

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

In re Application of)
)
Jean J. Suh) FCC File No. BNPFT-20171201AMU
) Facility ID No. 201575
For a Construction Permit for a New)
FM Translator on Channel 233 at)
Puyallup, WA)

To: The Commission
Attn: Chief Audio Division, Media Bureau

REPLY

Olympia Broadcasters, Inc. (“Olympia”) hereby replies to the Opposition filed by Jean J. Suh (“Ms. Suh”) on January 10, 2018. In its Petition to Deny, Olympia demonstrated that people regularly listen to its station KRXY within the 60 dBu contour of Ms. Suh’s proposed translator. Indeed, KRXY has listeners within the immediate vicinity of Ms. Suh’s proposed transmitter site. Because Ms. Suh proposes to operate a translator on the same channel as KRXY, it is evident that the translator would interfere with existing listenership to KRXY.

Instead of rebutting that interference will occur, Ms. Suh first faults Olympia for not providing addresses for three people that Olympia identified as listening to KRXY in the vicinity of her proposed translator. Olympia questions Ms. Suh’s motivation in insisting on invading the privacy of individuals by requiring them to publish in a public forum their addresses, which are not relevant to the question of whether they listen to KRXY within the coverage area of her proposed translator. Nevertheless, Olympia points out that the email from Listener “B,” Mike Culley, contained his address at the end of his email. The email from Listener “C,” Molly Carmody, included her work address. Although the emails from Listener “A,” Christi Reign, did

not include a specific address (it did identify her hometown), her emails, just like the others, identified the areas where she travels while listening to KRXY. In any event, the location of listeners' home and work addresses of the listeners is irrelevant. Precedent appropriately establishes that the relevant locations are where the people *listen* to KRXY.¹

Next, Ms. Suh takes issue with the fact Olympia's engineering analysis used Longley-Rice rather than the standard F(50,50) curve methodology to show the proposed translator will cause interference to regular listenership to KRXY. But she does not attempt to rebut that actual interference will occur, whatever methodology is used, as demonstrated in the attached Updated Engineer Statement prepared by Joseph M. Davis, which uses the standard F(50,50) curve methodology. For the reasons set forth herein and in the Petition, Ms. Suh's application should be dismissed.

¹ See, e.g., Letter from James D. Bradshaw to HBI Radio Bemidji, LLC dated July 5, 2017 (http://licensing.fcc.gov/cgi-bin/prod/cdbs/forms/prod/getimportletter_exh.cgi?import_letter_id=82020) (dismissing an FM translator's application where "[t]he petitioner submitted documentation from listeners that . . . live, work or *travel* within the 60 dBu contour of the proposed translator") (emphasis added). In the context of actual interference, the Commission has also explained that "it places no geographic or temporal limitation on complaints, and it has long held that even mobile receivers, such as automobile radios, should not be subject to interference resulting from the operation of an FM translator . . . station." See *The Association for Community Education, Inc.*, 19 FCC Rcd 12682, 12688 (2004).

Respectfully submitted,

OLYMPIA BROADCASTERS, INC.

By: 

Meredith S. Senter, Jr.
Laura M. Berman

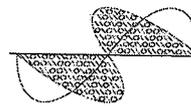
Lerman Senter PLLC
2001 L Street, NW
Suite 400
Washington, DC 20036

January 22, 2018

(202) 429-8970

Attachment A

Engineering Statement



Supplemental Engineering Statement

prepared for

Olympia Broadcasters, Inc.

This statement has been prepared on behalf of *Olympia Broadcasters, Inc.* (“*Olympia*”) in support of *Olympia*’s Reply regarding the application of *Jean J. Suh* (“*Suh*”) for a new FM translator station on Channel 233, file number BNPFT-20171201AMU, Facility ID 201575, Puyallup, WA. *Olympia* is licensee of KRXY(FM), Channel 233A, Facility ID 82527, Shelton, WA.

Suh’s opposition to *Olympia*’s Petition to Deny states that *Olympia*’s petition did not consider the FCC’s standard propagation curves in its conclusion that the translator will cause interference to KRXY at locations within the translator’s 60 dB μ contour, and that there is no prohibited contour overlap created by the proposed translator. To the latter topic, the lack of prohibited contour overlap is precisely the triggering point of §74.1204(f) upon which *Olympia*’s petition is based.

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, as set forth in paragraph (a) of this section, 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, including Class D (secondary) noncommercial educational FM stations and grant of the authorization will result in interference to the reception of such signal.

Considering locations beyond the KRXY protected contour (60 dB μ), the map attached as Figure 1 depicts areas of predicted interference to KRXY based on the FCC’s standard propagation curves of §73.313. The map demonstrates that reception of KRXY anywhere within *Suh*’s proposed translator’s 60 dB μ contour would be subject to interference from the translator.

Figure 2 supplies a supplemental interference computation for the previously identified “Listener B” sample location, this time based on the FCC’s standard propagation curves. At this

**Supplemental Engineering Statement
Olympia Broadcasters, Inc.**

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location, the desired KRXY signal is 44.8 dB μ and the undesired translator signal level is 73.4 dB μ , resulting in a predicted U/D ratio exceeding the -20 dB threshold by 48.6 dB. As previously described, this sample location is along a regular route traveled by Listener "B". Figure 2 depicts the terrain profile from the well-elevated KRXY transmitting location to the sample location, and demonstrates that there are no terrain obstructions along the path.

Therefore, regardless of which propagation method is used (Longley-Rice as described in *Olympia's* petition, or standard FCC curves) predictions clearly show that grant of the translator's proposal will result in interference to the reception of KRXY at populated locations within the translator's standard 60 dB μ contour.

Certification

Under penalty of perjury, the undersigned hereby affirms that the foregoing statement was prepared by him or under his direction, and that it is true and correct. Mr. Davis has over 30 years of radio engineering experience, is president of *Chesapeake RF Consultants LLC*, is a Registered Professional Engineer in Virginia, holds a Bachelor of Science degree from Old Dominion University in Electrical Engineering Technology, and has submitted numerous engineering exhibits to various local governmental authorities and the Federal Communications Commission. His qualifications are a matter of record with that agency.

Joseph M. Davis, P.E.
January 22, 2018

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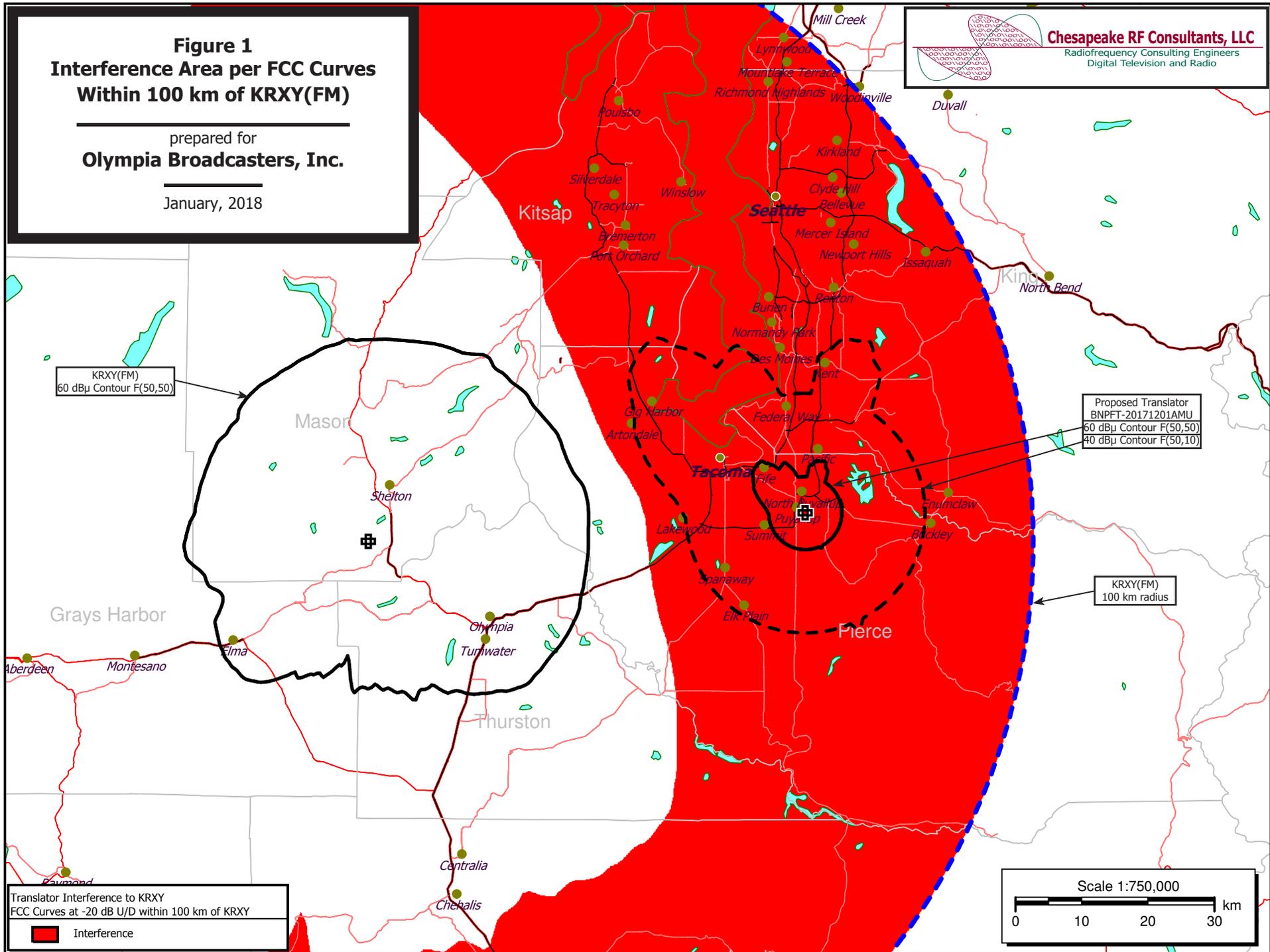
List of Attachments

- Figure 1 Interference Area per FCC Curves
- Figure 2 Terrain Profile: KRXY to Sample Point

Figure 1
Interference Area per FCC Curves
Within 100 km of KRXY(FM)

prepared for
Olympia Broadcasters, Inc.

January, 2018



KRXY(FM)
 60 dBµ Contour F(50,50)

Proposed Translator
 BNPFT-20171201AMU
 60 dBµ Contour F(50,50)
 40 dBµ Contour F(50,10)

KRXY(FM)
 100 km radius

Translator Interference to KRXY
 FCC Curves at -20 dB U/D within 100 km of KRXY

Interference

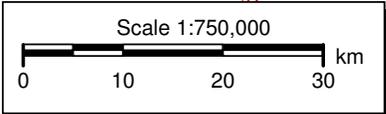
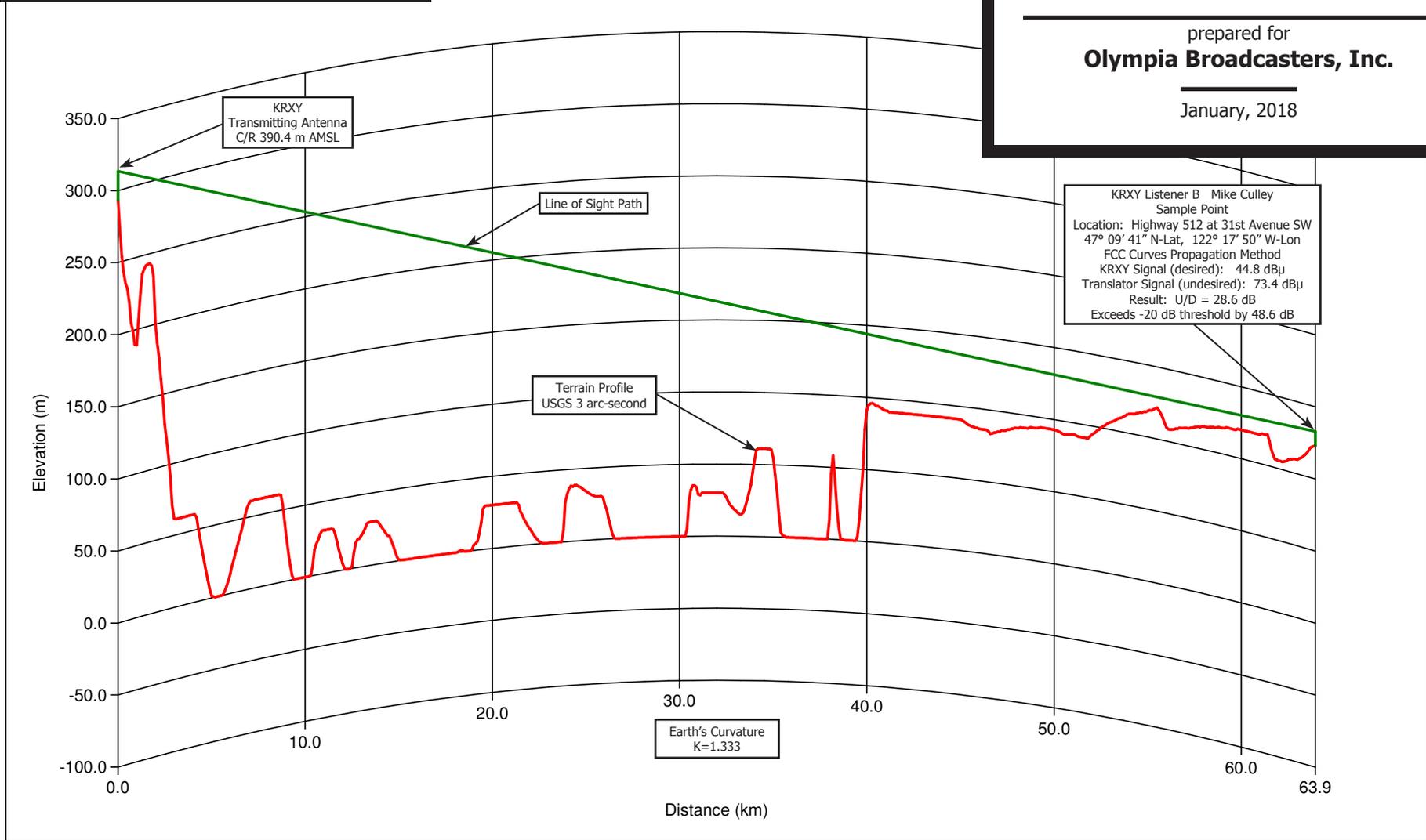


Figure 2
Terrain Profile: KRXY to Sample Point

 prepared for
Olympia Broadcasters, Inc.

 January, 2018



Start Latitude: 47-08-20 N
 Start Longitude: 123-08-23 W

End Latitude: 47-09-41 N
 End Longitude: 122-17-50 W

Distance: 63.95 km
 Bearing: 87.45 deg

CERTIFICATE OF SERVICE

I, Laura M. Berman, certify that, on this 22nd day of January, 2018, I served a copy of the foregoing Reply by first-class United States mail, postage prepaid, upon the following:

Matthew H. McCormick
Mark DeSantis
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Counsel to Jean J. Suh



Laura M. Berman