Inc.
PO Box 415
Canton, IL 61520-0415

(Applicant)

Kathleen Victory
Fletcher, Heald & Hildreth, PLC
1300 17th St N Ste 1100
Arlington, VA 22209-3873

(Counsel to Applicant)

By: 

Steven L. White