

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of the Application of)	
)	
SOUTHERN BROADCAST MEDIA, LLC)	W264DO, Winston-Salem, NC
)	Facility ID No. 201392
)	File No. BNPFT-20180322ABG
For a Construction Permit for a)	
New FM Translator Station at)	
Winston-Salem, NC)	

OPPOSITION AND MOTION TO DISMISS

Southern Broadcast Media, LLC (“Southern Broadcast Media”), permittee of FM translator, W264DO, Winston-Salem, North Carolina (Facility ID No. 201392) (“W264DO”), by its undersigned counsel and pursuant to Section 1.106(g) of the Commission’s rules,¹ hereby files this “Opposition and Motion to Dismiss” the Petition for Reconsideration filed by Love and Faith Christian Fellowship (“LFCF”) concerning the FCC’s grant of W264DO’s construction permit (“Petition for Reconsideration”). LFCF’s Petition for Reconsideration is without merit, and is procedurally defective. Accordingly, Southern Broadcast Media opposes LFCF’s Petition for Reconsideration, and hereby requests that the Commission dismiss the Petition for Reconsideration.

I. BACKGROUND

A. W264DO’s Construction Permit

On March 22, 2018, Southern Broadcast Media filed its Auction No. 99 FM translator long-form construction permit application (File No. BNPFT-20180322ABG) (“Long-Form CP Application”), which proposed operations of a new translator on Channel 264/100.7 MHz at

¹ 47 C.F.R. § 1.106(g).

Winston-Salem, North Carolina.² The FCC released its Public Notice of the acceptance for filing of the Long-Form CP Application on March 27, 2018.³ Neither LFCF, nor any other party, filed a petition to deny against the Long-Form CP Application.⁴ On April 13, 2018, the Commission granted W264DO's Long-Form CP Application.⁵

B. LFCF's Petition for Reconsideration

On April 30, 2018, LFCF filed its Petition for Reconsideration of W264DO's Long-Form CP Application. LFCF alleges in its Petition for Reconsideration that W264DO is "likely to cause harmful interference" to LFCF's low-power FM station, WLJF-LP, Greensboro, North Carolina (Facility ID No. 197618) ("WLJF-LP").⁶ In support of its Petition for Reconsideration, LFCF provides statements from five alleged WLJF-LP listeners "who expressed concern over potential interference," and also provided an engineering statement drafted by R. Morgan Burrow, Jr., P.E., alleging the potential for interference with WLJF-LP caused by W264DO's operations.⁷

² See File No. BNPFT-20180322ABG at Sections I, III-A.

³ Federal Communications Commission, *Broadcast Applications*, Public Notice, Report No. 29201, at 12 (rel. Mar. 27, 2018).

⁴ The 15-day in which to file a petition to deny the Long-Form CP Application ended on April 11, 2018. See Federal Communications Commission, *Media Bureau Announces Auction 99 FM Translator Filing Window for Long-Form Applications*, Public Notice, DA 18-191 at 2 (rel. Feb. 27, 2018) ("A petition to deny" an Auction No. 99 long-form construction permit application "must be filed within 15 days following the release of the pertinent Public Notice." (citing 47 C.F.R. §§ 73.5006(b), 74.1233(d)(4))).

⁵ Public Notice of the FCC's grant of W264DO's Long-Form CP Application was released April 18, 2018. Federal Communications Commission, *Broadcast Actions*, Public Notice, Report No. 49217, at 13 (rel. April 18, 2018). The 30-day period in which eligible petitioners may file a petition for reconsideration of the FCC's grant of W264DO's Long-Form CP Application will end on May 15, 2018. See 47 C.F.R. § 1.106(f).

⁶ Petition for Reconsideration of Love and Faith Christian Fellowship at 1, File No. BNPFT-20180322ABG, Facility ID No. 201392 (filed Apr. 30, 2018) ("Petition for Reconsideration"). WLJF-LP operates on Channel 264 at 100.7 MHz. See generally File No. BLL-20170117ABT (granted Jan. 1, 2017).

⁷ *Id.* at 1-2.

LFCF states that *prior* to the FCC’s grant of W264DO’s Long-Form CP Application, LFCF “promptly retained . . . legal counsel and [a] consulting engineer to review the application” due to concerns that the proposed FM translator would interfere with WLJF-LP’s reception.⁸ LFCF states, however, that it was unable to file a timely petition to deny against the Long-Form CP Application because “[t]he complex nature of the required engineering showing precluded LFCF from filing a petition to deny within the short 15-day period allowed by the rules.”⁹ For this reason, LFCF contends that it may file its Petition for Reconsideration pursuant to Section 1.106(b)(1) of the Commission’s rules.¹⁰

II. LFCF’S PETITION FOR RECONSIDERATION FAILS TO PROVIDE CONVINCING EVIDENCE OF INTERFERENCE

LFCF’s Petition for Reconsideration fails to comport with the Commission’s requirements governing FM translator interference complaints as LFCF’s petition lacks any convincing evidence of W264DO’s potential for interference with WLJF-LP’s signal. The FCC requires that an interference complaint filed pursuant to Section 74.1204(f) of the Commission’s rules¹¹ demonstrate “convincing evidence” of potential interference,¹² including, at a minimum:

⁸ *Id.* at 1.

⁹ *Id.* at 2.

¹⁰ *See id.* at 2 (stating that Section 1.106(b)(1) applies because WLJF-LP “is likely to receive harmful interference from [W264DO] . . . [and] [t]he complex nature of the required engineering showing precluded LFCF from [timely] filing a petition to deny . . .”).

¹¹ 47 C.F.R. § 74.1204(f) (“An application for an FM translator station will not be accepted for filing even though the proposed operation would not involve overlap of field strength contours with any other station . . . if the predicted 1 mV/m field strength contour of the FM translator station will overlap a populated area already receiving a regularly used, off-the-air signal of any authorized co-channel, first, second or third adjacent channel broadcast station . . . and grant of the authorization will result in interference to the reception of such signal.”).

¹² *See Association for Community Education, Inc.*, Memorandum Opinion and Order, 19 FCC Rcd. 12682, 12685-6, ¶ 10 (2004) (citation omitted).

(1) the name and specific address of each potentially affected listener; (2) some demonstration that the address of each purported listener falls within the 60 dBμ service contour of the proposed translator station; (3) a declaration from each of the affected listeners that he or she listens to the full-service station at the specified location; and (4) some evidence that grant of the authorization will result in interference to the reception of the “desired” full-service station at that location.¹³

The FCC’s staff requires that allegations of potential interference be made by disinterested listeners – e.g., those without a legal stake in the outcome of the proceeding.¹⁴

A. LFCF’s Interference Allegations are Without Merit

Contrary to LFCF’s assertions, W264DO will not interfere with WLJF-LP’s signal as demonstrated by the WLJF-LP signal strength observations of Richard Miller and his colleagues, Timothy Bowman and Richard Parker, made on May 3, 4, 7, and 8, 2018.¹⁵ Mr. Miller and his colleagues did not detect a discernable signal from WLJF-LP at or around each of the five listener complainant locations.¹⁶ The only area in which Mr. Miller and his colleagues were able to detect a discernable WLJF-LP signal – albeit of varying strength – was between Sandy Ridge Road and Wendover Avenue in Greensboro, North Carolina – locations that are not within the immediate vicinity of any of the five listener complainants’ residences.¹⁷ In fact, Mr. Miller and his colleagues were only able to detect the following signals on WLJF-LP’s frequency (i.e., Channel 264/100.7 MHz) during their observations:

- (1) *WRDU Broken Signal* – On May 3 and 4, 2018, Mr. Miller and Mr. Bowman detected a “broken” signal (i.e., fading in and out) originating from full-

¹³ *Richard J. Bodorff, Esq., et al.*, Letter Order, 27 FCC Rcd. 4870, 4872 (2012) (denying petition to deny) (citing *Association for Community Education, Inc.*, 19 FCC Rcd. at 12687).

¹⁴ *Id.* at 4872, n.15; *Association for Community Education, Inc.*, 19 FCC Rcd. at 12688, n.37.

¹⁵ See generally Declaration of Richard Miller (“Miller Declaration”), attached hereto as **Exhibit A**; Declaration of Timothy Bowman (“Bowman Declaration”), attached hereto as **Exhibit B**; Declaration of Richard Parker (“Parker Declaration”), attached hereto as **Exhibit C**.

¹⁶ See Miller Declaration ¶¶ 4-13; Bowman Declaration ¶¶ 4-9; Parker Declaration ¶¶ 4-6.

¹⁷ Miller Declaration ¶ 7; Bowman Declaration ¶ 6.

power FM station, WRDU, Wake Forest, North Carolina (Facility ID No. 74125), while driving between the residences of listener complainants Cheryl Jeffries and Debra Toure.¹⁸

- (2) *Unknown Broken Signal # 1* – On May 7, 2018, Mr. Miller and Mr. Bowman detected a broken signal of unknown origin at the residence of listener complainant Barbara Williams.¹⁹
- (3) *Unknown Broken Signal # 2* – On May 8, 2018, Mr. Miller and Mr. Parker detected a broken signal of unknown origin containing musical programming observed while driving in both directions (east/west) on Interstate 40 near U.S. Highway 66 in Kernersville, North Carolina.²⁰
- (4) *Unknown Broken Signal # 3* – On May 8, 2018, Mr. Miller and Mr. Parker again detected a broken signal of unknown origin at Ms. Williams' residence.²¹

Based on their observations, Mr. Miller and his colleagues concluded that W264DO's operations do not pose a threat of potential interference to any of the listener complainants' receipt of WLJF-LP's signal.²²

For the foregoing reasons, LFCF's allegations that W264DO's operations will potentially interfere with WLJF-LP's signal are without merit. Therefore, the FCC must dismiss or deny LFCF's Petition for Reconsideration for constituting a pleading that "do[es] not lie as a matter of law," and is "procedurally defective."²³

¹⁸ Miller Declaration ¶¶ 5-6; Bowman Declaration ¶ 5.

¹⁹ Miller Declaration ¶ 8; Bowman Declaration ¶ 7.

²⁰ Miller Declaration ¶ 10; Parker Declaration ¶ 5.

²¹ Miller Declaration ¶ 10; Parker Declaration ¶ 5.

²² Miller Declaration ¶ 13; Bowman Declaration ¶ 9; Parker Declaration ¶ 6.

²³ 47 C.F.R. § 73.3584(e) ("[P]leadings . . . which do not lie as a matter of law or are otherwise procedurally defective, are subject to return by the FCC's staff without consideration.").

B. LFCF Fails to Demonstrate that the Five Listener Complainants Reside Within W264DO's 60 dBμ Service Contour

LFCF fails to allege in the Petition for Reconsideration that the five alleged *bona fide* complainants reside within W264DO's 60 dBμ service contour. In order to provide convincing evidence of potential interference caused by an FM translator, the FCC requires that complainants "verify the presence of *bona fide* listeners within the translator[']s service contour"²⁴ by *intra alia* providing a map demonstrating that each listener complainant's address is located within the translator's 60 dBμ service contour.²⁵ While LFCF does provide a map depicting the locations of each listener complainant, the map does *not* demonstrate that the listener complainants reside within W264DO's 60 dBμ service contour.²⁶ Accordingly, the FCC must dismiss or deny LFCF's Petition for Reconsideration for constituting a "procedurally defective" pleading.²⁷

III. LFCF FAILS TO COMPORT WITH THE PROCEDURAL REQUIREMENTS FOR PETITIONS FOR RECONSIDERATION

LFCF's Petition for Reconsideration is procedurally defective because LFCF fails to "show good reason why" it was unable to file a petition to deny against W264DO's Long-Form CP Application. Section 1.106(b)(1) of the Commission's rules requires a petitioner seeking reconsideration of an FCC action – who is not a party to the proceeding – to "show good reason why it was not possible . . . to participate at the earlier stages of the proceeding."²⁸ The Commission does not permit a petitioner to invoke Section 1.106(b)(1) when it had actual notice

²⁴ *Association for Community Education, Inc.*, 19 FCC Rcd. at 12686-87, ¶ 13.

²⁵ *See id.* at 12686, n.30.

²⁶ *See* Petition for Reconsideration at Engineering Statement of R. Morgan Burrow, Jr., P.E. (map providing "W260DO SUMMARY OF DESIRED/UNDESIRED AT LISTENER LOCATIONS").

²⁷ *See* 47 C.F.R. § 73.3584(e).

²⁸ 47 C.F.R. § 1.106(b)(1).

of the FCC action prior to the petition deadline.²⁹ Moreover, the FCC has denied petitions for reconsideration premised upon Section 1.106(b)(1), where the petitioners alleged that they had insufficient time to prepare their petitions to deny – including such allegations premised upon the completion of supporting engineering statements.³⁰ In such instances, the FCC has denied a petition for reconsideration if the petitioner “fails to explain why he could not have timely filed a petition to deny concerning [its] *other* points of contention”³¹

LFCF is unable to rely upon Section 1.106(b)(1) to file its Petition for Reconsideration. First, LFCF admits that it was aware that Southern Broadcast Media filed its Long-Form CP Application *before* the FCC granted the application.³² Accordingly, LFCF had actual notice of the application to file a timely petition to deny. Second, LFCF contends that it was unable to file a petition to deny against the Long-Form CP Application because its consulting engineer “was unable to complete the complex task” of preparing the engineering statement “within the time period provided by the rules”³³ As the Commission found in the 2002 *Regionet Order*, the fact that LFCF’s engineer did not have sufficient time to complete its engineering statement does

²⁹ See, e.g., *Heritage Cablevision Associates of Dallas, L.P. and Texas Cable TV Association, Inc. v. Texas Utilities Electric Company*, Memorandum Opinion and Order, 7 FCC Rcd. 4192, 4192, ¶ 7 (1992) (“We conclude that USTA has failed to make the requisite showing under Section 1.106(b)(1). The record indicates that USTA had actual notice of the pendency of this Complaint well before the Commission issued its decision and yet failed to attempt to participate” (emphasis added)).

³⁰ See, e.g., *Regionet Wireless License, LLC*, Memorandum Opinion and Order, 17 FCC Rcd. 21269, 21272, ¶ 9 (2002) (“*Regionet Order*”) (rejecting petitioner’s argument that it “needed more than thirty days to *complete the engineering studies* that formed the basis of [the] petition for reconsideration” as grounds for invoking Section 1.106(b)(1) (emphasis added)).

³¹ See, e.g., *id.* (emphasis added).

³² See Petition for Reconsideration at 1 (stating that LFCF “*promptly* retained legal counsel and . . . [a] consulting engineer to review the *application*” (emphasis added)).

³³ *Id.* at 2.

not excuse LFCF from timely filing a petition to deny against W264DO's Long-Form CP Application on other grounds. By failing to file a petition during the 15-day filing window, LFCF has effectively "elected to allow the filing period for petitions to deny to lapse," and "[has] failed to raise any arguments opposing the . . . application until after the filing period for petitions to deny has expired."³⁴ As LFCF "elected not to"³⁵ file a timely petition to deny against W264DO's Long-Form CP Application, LFCF cannot rely upon Section 1.106(b)(1) to file a petition for reconsideration. Accordingly, the Commission must dismiss or deny LFCF's Petition for Reconsideration for constituting a "procedurally defective" pleading.³⁶

³⁴ See *Regionet Order*, 17 FCC Rcd. at 21272, ¶ 9.

³⁵ See *William B. Clay, Esq. & Richard F. Swift, Esq.*, Letter, 23 FCC Rcd. 18034, 18037 (MB 2008) (dismissing petition for reconsideration).

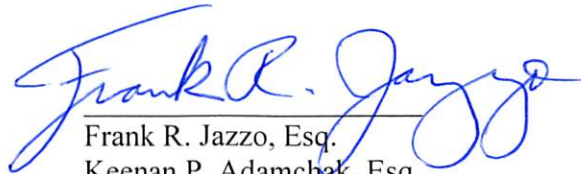
³⁶ 47 C.F.R. § 73.3584(e) ("[P]leadings . . . which . . . are [] procedurally defective, are subject to return by the FCC's staff without consideration.")

CONCLUSION

For the foregoing reasons, the Commission should dismiss or deny Love and Faith Christian Fellowship's Petition for Reconsideration concerning the Commission's grant of W264DO's construction permit.

Respectfully submitted,

SOUTHERN BROADCAST MEDIA, LLC



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Counsel for Southern Broadcast Media, LLC

Dated: May 15, 2018

Exhibit A

Declaration of Richard Miller

**Before the
FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of the Application of)	
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SOUTHERN BROADCAST MEDIA, LLC)	W264DO, Winston-Salem, NC
)	Facility ID No. 201392
)	File No. BNPFT-20180322ABG
For a Construction Permit for a)	
New FM Translator Station at)	
Winston-Salem, NC)	

DECLARATION OF RICHARD MILLER

I, **RICHARD MILLER**, hereby declare as follows:

1. I am a Member of Southern Broadcast Media, LLC (“Southern Broadcast Media”). I make this declaration in voluntary support of Southern Broadcast Media’s Opposition to Love and Faith Christian Fellowship’s (“LFCF”) Petition for Reconsideration (“Petition for Reconsideration”).
2. Southern Broadcast Media is the permittee of FM translator, W264DO, Winston-Salem, North Carolina (Facility ID No. 201392) (“W264DO”). W264DO is permitted to operate on Channel 264 at 100.7 MHz.
3. To my knowledge and belief, LFCF alleges in its Petition for Reconsideration that W264DO’s operations will potentially interfere with the signal of LFCF’s low-power FM station, WLJF-LP, Greensboro, North Carolina (Facility ID No. 197618) (“WLJF-LP”). To my knowledge and belief, WLJF-LP is licensed to operate on Channel 264 at 100.7 MHz.
4. In an effort to investigate LFCF’s allegation that W264DO’s operations will potentially interfere with WLJF-LP’s signal, on May 3, 4, 7, and 8, 2018, I along with my colleagues, Timothy Bowman and Richard Parker, made several signal strength observations of WLJF-LP on Channel 264 at 100.7 MHz using my 2000 Chevrolet Suburban’s Delco Electronics car radio from the public areas approximate to each of the 5 listener complainant locations provided support of in LFCF’s Petition for Reconsideration. Prior to our visits to each of the listener complainant locations, we confirmed that WLJF-LP would be on air at the time of our observations.
5. On the evening of Thursday, May 3, 2018, Mr. Bowman and I made signal strength observations of WLJF-LP at the following 2 listener complainant locations:
 - Cheryl Jeffries (4724 Oak Park Circle, Pfafftown, North Carolina 27040).
 - Debra Toure (4110 Carnation Drive, Winston-Salem, North Carolina 27105).

We were unable to receive WLJF-LP's signal at either Ms. Jeffries or Ms. Toure's residences, and did not observe any external antenna at either residence. We also drove around Ms. Jeffries and Ms. Toure's neighborhoods, and were unable to receive WLJF-LP's signal in those areas. During our drive from Ms. Jeffries' residence to Ms. Toure's residence, however, we received a broken signal from full-power FM station, WRDU, Wake Forest, North Carolina (Facility ID No. 74125) ("WRDU"). To my knowledge and belief, WRDU operates on Channel 264 at 100.7 MHz.

6. On the morning of Friday, May 4, 2018, I alone returned to Ms. Jeffries and Ms. Toure's residences, and I was unable at that time to receive WLJF-LP's signal at either residence. During my drive that morning from Ms. Jeffries' residence to Ms. Toure's residence, however, I again received WRDU's broken signal while traveling between the two listener complainant locations.
7. Later in the day on May 4, 2018, Mr. Bowman and I traveled to Greensboro, North Carolina, to determine where WLJF-LP's signal began in that city. We observed that WLJF-LP's signal faded in and out (i.e., a broken signal) beginning in the area around Sandy Ridge Road in Greensboro, North Carolina, and finally became a distinct signal in the area around Wendover Avenue in that city.
8. After observing WLJF-LP's signal strength in Greensboro, North Carolina, on May 4, 2018, Mr. Bowman and I then proceeded to observe WLJF-LP's signal strength at the residences of the 3 remaining listener complainants:
 - Ethel McClarey (1517 Bainbridge Road, Kernersville, North Carolina 27284).
 - Barbara Williams (1805 Ramsey Road, Kernersville, North Carolina 27284).
 - Teresa Brown (1535 Ethel Drive, Winston-Salem, North Carolina 27127).

Mr. Bowman and I were unable to detect WLJF-LP's signal at either Ms. McClarey or Ms. Williams' residences, and we did not observe an external antenna at either residence. During our drive from Ms. McClarey's residence to Ms. Williams' residence, however, we did detect a broken signal on 100.7 MHz – but we were unable to determine the signal's origin. Finally, we were unable to receive either WLJF-LP or WRDU's signal at Ms. Brown's residence, nor did we observe an external antenna at that residence. We continued to monitor the 100.7 MHz frequency on our drive back to Winston-Salem, North Carolina, but were unable to detect *any* station signal transmitting on that frequency.

9. On Monday, May 7, 2018, I alone rechecked for WLJF-LP's signal at Ms. Jeffries and Ms. Toure's residences, and I could not detect WLJF-LP's signal at either residence. I, however, did receive WRDU's signal that day while driving from Ms. Jeffries' residence to Ms. Toure's residence.

10. Later in the afternoon of May 7, 2018, Mr. Parker and I traveled to observe WLJF-LP's signal strength at Ms. Brown's residence. Again, we were unable to receive WLJF-LP's signal at or around Ms. Brown's residence. We then drove in both directions (east/west) on Interstate 40 from Winston-Salem, North Carolina, to Kernersville, North Carolina, and found a broken signal near U.S. Highway 66 in Kernersville, North Carolina. We, however, could not discern the specific programming of the broken signal – other than it was of a musical origin. We then proceeded to travel the remaining 1 mile to Ms. Williams' residence, and detected a broken signal at that location. The programming on the broken signal, however, was again not discernable.
11. Between 12:30 PM and 3:20 PM on Tuesday, May 8, 2018, Mr. Bowman and I traveled to *all* 5 listener complainant locations to observe WLJF-LP's signal strength at each location. We first traveled to Ms. Jeffries' residence, and were unable to detect WLJF-LP's signal at that location. We then traveled to Ms. Toure's residence, and were also unable to detect WLJF-LP's signal at that location.
12. Later that afternoon on May 8, 2018, I alone traveled to Ms. McClarey, Ms. Williams, and Ms. Brown's residences, and was unable to detect WLJF-LP's signal at any of those locations.
13. In summary, during my signal strength observations at and between each of the 5 listener complainants' residences, my colleagues and I were unable to receive a discernable signal from WLJF-LP. Accordingly, based on my observations, I do not believe that W264DO's operations will potentially interfere with the receipt of WLJF-LP's signal at or around each of the 5 listener complainant residences as WLJF-LP's signal does not appear to reach any of those locations.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on May 14, 2018.

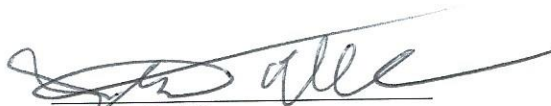

Richard Miller

Exhibit B

Declaration of Timothy Bowman

**Before the
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In the Matter of the Application of)	
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SOUTHERN BROADCAST MEDIA, LLC)	W264DO, Winston-Salem, NC
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Winston-Salem, NC)	

DECLARATION OF TIMOTHY BOWMAN

I, **TIMOTHY BOWMAN**, hereby declare as follows:

1. I am an announcer for AM station, WTOB, Winston-Salem, North Carolina (Facility ID No. 40996) ("WTOB"). WTOB is licensed to Southern Broadcast Media, LLC ("Southern Broadcast Media"). I make this declaration in voluntary support of Southern Broadcast Media's Opposition to Love and Faith Christian Fellowship's ("LFCF") Petition for Reconsideration ("Petition for Reconsideration").
2. Southern Broadcast Media is the permittee of FM translator, W264DO, Winston-Salem, North Carolina (Facility ID No. 201392) ("W264DO"). W264DO is permitted to operate on Channel 264 at 100.7 MHz.
3. To my knowledge and belief, LFCF alleges in its Petition for Reconsideration that W264DO's operations will potentially interfere with the signal of LFCF's low-power FM station, WLJF-LP, Greensboro, North Carolina (Facility ID No. 197618) ("WLJF-LP"). To my knowledge and belief, WLJF-LP is licensed to operate on Channel 264 at 100.7 MHz.
4. In an effort to investigate LFCF's allegation that W264DO's operations will potentially interfere with WLJF-LP's signal, on May 3, 4, and 8, 2018, I accompanied Richard Miller, Member of Southern Broadcast Media, in making several signal strength observations of WLJF-LP on Channel 264 at 100.7 MHz using Mr. Miller's 2000 Chevrolet Suburban's Delco Electronics car radio from the public areas approximate to each of the 5 listener complainant locations provided support of in LFCF's Petition for Reconsideration. Prior to our visits to each of the listener complainant locations, we confirmed that WLJF-LP would be on air at the time of our observations.

5. On the evening of Thursday, May 3, 2018, Mr. Miller and I made signal strength observations of WLJF-LP at the following 2 listener complainant locations:

- Cheryl Jeffries (4724 Oak Park Circle, Pfafftown, North Carolina 27040).
- Debra Toure (4110 Carnation Drive, Winston-Salem, North Carolina 27105).

We were unable to receive WLJF-LP's signal at either Ms. Jeffries or Ms. Toure's residences, and did not observe any external antenna at either residence. We also drove around Ms. Jeffries and Ms. Toure's neighborhoods, and were unable to receive WLJF-LP's signal in those areas. During our drive from Ms. Jeffries' residence to Ms. Toure's residence, however, we received a broken signal from full-power FM station, WRDU, Wake Forest, North Carolina (Facility ID No. 74125) ("WRDU"). To my knowledge and belief, WRDU operates on Channel 264 at 100.7 MHz.

6. In the afternoon of May 4, 2018, Mr. Miller and I traveled to Greensboro, North Carolina, to determine where WLJF-LP's signal began in that city. We observed that WLJF-LP's signal faded in and out (i.e., a broken signal) beginning in the area around Sandy Ridge Road in Greensboro, North Carolina, and finally became a distinct signal in the area around Wendover Avenue in that city.

7. After observing WLJF-LP's signal strength in Greensboro, North Carolina, on May 4, 2018, Mr. Miller and I then proceeded to observe WLJF-LP's signal strength at the residences of the 3 remaining listener complainants:

- Ethel McClarey (1517 Bainbridge Road, Kernersville, North Carolina 27284).
- Barbara Williams (1805 Ramsey Road, Kernersville, North Carolina 27284).
- Teresa Brown (1535 Ethel Drive, Winston-Salem, North Carolina 27127).

Mr. Miller and I were unable to detect WLJF-LP's signal at either Ms. McClarey or Ms. Williams' residences, and we did not observe an external antenna at either residence. During our drive from Ms. McClarey's residence to Ms. Williams' residence, however, we did detect a broken signal on 100.7 MHz – but we were unable to determine the signal's origin. Finally, we were unable to receive either WLJF-LP or WRDU's signal at Ms. Brown's residence, nor did we observe an external antenna at that residence. We continued to monitor the 100.7 MHz frequency on our drive back to Winston-Salem, North Carolina, but were unable to detect *any* station signal transmitting on that frequency.

8. Between 12:30 PM and 3:20 PM on Tuesday, May 8, 2018, Mr. Miller and I traveled to *all* 5 listener complainant locations to observe WLJF-LP's signal strength at each location. We first traveled to Ms. Jeffries' residence, and were unable to detect WLJF-LP's signal at that location. We then traveled to Ms. Toure's residence, and were also unable to detect WLJF-LP's signal at that location.

9. In summary, during my signal strength observations with Mr. Miller at and between each of the 5 listener complainants' residences, we were unable to receive a discernable signal from WLJF-LP. Accordingly, based on my observations, I do not believe that W264DO's operations will potentially interfere with the receipt of WLJF-LP's signal at or around each of the 5 listener complainant residences as WLJF-LP's signal does not appear to reach any of those locations.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on May 14, 2018.



Timothy Bowman

Exhibit C

Declaration of Richard Parker

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DECLARATION OF RICHARD PARKER

I, **RICHARD PARKER**, hereby declare as follows:


1. I am a Member of Southern Broadcast Media, LLC (“Southern Broadcast Media”). I make this declaration in voluntary support of Southern Broadcast Media’s Opposition to Love and Faith Christian Fellowship’s (“LFCF”) Petition for Reconsideration (“Petition for Reconsideration”).
2. Southern Broadcast Media is the permittee of FM translator, W264DO, Winston-Salem, North Carolina (Facility ID No. 201392) (“W264DO”). W264DO is permitted to operate on Channel 264 at 100.7 MHz.
3. To my knowledge and belief, LFCF alleges in its Petition for Reconsideration that W264DO’s operations will potentially interfere with the signal of LFCF’s low-power FM station, WLJF-LP, Greensboro, North Carolina (Facility ID No. 197618) (“WLJF-LP”). To my knowledge and belief, WLJF-LP is licensed to operate on Channel 264 at 100.7 MHz.
4. In an effort to investigate LFCF’s allegation that W264DO’s operations will potentially interfere with WLJF-LP’s signal, on Monday, May 7, 2018, I accompanied Richard Miller, Member of Southern Broadcast Media, in making several signal strength observations of WLJF-LP on Channel 264 at 100.7 MHz using Mr. Miller’s 2000 Chevrolet Suburban’s Delco Electronics car radio from the public areas approximate to 2 of the 5 listener complainant residences provided support of in LFCF’s Petition for Reconsideration. Prior to our visits to each of the listener complainant locations, we confirmed that WLJF-LP would be on air at the time of our observations.
5. On the afternoon of May 7, 2018, Mr. Miller and I traveled to observe WLJF-LP’s signal strength at or around the residence of Teresa Brown (1535 Ethel Drive, Winston-Salem, North Carolina 27127). We were unable to receive WLJF-LP’s signal at or around Ms. Brown’s residence. We then drove in both directions (east/west) on Interstate 40 from Winston-Salem, North Carolina, to Kernersville, North Carolina, and observed a broken

broken signal near U.S. Highway 66 in Kernersville, North Carolina. We, however, could not discern the specific programming of the broken signal – other than it was of a musical origin. We then proceeded to travel the remaining 1 mile to the residence of Barbara Williams (1805 Ramsey Road, Kernersville, North Carolina 27284), and detected a broken signal at that location. The programming on the broken signal, however, was again not discernable.

6. In summary, during my signal strength observations with Mr. Miller at and between each of 2 of the 5 listener complainants' residences, we were unable to receive a discernable signal from WLJF-LP. Accordingly, based on my observations, I do not believe that W264DO's operations will potentially interfere with the receipt of WLJF-LP's signal at or around Ms. Brown or Ms. Williams' residences as WLJF-LP's signal does not appear to reach any of those locations.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on May 14, 2018.


Richard Parker

DECLARATION

I, Richard Miller, hereby attest to the following:

1. I am a Member of Southern Broadcast Media, LLC.
2. I have personal knowledge of the facts set forth in the foregoing Opposition to the Petition for Reconsideration.
3. I have read the Opposition to the Petition for Reconsideration, and the responses therein are truthful and correct to the best of my knowledge, information, and belief.

I hereby certify that to the best of my knowledge and belief, under penalty of perjury, the foregoing statements are true and correct.

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

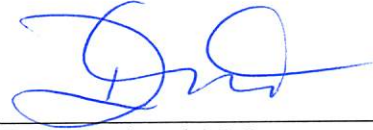
Richard Miller

Dated: May ^{14th}__, 2018

CERTIFICATE OF SERVICE

I, Deborah N. Lunt, counsel for Fletcher, Heald & Hildreth, PLC, hereby certify that a true copy of the foregoing Opposition to Petition for Reconsideration was sent this 15th day of May, 2018, via email where indicated and via U.S. First Class Mail, postage prepaid, to the following:

Jerrold Miller, Esq.
Miller and Neely, P.C.
3750 University Blvd. W., Suite 203
Kensington, MD 20895



Deborah N. Lunt