

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In re Application of)
)
Rocket Radio Corporation)
1TV.COM, Inc.) Facility ID No. 155722
)
FM Translator Station K246CH,) File No. BPFT-20180625ABP
Channel 256, Tuba City, Arizona)

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

INFORMAL OBJECTION

Mountain Community Translators, LLC (“MCT”), the licensee of multiple FM translator stations, including several FM translator stations in the State of Arizona, pursuant to §§ 1.41 and 73.3587 of the Rules, hereby files an INFORMAL OBJECTION, directed to the June 25th, 2018 application of Rocket Radio Corporation (“RRC”) for a Minor Change Application, form 349, BPFT-20180625ABP, for K246CH Tube City, Arizona, facility ID 155722. For reasons that follow, MCT requests that this application be dismissed.

BACKGROUND

K246CH Tuba City, Arizona, facility ID 155722, has been until recently (K246CH is currently silent as of May 7th, 2018), operating under program test authority under a pending license application, BLFT-20160404ACM, as K275CL Phoenix, AZ, under a Construction Permit (“CP”), BPFT-20160129AVI on Channel 275D. This license application has yet to be granted, likely due to an Informal Objection filed by Linda Corso, license of KRDE(FM) San Carlos, AZ. The Informal Objection basically asserts that the new operation of K246CH as specified under the K275CL CP was not correctly built out. The antenna systems and power

output were not authorized. RRC's owner, John Low, even much later admitted on June 22nd, 2017 that K246CH was not built out properly in a declaration filed at the Commission (see Exhibit 5 attached). Thus, the pending license application for K246CH has not yet been granted.

DISCUSSION

The application filed by RRC for K246CH, BPFT-20180625ABP ("K246CH application"), calls for yet a new non-adjacent channel of operation on 256D. It should be noted that K246CH has filed seven FCC form 349's, seven form 350's and eight silent STA requests since RRC acquired this translator in 2010 (see exhibit 7 attached). The latest form 349 application was filed under question 5 of the FCC form 349 application as "Minor change of Licensed facility" and specifies the pending license application, BLFT-20160404ACM. MCT submits that K246CH Tuba City has not yet been licensed as a "250 mile AM window application" which would be required before the provisions of FCC 17-14 MB Docket No. 13-249, Footnote 22 could be utilized as RRC is attempting to do with this latest application. From Exhibit 1 of the K246CH application: "K246CH IS A 250 MILE MOVE TRANSLATOR. THEREFORE, PURSUANT TO FCC 17-14 MB DOCKET NO. 13-249, FOOTNOTE 22, IT MAY BE MOVED TO ANY NON-ADJACENT CHANNEL. FURTHERMORE, IT REMAINS AT THE CP SITE AND WITHIN THE PERMITTED 250 MILE RADIUS". Since there are still serious pending matters regarding the original "250 Mile AM Translator Move" license application for K246CH it should not be allowed to file a new minor change application until such time as the Commission determines if the first application was correctly constructed.

The K246CH application also falsely answers Question 14 of the Engineering Section III-A. RRC answered "Yes" to the FCC form 349 question: **Multiple Translators. Applicant certifies that it does not have any interest in an application or an authorization for an FM translator station that serves**

substantially the same area and rebroadcasts the same signal as the proposed FM translator station. RRC is also the licensee K247CF Payson, AZ, facility ID 144136. CDBS records indicate that K247CF rebroadcasts primary station KIKO(AM) Apache Junction, AZ, facility ID 72477 (see exhibit 6 attached). This is also confirmed by the KIKO(AM) web site, <http://bull1340.com> (see Exhibit 2 attached) where it promotes listening to KIKO(AM) on 97.3 mhz which is channel 247 that K247CF is licensed to operate on.

The K246CH application calls for the primary station to **remain** KIKO(AM) Apache Junction, AZ, facility ID 72477. Exhibit 1 show the predicted 60 dB μ primary contours for K246CH outstanding CP and license application, the K246CH application on channel 256D, and the current licensed operation of K247CF Payson, AZ, on channel 247D. As can be seen, these three records all show that these two translators currently serve or propose to serve substantially the same area and propose to rebroadcast the same primary station. The Commission policy on this matter as taken from its web site states: **“Technical need showing for service.** *Applicants are generally not required to show that a technical need for the translator service exists before filing an application for construction permit for a translator station. However, an applicant wanting to serve substantially the same area with a second translator must make an appropriate showing of technical need for the additional translator. "Need" refers to the quality of the signal received and not to the programming content, format, or transmission needs of an area. See [47 CFR Section 74.1232\(b\).](#)”* RRC did not address the need for a second service translator serving the same area with this application for K246CH. In fact, the current coverage contour of K247CF is superior to both the CP coverage and proposed K246CH application coverage contours. Since the proposed 60 dB μ contours are nearly identical and transmitters are located at the same transmitter site, MCT believes that there would be no technical need to have these two translators rebroadcasting the same primary station.

There is also a major discrepancy as to the licensee listed on the K246CH application. Commission records indicate that RRC is the current licensee of K246CH. However, the applicant and contact representative listed on the BPFT-20180625ABP is 1TV.COM, Inc. While these two companies are under common ownership, this is either an obvious error made by the applicant, or there has been an un-authorized transfer of ownership of K246CH, once again without any explanation.

Lastly, there is yet a third translator apparently rebroadcasting KIKO(AM) Apache Junction, AZ according to CDBS records (See Exhibit 3 attached). K286BS Globe, AZ, facility ID 23314. It is also owned by RRC. While this translator does not cover any duplicate area by either K246CH or K247CH, K286BS's predicted 60 dB μ appears to be outside of the 2 MV/M daytime contour and/or 25 miles radius of the KIKO-AM transmitter site. See Exhibit 4 for details. RRC is under common ownership with 1TV.com, Inc., which is the licensee of KIKO(AM). MCT submits that this translator may also may not be in proper compliance.

CONCLUSION

MCT has documented that the K246CH application for a new proposed operation on channel 256D should be dismissed since K246CH has not yet been granted a license for its current authorization that was granted as part of the Commission's AM revitalization efforts. If the Commission determines that the original K246CH application to relocate under the 250 mile AM window was not properly constructed (which RRC admits it was not in a declaration), then K246CH would not be allowed to utilize the current Commission provisions that might allow K246CH to move yet again to a new non-adjacent channel. Secondly, MCT has shown that RRC falsely answered question 14 of its application certifying that its that the proposed operation would not cover substantially the same area as another translator, K247CF, it currently owns and

rebroadcasts the same primary station. The proposed and currently authorized K246CH Tuba City, AZ does cover the exact same coverage area as RCC's co-owned K247CF without any explanation. Lastly, the wrong applicant is listed on the K246CH application without explanation. Commission records indicate Rocket Radio Corporation as the licensee of K246CH, but the 349 application list 1TV.COM, Inc. as the licensee. All three of these documented items should allow the Commission to dismiss this pending application.

Respectfully Submitted,



Victor A Michael, Jr.
Sole Member
Mountain Community Translators, LLC
87 Jasper Lake Road
Loveland, CO 80537
970-669-9200
vicmichael@aol.com

Dated 6/28/2018

CERTIFICATE OF SERVICE

I, Victor A Michael, Jr., Sole Member of Mountain Community Translators, LLC, hereby certify that on June 28th, 2018, I mailed a copy, first class mail, postage prepaid, of the “Informal Objection” to:

Rocket Radio Corporation/ITV.COM, Inc.
4501 Broadway
Miami, AZ 85539

Via Email:

James Bradshaw, FCC, Audio Division
Robert Gates, FCC, Audio Division

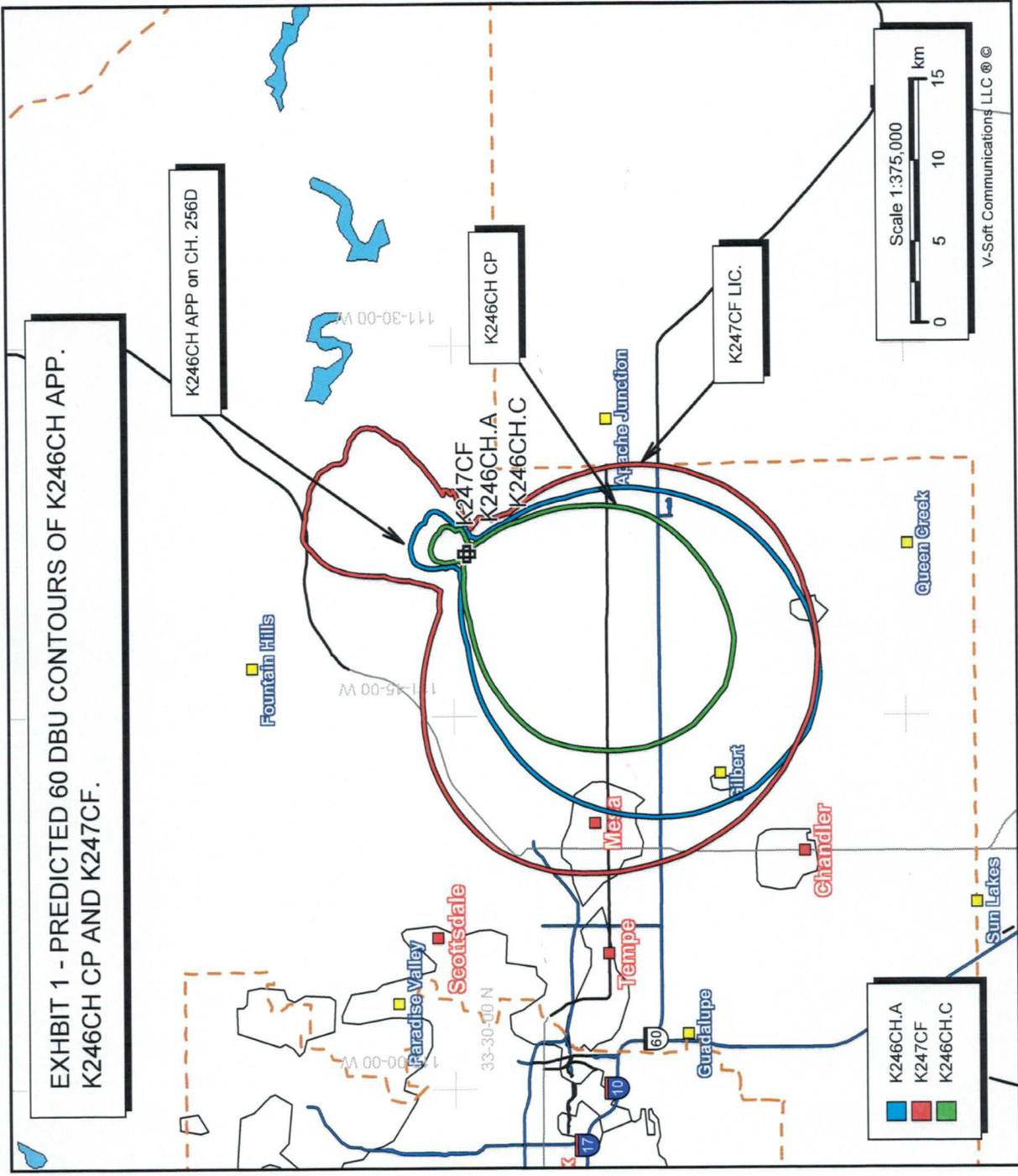


Victor A Michael, Jr

K246CH.A
 BPFT20180625ABP
 Latitude: 33-29-33 N
 Longitude: 111-38-23 W
 ERP: 0.25 kW
 Channel: 256
 Frequency: 99.1 MHz
 AMSL Height: 772.0 m
 Elevation: 762.0 m
 Horiz. Pattern: Directional
 Vert. Pattern: No
 Prop Model: None

K247CF
 BLFT20161214AAQ
 Latitude: 33-29-33 N
 Longitude: 111-38-24 W
 ERP: 0.25 kW
 Channel: 247
 Frequency: 97.3 MHz
 AMSL Height: 768.0 m
 Elevation: 760.0 m
 Horiz. Pattern: Directional
 Vert. Pattern: No
 Prop Model: None

K246CH.C
 BPFT20160129AVI
 Latitude: 33-29-33 N
 Longitude: 111-38-23 W
 ERP: 0.08 kW
 Channel: 275
 Frequency: 102.9 MHz
 AMSL Height: 772.0 m
 Elevation: 762.0 m
 Horiz. Pattern: Directional
 Vert. Pattern: No
 Prop Model: None





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Station Search Details

Call Sign:	K286BS
Facility Id:	23314
Primary Station Call Sign:	KIKO
Community of License:	MIAMI, AZ
Service:	FX
Fac Type:	FM TRANSLATOR
Status:	LICENSED
Status Date:	04/05/2017
Frequency:	105.1
Channel:	286
Digital Status:	
Lic Expir:	10/01/2021
Licensee:	ROCKET RADIO CORPROATION
Address:	4501 BROADWAY
Address 2:	
City:	MIAMI
State:	AZ
Zip Code:	95539 -
Phone Number:	(650) 498-8164
Engineering Data	View Engineering Data
Call Sign History	View Call Sign History
FRN History	View FRN History
Correspondence Folder	View Correspondence Folder

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K286BS
 BLFT20140707ADT
 Latitude: 33-24-23 N
 Longitude: 110-48-18 W
 ERP: 0.25 kW
 Channel: 286
 Frequency: 105.1 MHz
 AMSL Height: 1226.0 m
 Elevation: 1183.0 m
 Horiz. Pattern: Omni
 Vert. Pattern: No
 Prop Model: None

EXHIBIT 4
K286BS PREDICTED 60 DBU
KIKO-AM 2.0 MV/M DAY AND
25 MILE RADIUS FROM SITE

KIKO AM 2.0 MV/M DAY

KIKO AM 25 MILE RADIUS

K286BS 60 DBU

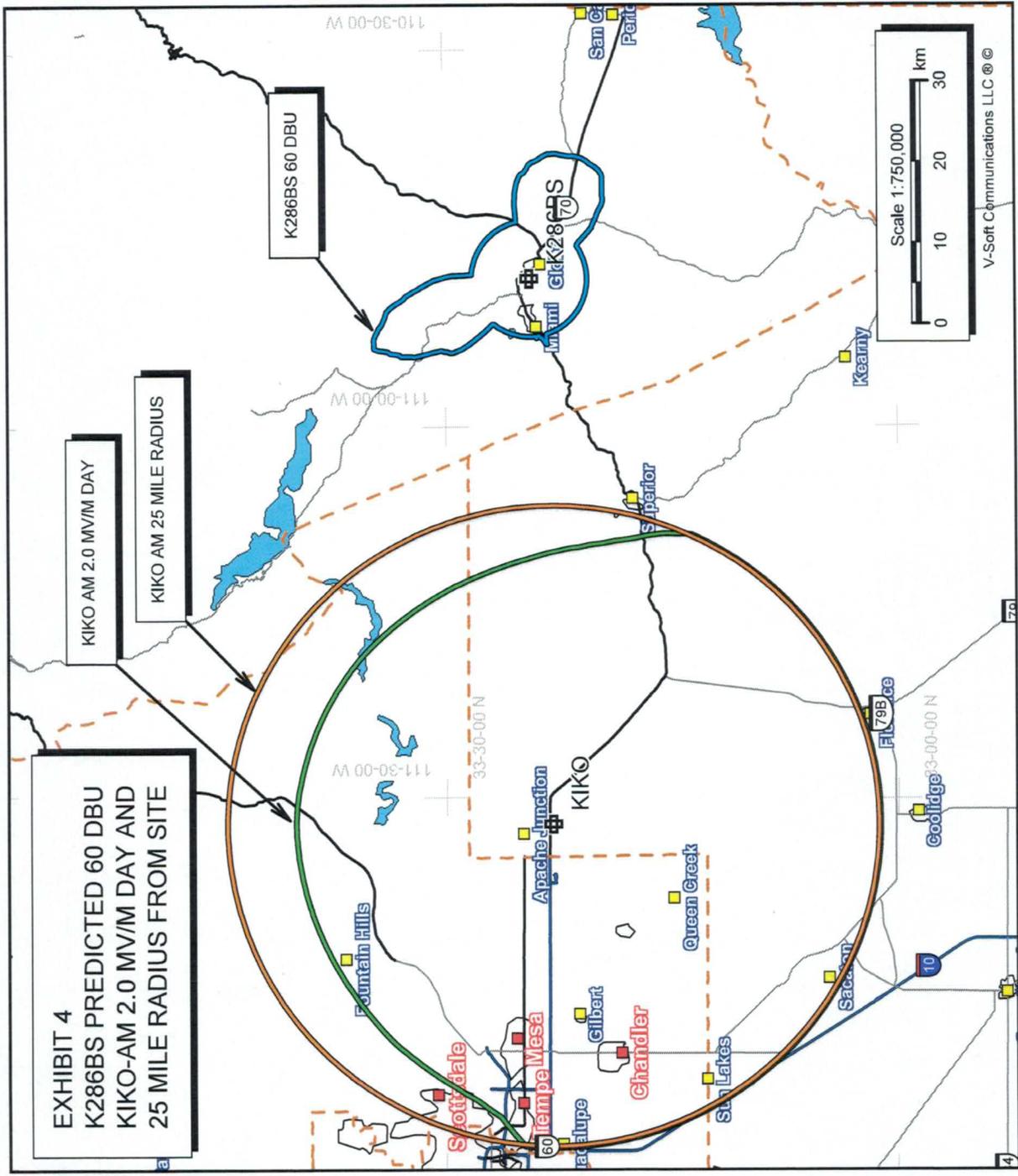


EXHIBIT 5 - John Low Declaration

JOHN LOW DECLARATION

I am John Low, president of Rocket Radio Corporation, licensee of FM Translator station K246CH/K275CL Tuba City, Arizona.

Rocket Radio leases K275CL tower site space in Mesa, Arizona, from Action Tower Company. Bart Henderschott, president of Action Tower Company, advised me that Dap-com is the site management team for the Action Tower Site. I hired Dap-com to construct K275CL facilities according to all parameters specified in BPFT-20160129AVI, to monitor ongoing station operations, to maintain station equipment/operations in full compliance with FCC requirements, and keep me advised. I believed that Dap-com familiarity with the tower site might facilitate K275CL construction and operation. I reside in California and have never personally visited the K275CL installation authorized by in BPFT-20160129AVI. I have relied on Action Tower Company and Dap-com to advise me as to communications site issues.

In early April 2016, Dap-com told me that the K275CL construction permit facilities were constructed as authorized, all conditions were satisfied, and the station was ready to commence automatic program test operation. At that time, based on my relationship with Action Tower Company I had no reason to doubt these representations. I asked Dap-com to supply required information to my consulting broadcast engineer, Joe DiPietro, so that he could prepare the necessary FCC application for broadcast license to cover the construction permit. K275CL commenced program test authority on April 4, 2016, and Rocket Radio filed a license application in File No. BLFT-20160404ACM certifying that the station was constructed as authorized.

In September 2016, Linda Corso, licensee of station KRDE San Carlos, Arizona filed a Petition to Deny the K275CL license application pending in FCC File No. BLFT-20160404ACM. The petition makes a number of claims, including that K275CL was not constructed or operating as authorized and that I falsely certified to that effect in FCC File No. BLFT-20160404ACM. After review of KRDE's petition, I called Bart Henderschott, and asked for his participation to review the current status, advise me as to his findings and, if needed, correct any issues that may exist at his site.

After he investigated, Mr. Henderschott informed me that the K275CL antenna had been mounted at height lower than authorized by the station construction permit, and oriented at an incorrect azimuth.

I was astounded to learn that, despite what was previously told to me and lead me to believe, K275CL had not been constructed or operated as authorized. In my position as president of Rocket Radio, I certified that statements contained in the applications for broadcast license of station K275CL (FCC file No BLFT-20160404ACM) were true, complete and correct to the best of my knowledge and belief. I would like to emphasize that when I filed the subject application that I believed all of the statements contained therein were true, complete and correct based on Dap-com's representations to me.

Mr. Hendershott told me that he was working on scheduling a tower climber to hang the antenna correctly pursuant to the construction permit and verify the compliance of all station operating parameters. Mr. Henderschott advised me that all corrections were completed, supervised by him, and verified with the parameters specified in FCC Construction Permit File No. BPFT-20160129AVI, on October 7, 2016. Mr. Henderschott confirms that K275CL has operated with compliant program test authority since that date.

As I reside in California and want to ensure ongoing K275CL compliance with FCC rules, Rocket Radio has implemented a compliance program with Action Tower Company and has taken other steps to guarantee that such events do not reoccur and that Rocket Radio implements the requisite degree of care expected of Commission licensees.

Rocket Radio has entered into understanding with the owner of Action Tower Site wherein Mr. Henderschott will supervise, install, and regularly review K275CL installations to make sure Rocket Radio equipment is always within compliance. Any future installation or modification will be done under supervision by Mr. Henderschott and he will send written verification to me that will include photos, showing any installation is within compliance with any given construction permit.

Mr. Henderschott will also implement remedial training with regard to FCC licensing procedures to assure adequate management responsibility and supervision for installations at his site., Mr. Henderschott has assured me if any Action Tower or management team employee is found to be involved in any violation of its or the FCC's rules and policies, such individuals will be subject to strict disciplinary action, including termination.

I recognize that, while I did not intentionally seek to mislead the Commission, my certification contained material mistakes and misstatements of fact. I sincerely regret any misstatements which were contained in my certification to the Commission and am embarrassed that I mistakenly provided incorrect information.

This statement is made under penalty of perjury as true and correct to the best of my personal knowledge and belief.



John Low

Date: June 22, 2017



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Station Search Details

Call Sign:	K247CF
Facility Id:	144136
Primary Station Call Sign:	KIKO
Community of License:	PAYSON, AZ
Service:	FX
Fac Type:	FM TRANSLATOR
Status:	LICENSED
Status Date:	12/14/2016
Frequency:	97.3
Channel:	247
Digital Status:	
Lic Expir:	10/01/2021
Licensee:	ROCKET RADIO CORPORATION
Address:	4501 BROADWAY
Address 2:	
City:	MIAMI
State:	AZ
Zip Code:	85539 -
Phone Number:	(650) 494-8164
Engineering Data	View Engineering Data
Call Sign History	View Call Sign History
FRN History	View FRN History
Correspondence Folder	View Correspondence Folder

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Search returned: 31 matching applications

Application Search Results

File Number	Form	Paper/ Elect	Call Sign	Facility Id	Service	Status	Status Date	Details	
BPFT	20180625ABP	349	E	K246CH	155722	FX	ACCEPTED FOR FILING	06/26/2018	Info Application
BLSTA	20180508ACH	STA	E	K246CH	155722	FX	GRANTED	06/18/2018	Info Application
BLFT	20160404ACM	350	E	K246CH	155722	FX	ACCEPTED FOR FILING	04/06/2016	Info Application
BPFT	20160129AVI	349	E	K246CH	155722	FX	GRANTED	02/25/2016	Info Application
BLFT	20150918ACN	350	E	K246CH	155722	FX	GRANTED	10/14/2015	Info Application
BLESTA	20150417ABE	STA	E	K246CH	155722	FX	DISMISSED	10/14/2015	Info Application
BPFT	20140925AEO	349	E	K246CH	155722	FX	GRANTED	10/30/2014	Info Application
BLSTA	20140919ACW	STA	E	K246CH	155722	FX	REVOKED	06/17/2015	Info Application
BLFT	20140912ABO	350	E	K246CH	155722	FX	DISMISSED	10/02/2015	Info Application
BPFT	20140520ALJ	349	E	K246CH	155722	FX	GRANTED	06/30/2014	Info Application
BLESTA	20140506ABM	STA	E	K246CH	155722	FX	GRANTED	08/07/2014	Info Application
BLSTA	20130923AHL	STA	E	K246CH	155722	FX	GRANTED	12/11/2013	Info Application
BRFT	20130528AFQ	303	E	K246CH	155722	FX	GRANTED	10/14/2015	Info Application
BLFT	20120614ABS	350	E	K246CH	155722	FX	GRANTED	06/22/2012	Info Application
BLESTA	20120201APD	STA	E	K246CH	155722	FX	GRANTED	02/22/2012	Info Application
BLSTA	20110712AAX	STA	E	K246CH	155722	FX	GRANTED	08/10/2011	Info Application
	20110602ADP	STA	P	K246CH	155722	FX	GRANTED	07/08/2011	Info Application
BPFT	20110414AAO	349	E	K246CH	155722	FX	GRANTED	06/01/2011	Info Application
BLFT	20110412AAB	350	E	K246CH	155722	FX	GRANTED	04/27/2011	Info Application

BPFT	20110223ACF	349	E	K246CH	155722	FX	GRANTED	03/31/2011	Info Application
BLFT	20110125ACZ	350	E	K246CH	155722	FX	GRANTED	02/08/2011	Info Application
BPFT	20100820ABP	349	E	K246CH	155722	FX	GRANTED	11/23/2010	Info Application
BLFT	20100729AEJ	350	E	K246CH	155722	FX	GRANTED	08/11/2010	Info Application
	20100405ADT	STA	P	K246CH	155722	FX	GRANTED	05/03/2010	Info Application
BPFT	20100301ABR	349	E	K246CH	155722	FX	GRANTED	06/08/2010	Info Application
BLFT	20100113AAU	350	E	K246CH	155722	FX	GRANTED	01/22/2010	Info Application
BMPFT	20091221AAA	349	E	K246CH	155722	FX	GRANTED	01/04/2010	Info Application
BAPFT	20091016ACB	345	E	K246CH	155722	FX	GRANTED	12/07/2009	Info Application
BNPFT	20080618ABK	349	E	K246CH	155722	FX	GRANTED	07/29/2008	Info Application
BNPFT	20030317IJZ	349	E	K246CH	155722	FX	GRANTED	07/29/2008	Info Application
			E	K246CH	155722	FX	Accepted	03/04/2010	Info Application

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