

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

In the Matter of	)	
	)	
IMMANUEL BROADCASTING	)	File No. <b>0000153780</b>
NETWORK, INC.	)	Facility No. <b>153804</b>
(Assignor)	)	
and	)	
LIGHT MEDIA HOLDINGS, INC.	)	
(Assignee)	)	

For Consent to Assignment of License  
**FM Translator W271CV, Atlanta, GA**

To: Office of the Secretary  
Attention: Chief, Media Bureau  
(Audio Division)

**REPLY TO OPPOSITION TO INFORMAL OBJECTION**  
**AND INTERFERENCE COMPLAINT**

Word Christian Broadcasting, Inc. (“WCB”) by its counsel, respectfully files this Reply to an “Opposition to Informal Objection and Interference Complaint” (“Opposition”) filed *pro se* January 20, 2022, by Immanuel Broadcasting Network (“IBN”). As previously set forth in this proceeding, FM Translator W271CV, Atlanta, GA, Facility ID No. 153804 (“W271CV” or “IBN Translator”), currently licensed to IBN, has been causing destructive interference to WCB’s co-channel FM Translator W271DK, Dallas, GA (“W271DK” or “WCB Translator”). The captioned application is pending, which seeks consent to the assignment of W271CV from IBN to Light Media Holdings, Inc. (“LMH”) (“Assignment Application”).<sup>1</sup> WCB also requests that the Commission issue a letter of inquiry to IBN concerning the translator’s operation.

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<sup>1</sup> Although there are no time limitations on pleadings involving Informal Objections (See Section 73.3587), this Reply is filed within the time limits set out in Sections 1.4 and 1.45 of the Rules.

On September 29, 2021, WCB filed a *Supplement to Informal Objection; Interference Complaint; and Reply to Response to Informal Objection and Interference Complaint* (“Supplement”). LMH has previously responded, but the Opposition represents the first pleading filed by the licensee, IBN, in this proceeding.

IBN’s Opposition reiterates LMH’s argument that because the IBN Translator was licensed before the WCB Translator, therefore WCB has “no standing to file an interference complaint.” IBN did not cite any support for the proposition that “authorized” means the same as “licensed.” Accordingly, IBN’s preposterous interpretation of the rule may be summarily rejected.

Just as specious is IBN’s argument that because the date on which WCB received its original permit for W271DK, September 14, 2018, is after IBN filed its license to cover application for W271CV on January 11, 2018, WCB has no protection from interference. Again, IBN provides no legal support for this interpretation of the rules.

The question of when a translator is protected from interference from another translator turns on when the interference begins, not when a translator was licensed. If the IBN Translator were to be operating legally according to its license and WCB applied for a construction permit that the FCC would have “authorized” after the IBN Translator began operating, arguably, WCB would have no remedy.

But the WCB Translator indeed is protected from interference from the IBN Translator. The apparent conundrum is easily resolved. The new FM translator interference rules went into effect on August 13, 2019.<sup>2</sup> Prior to that date, Section 74.1203(a)(3) provided, in pertinent part,

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<sup>2</sup> *Amendment of Part 74 of the Commission’s Rules Regarding FM Translator Interference*, 34 FCC Rcd 3457 (2019). (“2019 FM Translator Interference Order”).

as follows:<sup>3</sup>

(a) An authorized FM translator or booster station will not be permitted to continue to operate if it causes any actual interference to:

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(3) the direct reception by the public of the off-the-air signals of any authorized broadcast station including TV Channel 6 stations, Class D (secondary) noncommercial educational FM stations, and previously authorized and operating FM translators and FM booster stations. Interference will be considered to occur whenever reception of a regularly used signal is impaired by the signals radiated by the FM translator or booster station, regardless of the quality of such reception, the strength of the signal so used, or the channel on which the protected signal is transmitted [emphasis added].

The 2019 FM Translator Interference Order at ¶50 stated that the prior language was potentially confusing. Accordingly, the Commission deleted the emphasized words in the new rule. Clearly, the Commission wanted to protect previously authorized FM translators, even if they were not operating. Thus, because the WCB Translator was authorized on September 14, 2018, therefore it was entitled, pursuant to Section 74.1203(a) as clarified, to protection from interference from the IBN Translator as of that date, even though the WCB Translator was not yet operating.

It does not matter, for purposes of compliance with and protection pursuant to, Section 74.1203(a), when the WCB Translator actually commenced broadcasting. If the Commission had intended for Section 74.1203(a) to refer to previously “licensed” secondary stations, rather than previously “authorized” secondary stations, the Commission would have so stated. Or the 2019 FM Translator Interference Order would have not removed the words “and operating” from Section 74.1203(a)(3). Ultimately, because Section 74.1203(a) explicitly states that FM translators may not cause interference to previously “authorized” FM translators, the Commission must find

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<sup>3</sup> See Report and Order, *In the Matter of Amendment of Part 74 of the Commission's Rules Concerning FM Translator Stations*, 5 FCC Rcd 7212 (1990).

in this case that listeners of the WCB Translator are entitled to complete protection from the IBN Translator's broadcast transmissions.

### **Request for FCC Letter of Inquiry Concerning IBN**

WCB previously has reported that, when WCB has filed a complaint or update to its complaint, the interference temporarily ceases from the IBN Translator. (Just now, there is no interference being suffered by the WCB Translator.) But then, after a short period, it has resumed. It is apparent that the IBN Translator sometimes operates with facilities higher than authorized, which disrupts operations by the WCB Translator. On information and belief, the WCB Translator transmitter site is 27.9 miles from the transmitter site for the IBN Translator. The IBN Translator is licensed to operate with only 80 Watts Effective Radiated Power and its directional antenna radiates between 2 and 5 Watts between 265 and 310 degrees from W271CV.<sup>4</sup> Under no circumstances, operating with licensed parameters, should the IBN Translator cause destructive interference to the WCB Translator.

On October 26, 2021, undersigned counsel emailed the CEO of Light Media Holdings, and requested that the following information be provided to WCB:

1. The make and model of the actual antenna in use;
2. The manufacturer's antenna gain;
3. Make, model and length of the transmission line;
4. Any other losses that would impact the system efficiency and Transmitter Power Output; and
5. Transmitter Power Output presently being used.

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<sup>4</sup> See WCB's *Supplement*, filed September 29, 2021, Technical Exhibit at p. 2 (copy attached for convenience of the reader.)

WCB now is making the same request of IBN, which is the licensee of the offending translator station. The Commission should require IBN to do so at once. WCB is willing to allow representatives of IBN to inspect the W271DK transmission equipment to demonstrate compliance with the Commission's rules, and to conduct on-off tests. WCB requests the Commission to order IBN to permit WCB to inspect IBN's transmission equipment as well.

WCB requests the Commission to issue to IBN a formal letter of inquiry to investigate whether W271CV is operating or has operated with power and antenna combination greater than authorized.

IBN does not address in its Opposition the merits of WCB's *Supplement*, although a copy was served on IBN. That pleading details the severe interference that was received by listeners to the WCB Translator as a result of the operations of the IBN Translator.

Until the Commission and WCB can be assured that the interference will not recur, WCB requests the Commission to: (1) not grant the Assignment Application unless the interference is permanently resolved; (2) immediately order IBN to suspend operations of W271CV; and (3) unless and until there is satisfactory resolution of the complaint, revoke the license for W271CV (File No. BLFT-20180111AEP) and cancel the underlying construction permit (File No. BMPFT-20160211ACM).

Respectfully submitted,

**WORD CHRISTIAN BROADCASTING, INC.**

By

A handwritten signature in black ink, appearing to read 'G. Smithwick', written over a horizontal line.

Gary S. Smithwick  
Its Attorney

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February 1, 2022

## **Copy of September 2021 Technical Discussion**

**FM Translator W271DK**  
**102.1 mHz – 0.25 KW – 434.7 M AMSL**  
**Dallas, GA**  
**September 2021**

**Technical Discussion**

On September 9, 2021 Word Christian Broadcasting (“WCB”) filed a license application to cover Construction Permit 0000151678. The Construction Permit allowed WCB to radiate 250 Watts with a directional antenna mounted on ASR 1201411 at a height of 434.7 meters AMSL. Immediately upon commencement of service, listeners could hear co-channel translator W271CV override the new W271DK signal.

WCB acknowledges that translators, being secondary stations, are not protected from interference from other broadcasters. However, this assumes that all parties are operating in compliance with the terms of their FCC authorizations. Through research contained herein, WCB suspects W271CV is operating with facilities not compliant with their instrument of authorization.

W271CV is in the process of being sold to Light Media Holdings, Inc. as requested in 0000153780. It is WCB’s hope that this instant action will notify the new owners of a potential irregularity at the station that they are attempting to purchase. WCB has no problem with W271CV if it can be proven that it is operating with correct parameters. WCB strongly believes this is not presently occurring.

Time is a factor. On September 21, 2021, after discussing the overpowering of W271DK by W271CV with the WCB President, I drove in the W271DK listening area to simply make listening tests. It was very obvious that W271CV overpowers W271DK in many areas that were expected to receive uninterrupted W271DK service.

After identifying 10 locations that W271DK is overrun by W271DV, the geographic coordinates were determined for each location. Then, using Probe 5 from V-Soft Communications, the amount of signal each station places over that point was determined. Then the resulting desired to undesired ratio was calculated. For reliable service, the desired co-channel station should be 20 dB greater than the undesired signal.

Seven of the 10 points theoretically passed the ratio test (Points 1,3,5,6,8,9 and 10). Two of the points only failed minimally (Points 2 and 4). One point failed the test (Point 7). In summary, 9 out of 10 locations either passed or almost passed the ratio test. Please take notice that this theoretical calculation based on the W271CV actual antenna is not an accurate representation of what is actually occurring to the W271DK reception. In 100% of the monitor locations, W271DK reception is overridden by W271CV.

All of the monitor locations are between 265 and 310 degrees from W271CV. Based on the W271CV measured directional pattern, the power in these directions ranges between 2 and 5 Watts. Even though W271CV is permitted to operate at 80 Watts ERP, the power varies depending on the azimuth:

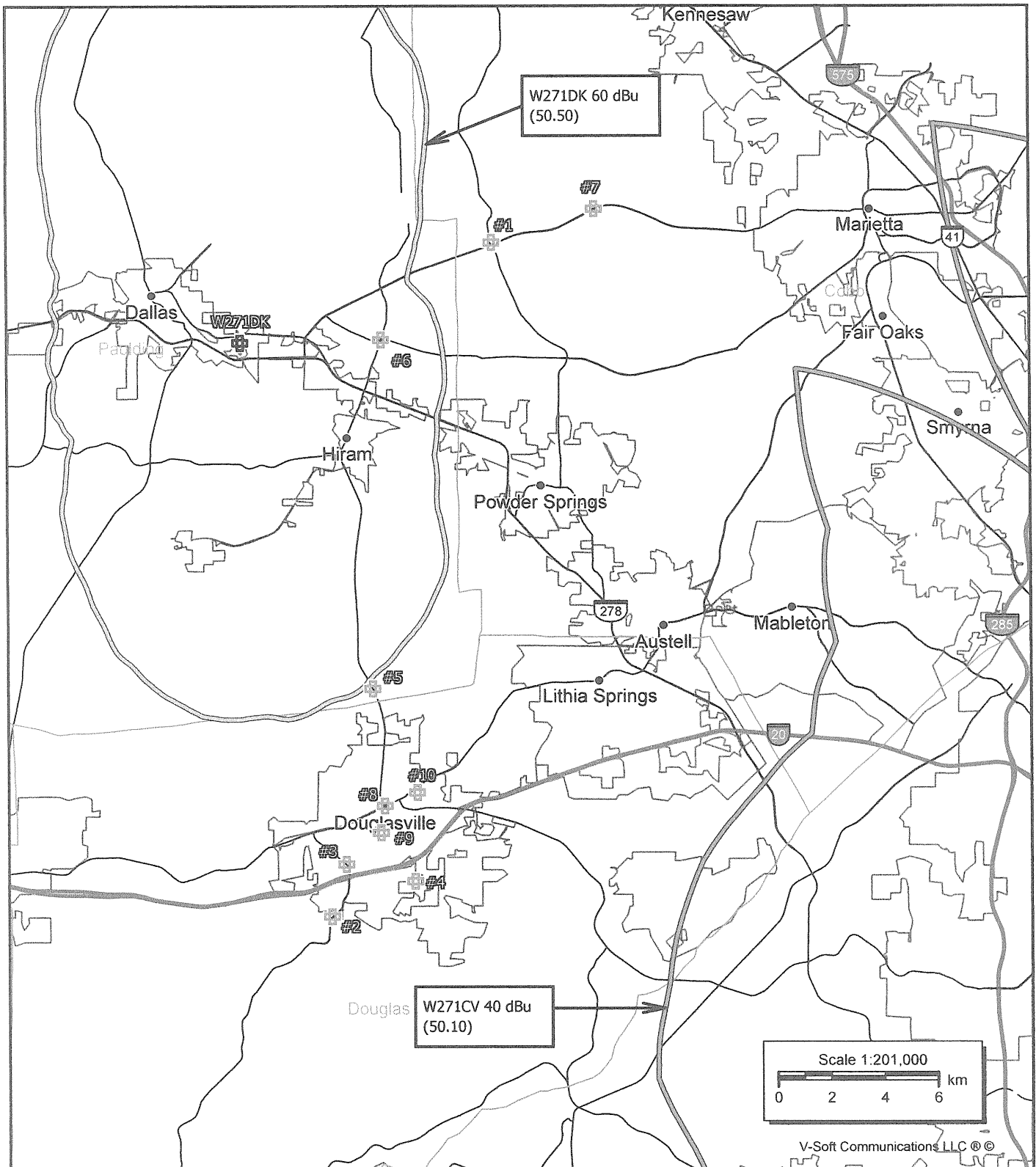
260	4 Watts
270	3 Watts
280	2 Watts
290	2 Watts
300	2 Watts
310	5 Watts

Even with these minimal powers in the monitor location directions, W271CV overpowers the 250 Watt W271DK.

WCB requests the it be given time to further investigate the cause of this interference that appears to be far different from the calculated signal strengths based on theoretical operation demonstrated herein. WCB further requests that its technical personnel be given an opportunity to visit the W271CV transmitter to see the power settings and transmission line size. WCB will similarly allow the W271CV technical personnel to visit the W271DK transmitter. While this information is being obtained, it is requested that action of the change of ownership of W271CV to Light Media Holdings, Inc be delayed.



Clifton G. Moor, President  
Bromo Communications, Inc.  
Technical Consultant to  
Word Christian Broadcasting



**W271DK - W271CV**  
**Contours and Monitor Locations**  
**Douglasville, GA Area**

**Bromo Communications, Inc.**

September 2021

# W271DK – W271CV Monitoring

September 21, 2021

Number	Site	Coord.	Desired dBu	Undesired dBu	Ratio
1	Dallas Hwy & Mars Hill Rd.	33 56 25.8 84 42 11.2	53	32	21
2	Rainfire Church – Hwy 5	33 42 52.3 84 46 07.9	53	33.35	19.75
3	Bill Arp Rd. & Rose Ave	33 43 55.5 84 45 47.0	54.3	32.1	22.2
4	Target – Chapel Hill Rd	33 43 35.1 84 44 06.8	53	33.55	19.45
5	Hwy 92 and Hunter Rd	33 47 28.0 84 45 07.5	59.5	30.1	29.4
6	Hwy 92 and Macland Rd	33 54 30.8 84 44 53.4	66	29.25	36.75
7	Dallas Hwy & Old Hamilton	33 57 09.2 84 39 41.7	47	34.5	12.5
8	Hwy 78 & Campbellton St	33 45 06.1 84 44 50.9	55.55	32	23.55
9	Club Dr & Selman Dr	33 44 33.6 84 44 56.4	54.9	32.4	22.5
10	Dallas Hwy & Ramp to Hwy 78	33 45 22.5 84 44 03.3	55.25	32.4	22.85

**Bromo Communications, Inc.**

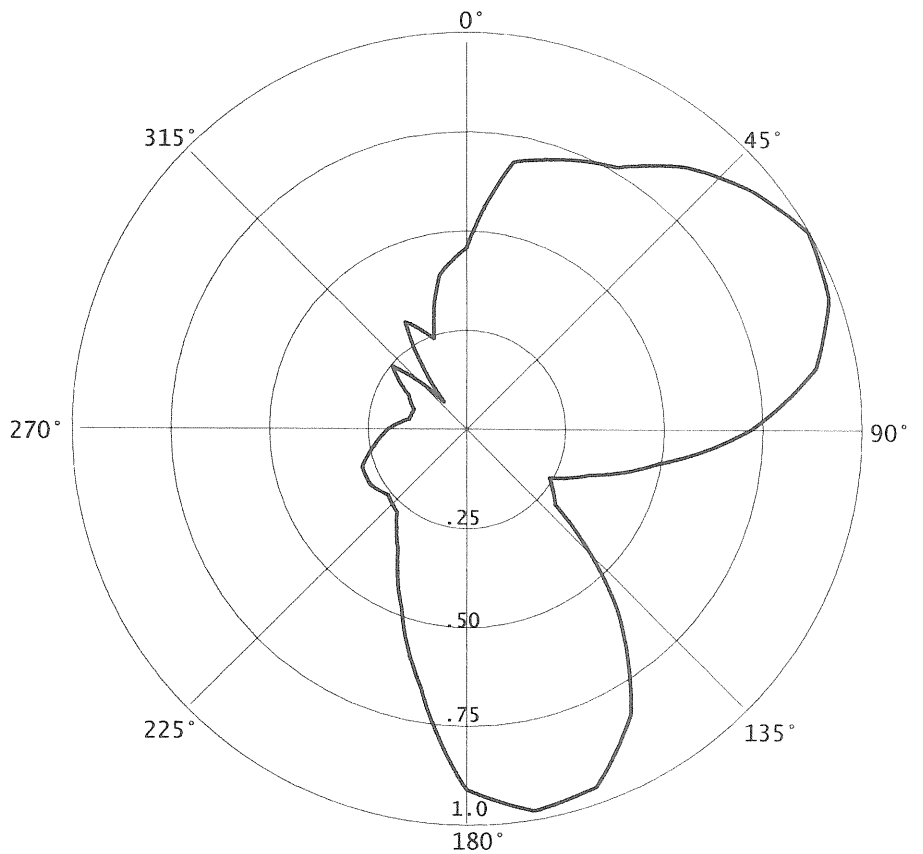
W271CV

09-23-2021

RMS(V)= .59

Graph is Relative Field

Azi	Field	dBk	kw
000	0.460	-17.714	0.017
010	0.686	-14.243	0.038
020	0.727	-13.738	0.042
030	0.766	-13.285	0.047
040	0.867	-12.209	0.060
050	0.942	-11.488	0.071
060	0.999	-10.978	0.080
070	0.976	-11.180	0.076
080	0.898	-11.904	0.065
090	0.719	-13.835	0.041
100	0.493	-17.112	0.019
110	0.333	-20.520	0.009
120	0.242	-23.293	0.005
130	0.292	-21.661	0.007
140	0.595	-15.479	0.028
150	0.831	-12.577	0.055
160	0.963	-11.297	0.074
170	0.982	-11.127	0.077
180	0.915	-11.741	0.067
190	0.667	-14.487	0.036
200	0.483	-17.290	0.019
210	0.349	-20.113	0.010
220	0.275	-22.182	0.006
230	0.260	-22.670	0.005
240	0.282	-21.964	0.006
250	0.282	-21.964	0.006
260	0.237	-23.474	0.004
270	0.198	-25.036	0.003
280	0.147	-27.623	0.002
290	0.142	-27.923	0.002
300	0.169	-26.411	0.002
310	0.246	-23.150	0.005
320	0.089	-31.981	0.001
330	0.313	-21.058	0.008
340	0.243	-23.257	0.005
350	0.397	-18.993	0.013



Pattern is W271CV Measured Composite Pattern measured by the antenna manufacturer, Shively.

## CERTIFICATE OF SERVICE

I, Sherry L. Schunemann, a secretary in the law firm of Smithwick & Belendiuk, P.C., do hereby certify that a copy of the foregoing "Reply to Opposition to Informal Objection and Interference Complaint" was mailed, by First Class U.S. Mail, postage prepaid, this 1st day of February, 2022, to the following (email only to FCC Staff Members as noted):

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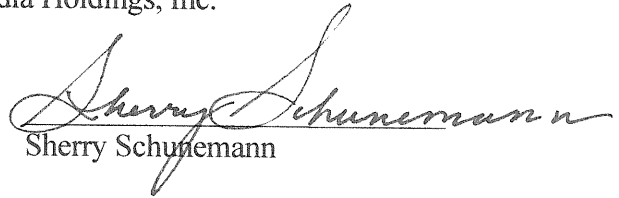
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