

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

In the Matter of)
)
ENTRAVISION HOLDINGS, LLC) File No. BPH-20190723AAN
) Facility ID No. 2750
For Construction Permit)
KDVA(FM), Buckeye, AZ)

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

STATEMENT FOR THE RECORD

Prescott Valley Broadcasting Co. Inc. (“PVBC”) and ITM, LLC (“ITM”), by their attorney, hereby respectfully jointly are filing this Statement for the Record with respect to the above-captioned application (“KDVA Application”) filed by Entravision Holdings, LLC (“Entravision”). The KDVA Application seeks authority to change the frequency of KDVA(FM) to Channel 294A without a change to the KDVA transmitter site or its community of license. The KDVA Application was filed in conjunction with another application that Entravision filed on the same day: to change the community of license of KVVA-FM, from Apache Junction, AZ to Sun Lakes, AZ and to modify the KVVA-FM license to operate on Channel 296C2 (“KVVA-FM Application” and collectively with the KDVA Application, the “Applications”).¹

PVBC is the licensee of KPPV(FM), Prescott Valley, AZ, which operates on Channel 294C2.

ITM is the licensee of FM translator K296GN, Prescott Valley, AZ, which operates on Channel 296.

¹ Concurrently herewith, PVBC is filing Comments with respect to the KVVA-FM Application, following the publication of notice of filing of the KVVA-FM Application in the *Federal Register* on August 30, 2019. See 84 FR 45764. PVBC acknowledges that the Commission has issued an Order to Show Cause to PVBC with respect to the KDVA Application; however, the deadline for filing a response thereto has not yet passed. Accordingly, PVBC is reserving its rights to file a response to that Order to Show Cause. PVBC is filing this Statement for the Record in order to provide the Commission with a complete understanding of all of the matters raised herein, because the request to change the KVVA-FM community of license and the KDVA Application may be evaluated by different members of the Commission’s staff.

FM translator K296GN rebroadcasts the HD3 signal of KPPV.

As set forth in the Applications, there are a series of steps that must occur, each contingent on the other, in order to implement the facilities set forth in the Applications. One of those steps requires KPPV (which is licensed to PVBC) to change its frequency from Channel 294C2 to Channel 295C2. That is, unless KPPV agrees to change its frequency, under the Commission's rules, neither of the Applications can be granted.

Over fifty years ago, the Commission recognized, in the landmark *Circleville* decision,² that whenever an existing station is ordered to change frequency to accommodate another station, the benefiting station must reimburse the affected station for its reasonable and prudent expenses associated with the frequency change. In the cases of PVBC and ITM, these expenses include, but are not limited to, engineering, legal and equipment charges; printing, including replacement of station apparel that would become outdated by the frequency change; out of pocket nonreducible expenses while the affected station is off the air; changes to all of the stations' social media outlets; and advertising and promotion associated with changing to the new frequencies.

A change in KPPV's frequency to Channel 295C2 would be a massive undertaking for PVBC to incur. KPPV is ensconced in various northern Arizona communities including Prescott, Prescott Valley, Cottonwood and the Verde Valley, having provided continuous service for almost 35 years. Indeed, PVBC estimates that nearly 250,000 people would be impacted by the proposed channel change. In 2020, in honor of KPPV's 35th anniversary of on-air operations, PVBC was planning a significant celebration. All of the existing momentum towards this momentous milestone would be stopped dead in its tracks if KPPV were forced to move to 106.9 FM. All of KPPV's branding, logos and marketing materials, including on-air jingles, billboards and advertising identify the station as "KPPV 106.7" or "The Mix 106.7." Changing KPPV's frequency – even by one

channel – will cause a serious disruption to the business of PVBC and to KPPV’s listeners, who have come to rely on tuning into 106.7 and hearing KPPV’s program offerings on a regular basis.

The impact on ITM’s FM translator K296GN is just as severe. That translator, which is branded as “Juan 107.1,” provides the only Spanish-language radio broadcasting service to northern Arizona. In order to avoid having its signal eviscerated by the operation of KVVA-FM on Channel 296, ITM has identified a frequency to which it could move, subject to Commission approval. However, in doing so, ITM also would have to undertake the same significant marketing blitz as PVBC (*e.g.*, changing branding, logos and marketing materials, including social media, on-air jingles, billboards and advertising) so as to inform Juan 107.1’s listeners of the proposed channel change.

PVBC and ITM have expressed to Entravision their willingness to cooperate, consistent with the *Circleville* principles. However, also consistent with *Circleville*, Entravision must be willing to reimburse PVBC and ITM for the substantial costs that each of them will have to undertake associated with their cooperation. PVBC and Entravision have exchanged correspondence regarding the extent of the reimbursement; however, Entravision has not yet agreed to provide sufficient reimbursement to cover PVBC and ITM’s reasonable expected costs.

² *Amendment of Section 73.202, Table of Assignments (Leitchfield, KY, et al.)*, 8 FCC 2d 159 (1967).

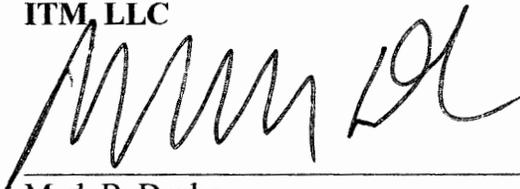
Unless and until Entravision becomes willing to reimburse PVBC and ITM for the reasonable costs that they will have to undertake in order to accommodate Entravision, PVBC and ITM cannot support the grant of either the KVVA-FM Application or the KDVA Application.

Respectfully submitted,

PRESCOTT VALLEY BROADCASTING CO. INC.

ITM LLC

By:



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October 28, 2019

CERTIFICATE OF SERVICE

I, Mark B. Denbo, do hereby certify that a copy of the foregoing "Statement for the Record" was mailed by First Class U.S. Mail, postage prepaid (or via electronic mail if marked with an asterisk), this 28th day of October, 2019 to the following:

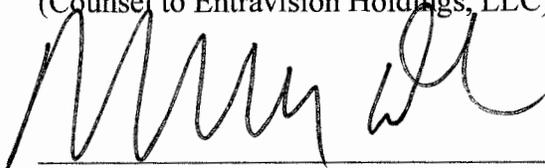
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