

June 17, 2022

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street SW  
Washington, D.C. 20554

## INFORMAL OBJECTION

This constitutes a timely filed informal objection to the grant of license renewal to WARI-LP (FIN 191676), LMS file no. 0000176715, granted on May 23, 2022. While LMS requires it to be filed as a petition for reconsideration, FCC staff has advised objector that an informal objection to a grant of license renewal will be considered within 30 days of the grant, in this case June 22, 2022. Alternatively, objector requests to be considered as a petition to deny, should an informal objection be deemed untimely.

Objector, Scott Fybush (Fybush), is a resident of the Rochester, New York area, residing in the town of Brighton at the edge of WARI-LP's licensed 60 dBu coverage contour. My qualifications are a matter of record with the Commission. I serve as contract engineer for several Rochester radio stations, though I represent only myself with this objection.

As indicated in the attached statement and photographs, it is clear that WARI-LP has not operated from its licensed transmitter site at 611 Portland Avenue, Rochester, New York, since at least February 2019. While a 98.5 signal has been transmitted from two other locations sporadically since then, there has been no antenna at WARI-LP's licensed location, thus no ability for WARI-LP to have been operating under the terms of its license.

The Commission depends on the honesty of all licensees, but especially so in the case of the LPFM service. In its renewal application, New Day Global Mission certified that WARI-LP was currently operating and had not been silent for any consecutive 12-month period.

This was not a truthful statement, as WARI-LP had not had transmission equipment at its licensed site in over three years.

Given the scarcity of available spectrum in the crowded Rochester market and the likelihood that there will be filing windows for LPFM-100 and/or translator service during the next eight years of WARI-LP's renewed license term, it is unconscionable for New Day to be able to continue to effectively warehouse an unused frequency with a license that expired as a matter of law at some point in or before February 2020, when WARI-LP had been silent for more than 365 consecutive days from its by-then-nonexistent licensed transmitter site.

Sincerely,

/s/ Scott Fybush

Scott Fybush  
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I certify that a copy of this informal objection has been sent by electronic mail to New Day Global Mission at [aefermin@gmail.com](mailto:aefermin@gmail.com), the address used for its renewal application, with a copy to its legal representative, John Broomall, at [johnbroomall@yahoo.com](mailto:johnbroomall@yahoo.com).

/s/ Scott Fybush  
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