

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In re Applications of)	
)	
ROCKET RADIO CORPORATION)	
)	
for Authority to Modify the Licensed Facilities of)	FCC File No. BPFT-20160129AWZ
FM Translator Station K259AS,)	
Channel 259D, Globe, Arizona)	FCC Facility ID No. 144058
)	
and)	
)	
for Authority to Modify the Licensed Facilities of)	FCC File No. BPFT-20160129AVI
FM Translator Station K246CH,)	
Channel 246D, Tuba City, Arizona)	FCC Facility ID No. 155722

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

PETITION FOR RECONSIDERATION

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SUMMARY

By means of this filing, LINDA C. CORSO, the Licensee of Commercial FM Radio Station KRDE, Channel 231C1, San Carlos, Arizona, FCC Facility ID No. 37577, pursuant to § 1.106 of the Commission's Rules, seeks reconsideration of the recent grants of two Applications filed by ROCKET RADIO CORPORATION (*RRC*) for Construction Permits to modify the licensed facilities of two different FM Translator Stations:

- FCC Number BPFT-20160129AVI, affecting FM Translator Station K246CH, Channel 246D, Tuba City, Arizona, FCC Facility ID No. 155722 (the K246CH Application); and
- FCC Number BPFT-20160129AWZ, affecting FM Translator Station K259AS, Channel 259D, Globe, Arizona, FCC Facility ID No. 14405 (the *K259AS Application*).

Ms Corso urges that the FCC's staff, on delegated authority:

- set aside the two grants ; and
- dismiss the K259AS Application, as amended, pursuant to § 74.1204(f), due to the harmful interference that would surely result in populated and regularly frequented areas already served by Station KRDE; and
- designate the K246CH Application for a full evidentiary hearing, with appropriate issues specified, including *ex parte* and abuse-of-process issues.

With respect to the K259AS Application, in the alternative, if the staff does not deem warranted the rescission of that grant and the outright dismissal of that filing, then Ms. Corso urges that the staff designate the K259AS Application for a full evidentiary hearing, with appropriate issues specified, including *ex parte* and abuse-of-process issues.

Prior to the staff's grant, Ms. Corso, through her communications counsel, had filed an Informal Objection against the K246CH Application and had served RRC's communications counsel. The Informal Objection showed that the K246CH Application, which proposed

operation on Channel 230D, first adjacent to Station KRDE, violated § 74.1204(f) of the Commission's Rules. RRC did not respond to the Informal Objection. Rather, RRC filed a second amendment to that application (the *Second K246CH Amendment*), seeking to moot the Informal Objection by specifying Channel 275D. RRC did not serve Ms. Corso or her communications counsel with a copy of that Amendment.

RRC simultaneously filed a first amendment to the K259AS Application (the *First K259AS Amendment*), specifying Channel 230D in place of the originally proposed Channel 275D. Both applications, as originally filed and as amended, specified the same transmitter site, and comparable antenna heights and Effective Radiated Powers. (Ms. Corso had not filed an Informal Objection against the K259AS Application, because it specified a channel nonadjacent to Station KRDE.) RRC, who knew that Ms. Corso had already objected to Translator operations at that site on Channel 230D, did not serve Ms. Corso or her communications counsel with a copy of the First K259AS Amendment, either.

A few days after the filing of the two Amendments, shortly before the staff granted the two Applications, Ms. Corso's technical consultant and communications counsel became aware of the filings. They immediately undertook to prepare an Informal Objection to the K259AS Application and a Supplement to the previously filed Informal Objection against the K246CH Application. However, the staff granted the two Applications shortly before Ms. Corso's representatives could complete the responsive filing and gather supporting materials.

Ms. Corso now seeks reconsideration and rescission of both grants. The now-authorized K259AS facility will disrupt established service by Station KRDE to otherwise disinterested parties within the 60-dBμ service area of the now-authorized K259AS facility, in violation of §

74.1204(f). The now-authorized K246CH facility will not cause predicted interference to Station KRDE, other than blanketing interference, but the two applications are inextricably joined.

Taken together, the First K259AS Amendment and the Second K246CH Amendment constitute a switcheroo by RRC... a blatant and outrageous attempt to game the system and to obtain a grant for operation on Channel 230D from a site that had already drawn a protest from Ms. Corso. The outrageous circumstances cry out for reconsideration and redress by the Commission's staff.

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In re Applications of)	
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ROCKET RADIO CORPORATION)	
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for Authority to Modify the Licensed Facilities of)	
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FM Translator Station K246CH,)	FCC File No. BPFT-20160129AVI
Channel 246D, Tuba City, Arizona)	FCC Facility ID No. 155722
)	
and)	
)	
FM Translator Station K259AS/K230BT)	FCC File No. BPFT-20160129AWZ
Channel 259D, Globe, Arizona)	FCC Facility ID No. 144058

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

PETITION FOR RECONSIDERATION

LINDA C. CORSO, the Licensee of Commercial FM Radio Station KRDE, Channel 231C1, San Carlos, Arizona, FCC Facility ID No. 37577, by her communications counsel, pursuant to § 1.106 of the Commission's Rules, hereby seeks reconsideration and rescission of the grants of the two above-captioned Applications of ROCKET RADIO CORPORATION (*RRC*) for Construction Permits to modify the licensed facilities of FM Translator Station K246CH, Channel 246D, Channel 246D, Tuba City, Arizona, FCC Facility ID No. 155722, FCC File No. BPFT-20160129AVI (the *K246CH Application*), and of FM Translator Station K259AS (now called K230BT), Channel 259D, Globe, Arizona, FCC Facility ID No. 144058, FCC File No. BPFT-20160129AWZ (the *K259AS Application*).

Upon rescission of the grants, Ms Corso requests that the FCC's staff, on delegated authority, summarily dismiss the K259AS Application, pursuant to § 74.1204(f), due to the harmful interference that would surely result in populated and regularly frequented areas already served

by Station KRDE. In the alternative, Ms. Corso requests that the staff designate the K259AS Application for a full evidentiary hearing, with appropriate issues specified, including *ex parte* and abuse-of-process issues. Ms. Corso requests that the staff, upon rescission of the grant and on delegated authority, designate the K246CH Application for a full evidentiary hearing, with appropriate issues specified, including *ex parte* and abuse-of-process issues.

I. BACKGROUND

A. THE STATION

1. Radio Station KRDE serves San Carlos, Arizona, on 94.1 MHz, Channel 231C1. The Station's licensed facilities have an Effective Radiated Power (*ERP*) of 4,700 Watts and a Height Above Average Terrain (*HAAT*) of 1039 meters.¹ KRDE's licensed main-antenna site has the NAD 1927 coordinates: North Latitude 33° 17' 37"; West Longitude 110° 50' 09". The licensed main antenna is circularly polarized, and directional, with the null at 355° True.

B. TRANSLATOR K2459AS AND THE K259AS APPLICATION, AND TRANSLATOR K246CH AND THE K246HC APPLICATION

2. FM Translator K259AS is licensed for operation on 99.7 MHz, Channel 259D, *twenty-eight channels removed from Station KRDE*, and to serve the community of Globe, Arizona. Translator K259AS's licensed ERP is 250 Watts, Horizontally Polarized. The Antenna Radiation Center Above Mean Sea Level is 2232 meters. The antenna is directional, with its null spanning from 80° to 100° True. The licensed site has the NAD 1927 coordinates: North Latitude 33° 17' 20", West Longitude 110° 49' 45".²

3. On January 29, 2016, RRC filed the K259AS Application, seeking a Construction Permit to modify Translator K259AS's facilities. The K259AS Application initially proposed:

- operation on Channel 275D;
- 80 Watts of Horizontally Polarized ERP;
- an Antenna Radiation Center Above Mean Sea Level of 772 meters, and

¹ See FCC File No. BMLH-20110408ABG.

² See FCC File No. BLFT-20150630AAP.

- a site with the NAD 1927 coordinates: North Latitude 33° 29' 33"; West Longitude 11° 38' 23";³ and
- rebroadcast of the programming of Station KIKO(AM), Apache Junction, Arizona, FCC Facility ID No. 72477.

The staff accepted the K259AS Application for filing on February 1, 2016.

4. Also on January 29, 2016, RRC filed the K246CH Application, seeking a Construction Permit to modify the facilities of FM Translator K246CH. The K246CH Application proposed:

- to move K246CH a great distance;⁴
- to shift K246CH 16 channels, so that it would be first adjacent to Station KRDE;
- 45 Watts of Vertically Polarized ERP;
- an Antenna Radiation Center Above Mean Sea Level of 777 meters; and
- rebroadcast of the programming of Station KBSZ(AM), Apache Junction, Arizona, FCC Facility ID No. 11217.

5. The staff accepted the K246CH Application for filing on February 1. The following day, RRC filed a minor Amendment (the *First K246CH Amendment*). RRC filed the First K246CH Amendment to, "Correct H&V And Directional Pattern Rotation In Tech Box."

6. According to the contour plot entitled, "First Adjacent Contours," page 14 of 17 of both the original K246CH Application and of the First K246CH Amendment, and the contour plot entitled, "First Adjacent Contours," page 15 of 17 of both the original K246CH Application and of the First K246CH Amendment, the proposed K246CH interfering contour, 54-dB μ _{f(50,10)}, would be essentially tangent to station KRDE's primary-service contour, 60-dB μ _{f(50,50)}.

7. On February 12, 2016, undersigned counsel filed an Informal Objection against the K246CH Application on Ms. Corso's behalf. The Informal Objection asserted that the K246CH Application was fatally defective for violation of § 74.1204(f) of the Commission's Rules. The pleading demonstrated that RCC's proposed, modified K246CH facility would wreak havoc on

³ The proposed site appeared to be the Apache Junction AT&T Communications Site.

⁴ The K246CH Application proposed the same site as the Application proposes.

Station KRDE's well-established listenership within the proposed, modified K246CH facility's predicted 1 mV/m (60-dB μ _{f(50,50)}) field-strength contour, in blatant violation of § 74.1204(f).

8. Immediately upon filing the Informal Objection, undersigned counsel informed RRC's communications counsel, via electronic mail, using the email address specified in the K246CH filings by RRC, of the filing of the Informal Objection. Undersigned counsel provided a download link for a copy of the pleading.⁵ RRC's counsel did not respond. The email message did not bounce back, so delivery is presumed to have occurred.

9. On February 18, 2016, undersigned counsel sent a follow-up message to RRC's communications counsel, with a copy of the pleading attached (less certain exhibits), and links to the CDBS page from which counsel could download the full pleading as filed. Once again, RRC's counsel did not respond. Also once again, the email message did not bounce back, so delivery is again presumed to have occurred.

10. The following day (February 19, 2016), RRC filed a further Amendment to the K246CH Application (the *Second K246CH Amendment*). The Second K246CH Amendment proposed:

- operation on Channel 275D, rather than Channel 230D as originally and as previously proposed;
- 80 Watts of Horizontally Polarized ERP, rather than 45 Watts of Vertically Polarized, as originally and as previously proposed;
- an Antenna Radiation Center Above Mean Sea Level of 772 meters, rather than 777 meters, as originally and as previously proposed;
- rebroadcast the programming of Station KIKO(AM), Apache Junction, Arizona, FCC Facility ID No. 72477, rather than the originally and previously proposed Station KBSZ(AM), Apache Junction, Arizona, FCC Facility ID No. 11217; and
- no change in site.

Neither Ms. Corso nor her undersigned counsel has received a service copy of the Second K246CH Amendment. RRC has not even informed either Ms. Corso or her undersigned counsel of the filing of the Second K246CH Amendment. Also, RRC apparently filed no response to the Informal Objection.

⁵ The PDF file containing the Informal Objection was too large to send via email.

11. Also on February 19, 2016, RRC filed a first amendment to the K259AS Application (the *First K259AS Amendment*). The First K259AS Amendment proposed:

- operation on Channel 230D, first adjacent to Station KRDE, rather than Channel 275D as originally proposed;
- 45 Watts of ERP,
- Horizontally Polarized, rather than 80 Watts, Horizontally Polarized, as originally proposed;
- an Antenna Radiation Center Above Mean Sea Level of 777 meters, rather than 772 meters as originally proposed;
- no change in site; and
- rebroadcast of the programming of KBSZ(AM), Apache Junction, Arizona, FCC Facility ID No. 11217, rather than the originally proposed Station KIKO(AM), Apache Junction, Arizona, FCC Facility ID No. 72477.

12. If one compares the Application and the K246CH Application, both as originally filed and as now amended, it is plain that RRC has simply swapped the technical proposals between the two filings, with two differences that are insignificant to the ultimate outcome here: the K259AS Application, as now amended, now proposed horizontally polarized directional operation on Channel 230D, with the major lobe oriented to the Northwest; whereas the K246CH Application (to which Ms. Corso had objected) previously proposed vertically polarized directional operation on Channel 230D, with the major lobe oriented to the Southwest. Side-by-side and crosswise tabular comparisons are striking:

PARAMETER	ORIGINAL K246CH APPLICATION	FIRST K295AS AMENDMENT
Channel of Operation	246D	246D
ERP	45 Watts (V)	45 Watts (H)
RC AMSL	777 meters	777 meters
Primary Station	KBSZ(AM)	KBSZ(AM)
Site Coordinates	NL 33° 29' 33"; WL 111° 38' 23"	NL 33° 29' 33"; WL 111° 38' 23"
Major-Lobe Orientation	SouthWest	NorthWest

PARAMETER	ORIGINAL K259AS APPLICATION	SECOND K246CH AMENDMENT
Channel of Operation	275D	275D
ERP	80 Watts (H)	80 Watts (H)
RC AMSL	772 meters	772 meters
Primary Station	KIKO(AM)	KIKO(AM)
Site Coordinates	NL 33° 29' 33"; WL 111° 38' 23"	NL 33° 29' 33"; WL 111° 38' 23"
Major-Lobe Orientation	SouthWest	SouthWest

13. The Second K246CH Amendment was an obvious attempt to moot Ms. Corso's Informal Objection while at the same time to obtain a grant as proposed in the original K259AS Application. The simultaneously filed First K259AS Amendment was an obvious attempt to obtain a grant basically as proposed in the original K264CH Application while evading Ms. Corso's Informal Objection. Considering the Second K246CH Amendment and the First K259AS Amendment together, RRC was playing Switcheroo, running a Whack-A-Mole board in the hope that the staff would not tumble to what was really going on.

14. In the first round, RRC succeeded. On February 24, the staff granted the K295AS Application, as amended. The next day, the staff granted the K246CH Application, as amended.

15. RRC's success will prove to be short-lived, however. Ms. Corso now seeks reconsideration and rescission of both grants, dismissal of the K259AS Application, as amended, and designation for hearing of the K264CH Application, as amended.

II. ARGUMENT

A. PROCEDURAL MATTERS.

16. Ms. Corso became a party to the K246CH Application proceeding through the filing of her Informal Objection and her service of the same upon RRC's communications counsel. 47 C.F.R. § 1.1202(d)(1). Pursuant to § 1.106(b)(1) of the Rules, Ms. Corso has standing to file this Petition for Reconsideration with respect to the grant of the K246CH Application, as amended.

17. Ms. Corso did not file an Informal Objection against the K259AS Application as originally filed. That original filing specified a nonadjacent channel, and it posed no threat to her Station. Ms. Corso did not file an Informal Objection against the K259AS Application as amended, but that was only because RRC did not inform her or her counsel of the filing. Ms. Corso's representatives became aware of the filing a few days after it was made. We immediately undertook the preparation of an Informal Objection. However, we were unable to get the Informal Objection and supporting materials in final form and on file before the staff granted the application (only five days after the filing of the First 259AS Amendment).

18. In light of the lack of service, and the great speed with which the staff processed the First 259AS Amendment, there is obviously good reason why it was not possible for Ms. Corso to participate in the earlier stages of the K259AS Application proceeding after the filing of the First K259AS Amendment. 47 C.F.R. § 1.106(b)(1). Further, this Petition for Reconsideration states with particularity the manner in which Ms. Corso's interests are adversely affected by the grant of the K259AS Application, as amended. Id.⁶

19. Exhibit A to this Petition for Reconsideration is the Technical Statement of John J. Mullaney, a qualified radio engineer, submitted under penalty of perjury. Exhibit A shows, following the procedures set forth in 47 C.F.R. §§ 73.312(d), 73.313, 74.1204(a)(3), and 74.1204(b)(3), that the newly authorized K259AS/K230BT facility will cause electrical interference to Station prohibited by 47 C.F.R. § 74.1204(f). Therefore, this filing satisfies the requirements of 47 C.F.R. § 1.106(e).

20. Public notice of the grants of the two Applications that are the subjects of this Petition for Reconsideration is scheduled to appear today. Section 1.106(f) of the Commission's Rules requires the filing of a Petition for Reconsideration within 30 days from the date of public notice of the final Commission action, as that date is defined in § 1.4(b) of the Rules. This Petition is

⁶ In addition, considering the substantial similarity between the K246CH Application which Ms. Corso protested and the First K259AS Amendment, and the identity of RRC's interests, the staff is fully justified in considering the two application proceedings in reality a single proceeding in which Ms. Corso energetically participated prior to the conclusion of its pre-grant phase.

therefore timely. Section 1.106(f) also requires service upon parties to the proceeding. Undersigned counsel is serving counsel to RRC. Finally, this Petition satisfies Section 1.106(f)'s page limitation (25 double spaced typewritten pages).

21. In conclusion, in all respects, this Petition for Reconsideration is procedurally proper.

B. SUBSTANTIVE MATTERS.

1. STATION KRDE WILL SUFFER DESTRUCTIVE INTERFERENCE AND LOSS OF LISTENERSHIP IF THE STAFF DOES NOT RESCIND THE GRANT OF THE K259AS APPLICATION, AS AMENDED.

22. By means of the First K259AS Amendment, RRC obtained a grant for a proposal that, in almost all respects, is identical to the proposal previously proposed in the K246CH Application (and in the First K246CH Amendment), to which Ms. Corso strongly objected.⁷ The K295AS Application, as amended, is just as defective as the K246CH Application was, for violation of § 74.1204(f) of the Commission's Rules. The facility that it describes would wreak havoc on Station KRDE's well-established listenership in the area (the *Relevant Area*) within the modified K259AS/K230BT facility's predicted 1 mV/m (60-dB μ f_{f(50,50)}) field-strength contour (the *Relevant Contour*), in blatant violation of § 74.1204(f), just as RRC's previously proposed, modified K246CH facility would have done. Exhibit A hereto, the Technical Statement of John J. Mullaney, in concert with Exhibits B through N, Declarations from listeners who regularly enjoy service from Station KRDE within the Relevant Area, make this plain.

23. In Exhibit A hereto, John J. Mullaney. Therein, Mr. Mullaney affirms that he generated the contour plots which comprise Figures 1, 1A, and 1B of the various Listener Declarations (Exhibits B et seq.) supplied with this Petition for Reconsideration. Mr. Mullaney further avers that he plotted the Relevant Contour using: the proposed facility's technical parameters; 30-second terrain data; and the Commission's f(50,50) curves. Mr. Mullaney's Engineering Statement also shows that the proposed, modified K259AS facility would cause interference to

⁷ That RRC has rotated its proposed directional pattern by 90° and changed the polarization of radiation are of no consequence.

Station KRDE *throughout* the Relevant Area, and specifically, at locations specified by listeners in the Listener Declarations discussed below.

24. Exhibit B hereto is the Declaration of Gina Bone, a resident of Mesa, Arizona. Therein, Ms. Bone declares that she works in, regularly drives through, and engages in recreational activities in, the Relevant Area. Ms. Bone specifically states that, on a daily basis, she listens to Station KRDE within the relevant area. She specifically states that she listens to Station KRDE while driving on Highway 87 (North Beeline Highway), where it intersects East Shea Boulevard. This location is at the Southeast corner of the community of Fountain Hills. It appears in Figures 1 and 1A of Exhibit B. Also appearing on Figures 1 and 1A of Exhibit B, as a blue line, is the Relevant Contour, as plotted by John J. Mullaney. The location that Ms. Bone describes is clearly in the Relevant Area and within the Relevant Contour and the Relevant Area. In Exhibit A, Mr. Mullaney shows predicted field-strengths for Station KRDE and the newly authorized K259AS/K230BT facility at this location, and also at bracketing points along North Beeline Highway and points West along East Shea Boulevard. Using the +6-dB D/U ratio specified in § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes predicted interference to Station KRDE.

25. Ms. Bone also avers that she listens to Station KRDE while driving on North Bush Highway/North Power Road where it passes Granite Reef Dam. This location is at the Southeast corner of the community of Fountain Hills. The location appears in Figures 1 and 1B of Exhibit B. It is clearly within the Relevant Area. In Exhibit A, Mr. Mullaney shows predicted field-strengths for Station KRDE and the newly authorized K259AS/K230BT facility at this location, and at bracketing points along North Bush Highway/North Power Road. Using the +6-dB D/U ratio specified in § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes predicted interference to Station KRDE.

26. Ms. Bone further states that she listens to Station KRDE while traveling through all of the East Valley of Arizona, including Mesa, Apache Junction, Superior, Miami and Globe.

Obviously, Ms. Bone traverses the Relevant Area, and would be victimized by interference from the K259AS/K230BT facility.

27. Exhibit C hereto is the Declaration of Gregory M. Brown, another resident of Mesa, Arizona. Therein, Mr. Brown declares that he works in, regularly drives through, and engages in recreational activities in, the Relevant Area. Mr. Brown specifically states that, on a daily basis, he listens to Station KRDE while driving:

- on Highway 87 (North Beeline Highway), where it intersects East Shea Boulevard;
- on North Bush Highway/North Power Road where it passes Granite Reef Dam, and
- in Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard.

Each of these locations is within the Relevant Area. According to Mr. Mullaney's predicted field-strengths for Station KRDE and the newly authorized K259AS/K230BT facility at these locations, and at bracketing points along the roads in question, using the +6-dB D/U ratio specified in § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes predicted interference to Station KRDE.

28. Exhibit D hereto is the Declaration of Scott Cantrell, another resident of Mesa, Arizona. Therein, Mr. Cantrell declares that he regularly drives through the Relevant Area. Mr. Cantrell specifically states that, on a daily basis, he listens to Station KRDE while driving:

- on North Beeline Highway, where it intersects East Shea Boulevard; and
- on North Bush Highway/North Power Road where it passes Granite Reef Dam.

Both locations are within the Relevant Area. According to Mr. Mullaney's predicted field-strengths, at these locations, and at bracketing points along the roads in question, using the +6-dB D/U ratio specified in § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes predicted interference to Station KRDE.

29. Exhibit E hereto is the Declaration of David A. Dugan, a resident of Phoenix, Arizona. Therein, Mr. Dugan declares that he regularly drives through and engages in recreational activities in the Relevant Area. Mr. Dugan specifically states that, on a daily basis, he listens to KRDE while driving on North Beeline Highway, where it intersects East Shea Boulevard, and

while traveling on the Bee Line Highway. and camping in the Relevant Area. The named intersection, and bracketing points along the Bee Line Highway are within the Relevant Area. According to Mr. Mullaney's predicted field-strengths, at the specified intersection, and at bracketing points along the Bee Line Highway, using the +6-dB D/U ratio specified in § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes predicted interference to Station KRDE.

30. Exhibit F hereto is the Declaration of Monica Dugan, a resident of Fountain Hills, Arizona. Therein, Ms. Dugan declares that she lives in and regularly drives through the Relevant Area. Ms. Dugan specifically states that, on a daily basis, she listens to KRDE:

- at her home (9036 North Fireridge Trail, Fountain Hills, Arizona 85268);
- while driving on Highway 87 (North Beeline Highway), where it intersects East Shea Boulevard; and
- in Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard.

Exhibit A shows that:

- these locations are within the Relevant Area; and
- at these locations, and at bracketing points along those roads, using the D/U ratio specified in § 74.1204(a)(3), the newly authorized K259AS/K230BT facility clearly causes interference to Station KRDE.

31. Exhibit G hereto is the Declaration of Louis C. Kish, a resident of Mesa, Arizona. Therein, Mr. Kish declares that he works in and regularly drives through the Relevant Area. He specifically states that, on a daily basis, he listens to Station KRDE while:

- driving on North Beeline Highway, where it intersects East Shea Boulevard;
- driving on North Bush Highway where it passes Granite Reef Dam;
- in Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard;
- engaging in recreational activities at the Phon D. Sutton Recreational Area, Coon Bluff, and Bulldog Canyon.

With the exception of Bulldog Canyon, these locations are within the Relevant Area.⁸ According to Mr. Mullaney's predicted field-strengths for Station KRDE and the newly authorized K259AS/K230BT facility at these locations, and at bracketing points along those roads, using the +6-dB D/U ratio specified in 47 C.F.R. § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes predicted interference to Station KRDE.

32. Exhibit H hereto is the Declaration of John Matteson, a resident of Fountain Hills, Arizona. Therein, Mr. Matteson declares that his residence (11044 North Pinto Drive, Fountain Hills, Arizona 85268) is just outside the Relevant Area, but that he listens at home on a daily basis. He also states that he regularly drives through the Relevant Area. He specifically states that, on a daily basis, he listens to Station KRDE while driving:

- on North Beeline Highway, where it intersects East Shea Boulevard; and
- in Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard.

These locations are clearly within the Relevant Area. According to Mr. Mullaney's predicted field-strengths for Station KRDE and the newly authorized K259AS/K230BT facility at these locations, and at bracketing points along those roads, using the +6-dB D/U ratio specified in 47 C.F.R. § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes predicted interference to Station KRDE.

33. Exhibit I hereto is the Declaration of Linda McThrall, a resident of Phoenix, Arizona. Therein, Ms. McThrall declares that she works in and regularly drives through the Relevant Area. She specifically states that, on a daily basis, she listens to Station KRDE while driving:

- on North Beeline Highway, where it intersects East Shea Boulevard; and
- in Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard.

These locations are clearly within the Relevant Area. According to Mr. Mullaney's predicted field-strengths for Station KRDE and the newly authorized K259AS/K230BT facility at these locations, and at bracketing points along those roads, using the +6-dB D/U ratio specified in 47

⁸ Bulldog Canyon is 2.7 miles outside to the Relevant Contour. However, interference will occur on North Bush Highway when driving to Bulldog Canyon.

C.F.R. § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes predicted interference to Station KRDE.

34. Exhibit J hereto is the Declaration of Frank Novotny, a resident of Mesa, Arizona. Therein, Mr. Novotny declares that he regularly drives through and engages in recreational activities in the Relevant Area. Mr. Novotny specifically states that, on a daily basis, he listens to Station KRDE while driving on:

- North Beeline Highway, where it intersects East Shea Boulevard; and
- North Bush Highway/North Power Road where it passes Granite Reef Dam.

He also states that he listens to Station KRDE using a portable device while outdoors within the Relevant Area.

35. As noted in Exhibit A:

- the specified intersections are clearly within the Relevant Area; and
- at these locations, and at bracketing points along those roads, using the +6-dB D/U ratio specified in § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes predicted interference to Station KRDE.

36. Exhibit K hereto is the Declaration of Donald Shires, Jr., another resident of Mesa. Therein, Mr. Shires declares that he regularly drives through, and engages in recreational activities in, the Relevant Area. Mr. Shires specifically states that, on a daily basis, he listens to Station KRDE while driving on:

- North Beeline Highway, where it intersects East Shea Boulevard; and
- North Bush Highway/North Power Road where it passes Granite Reef Dam.

He also states that he listens to Station KRDE using a portable device while outdoors within the Relevant Area.

37. As noted in Exhibit A:

- the specified intersections are clearly within the Relevant Area; and
- at these locations, and at bracketing points along those roads, using the +6-dB D/U ratio specified in § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes predicted interference to Station KRDE.

38. Exhibit L hereto is the Declaration of Nicholas C. Toth, a resident of Fountain Hills, Arizona. Therein, Mr. Toth declares that he listens daily to Station KRDE in his home (16510 East Jacklin Drive, Fountain Hills, Arizona 85268). He also states that he regularly drives through the Relevant Area, and listens to Station KRDE using a portable device while outdoors in the Relevant Area. Mr. Toth specifically states that he listens to Station KRDE while driving :

- on North Beeline Highway, where it intersects East Shea Boulevard;
- in Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard; and
- on Highway 87 (North Beeline Highway), going South from Fountain Hills,

39. As noted in Exhibit A:

- these locations are within the Relevant Area; and
- at these locations, and at bracketing points along those roads, using the +6-dB D/U ratio specified in § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes interference to Station KRDE.

40. Exhibit M hereto is the Declaration of Jenney Wallace, a resident of Mesa, Arizona. Therein, Ms. Wallace declares that she regularly drives through, and engages in recreational activities in, the Relevant Area. Ms. Wallace specifically states that, on a weekly basis, she listens to Station KRDE while driving on Highway 87 (North Beeline Highway), where it intersects East Shea Boulevard. Exhibit A shows that:

- this location is within the Relevant Area; and
- at this location, and at bracketing points along North Beeline Highway and points West along East Shea Boulevard, using the +6-dB D/U ratio specified in § 74.1204(a)(3), the newly authorized K259AS/K230BT facility causes interference to Station KRDE.

41. Exhibit N hereto is the Declaration of Chris S. Yeager, a resident of Apache Junction, Arizona. Therein, Mr. Yeager avers that he regularly drives through, and engages in recreational activities in, the Relevant Area. Mr. Yeager specifically states that, on a daily basis, he listens to Station KRDE while driving:

- on Highway 87 (North Beeline Highway), where it intersects East Shea Boulevard;
- on North Bush Highway/North Power Road where it passes Granite Reef Dam, and

- in Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard.

Mr. Yeager further states that he regularly visits the Salt River, as well as Utery Mountain Park. While doing so, Mr. Yeager regularly listens to Station KRDE, using a headset or a portable device. Each of these locations is within the Relevant Area. In Exhibit A, Mr. Mullaney shows that, at each location, the K259AS/K230BT facility would cause interference to Station KRDE.

42. This Informal Objection fully satisfies the standard for documentation required of protests, lodged pursuant to § 74.1204(f), that the Media Bureau, citing Association for Community Education, Inc., 19 FCC Rcd 12682, 12685-6 (2004), enunciated in Richard J. Bodorff, Esq., 27 FCC Rcd 4870, 4872 (M. Bur. 2012):

In promulgating Section 74.1204(f) of the Rules, the Commission stated that it “will not grant an application if an objecting party provides convincing evidence that the proposed translator station would be likely to interfere with the reception of a regularly received off-the-air existing service, even if there is no predicted overlap.” [n.14] Under Section 74.1204(f), in order to demonstrate that grant of an FM translator construction permit application “will result in interference to the reception” of an existing full-service station, an opponent must provide, at a minimum: (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; [n.15] (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. [n.16]⁹

43. Footnote 15 to the above-quoted text reads as follows:

The staff generally requires demonstrations of actual or potential interference from listeners within the translator station’s proposed 60 dBμ contour who are unconnected with the full-service station whose service allegedly will be disrupted. *See Association for Community Education, Inc.*, 19 FCC Rcd at 12688 n.37 (approving staff practice requiring that the complainant be “disinterested,” *e.g.*, a person or entity without a legal stake in the outcome of the translator station licensing proceeding).

⁹ The Commission first promulgated this requirement of documentation in Association for Community Education, Inc., 19 FCC Rcd 12682 (2004). Therein, the FCC had sought “convincing evidence” under § 74.1204(f) that a grant of the requested Construction Permit for an FM translator would result in interference to the reception of an existing full-service station.

44. Each of the Listener Declarants avers in his or her Declaration that he or she has no affiliation with Station KRDE, other than as a loyal and devoted listener. In this context, each Listener Declarant is a, “disinterested” person, as the FCC requires.

45. For even predicted interference *not* to occur, the K259AS/K230BT facility’s signal would have to be at least -6 dB relative to that of Station KRDE, but the facility’s signal would be stronger within the Relevant Area than the signal of Station KRDE itself. The conclusion is unavoidable: the facility would disrupt the established listenership of Station KRDE within the Relevant Area. Therefore, the staff must forthwith rescind the grant and dismiss the K259AS Application. FM Translator Stations, 5 FCC Rcd 7212, 7230 (1990), modified, 6 FCC Rcd 2334 (1991), recon. denied, 8 FCC Rcd 5093 (1993). See also, Broadcast Learning Center, Inc., Ref. 1800B3-ATS, File No. BNPFT-20130819ABM, Hammonton, New Jersey (Audio Div., Dec. 11, 2014), a copy of which forms Exhibit O hereto. See also Exhibit P hereto.

**2. IF THE STAFF DOES NOT, AFTER RESCISSION OF THE GRANT, DISMISS
THE K259AS APPLICATION OUTRIGHT, DESIGNATION FOR A FULL
EVIDENTIARY HEARING IS APPROPRIATE.**

46. Ms. Corso’s filing of her Informal Objection and service upon communications counsel to RRC rendered the adjudicatory proceeding involving the K246CH Application a *restricted proceeding*, and made her *a party* to the proceeding. Amendment of Ex Parte Rules, 12 FCC Rcd 7348 (1997) at Para. 18, recons. den., 14 FCC Rcd 18831 (1999); 47 C.F.R. § 1.120d(1). RRC, as the applicant, is the other party to the proceeding. 47 C.F.R. § 1.1202(d)(1). The proceeding was neither subject to any of the exemptions set forth in 47 C.F.R. § 1.1204, nor a *permit-but-disclose* proceeding per 47 C.F.R. § 1.1206. As a restricted proceeding, 47 C.F.R. § 1.1208 explicitly prohibits *ex parte* presentations by a party.

47. The Second K246CH Amendment was a *presentation*. 47 C.F.R. § 1.1202(a). RRC *did not serve* a copy of the Second K246CH Amendment upon either Ms. Corso or her undersigned counsel, nor even informed either of its filing. The Second K246CH Amendment was therefore

a prohibited ex parte presentation, and RRC has blatantly violated § 1.1208 of the Commission's Rules. The Association for Community Education, Inc., 10 FCC Rcd 12862 (2004), at Para. 8.

48. "The rules regulating ex parte presentations to the Commission represent an important means for preserving the public's confidence in the integrity of the Commission's processes. They are intended to ensure that the Commission's decisions are based on a publicly available record rather than influenced by off-the-record communications between decision-makers and outside persons. This objective is grounded on basic tenets of fair play and due process."

Amendment of Ex Parte Rules, 10 FCC Rcd 3240 (1995) at Para. 2, citing, Amendment of Subpart H, Part 1 of the Commission's Rules and Regulations, 2 FCC Red 3011, 3012 f 5 (1987)

49. RRC's behavior in this proceeding completely undercut such integrity. It is obvious that, by amending the K246CH Application so as to specify a markedly different, nonadjacent channel, RRC attempted to moot Ms. Corso's Informal Objection. By failing to serve her or her counsel of record, RRC plainly hoped and attempted to obtain a grant of the K246CH Application without further intervention by Ms. Corso. It is further obvious that, by simultaneously filing the Second K246CH Amendment and the First K259AS Amendment, RRC has attempted to place old wine in a different skin, one to which Ms. Corso has not previously objected. This cynical and crass abuse of the Commission's application and licensing procedures has reduced those procedures to a game of Whack-A-Mole. If the staff does not rescind the grants and dismiss both Applications outright, it should designate them for a full evidentiary hearing with *ex parte* and abuse-of-process issues specified.

III. CONCLUSION

50. For the above reasons, the Audio Division must promptly, on delegated authority, rescind the grants and dismiss the K259AS Application as fatally flawed. If the Audio Division does not do so, it should designate the K259AS Application for a full evidentiary hearing, along with the K246CH Application. Finally, Ms. Corso is separately filing a Motion for Stay with respect to the grant of the K259AS Application, as amended.

JOHN JOSEPH McVEIGH,
ATTORNEY AT LAW
16230 FALLS ROAD, P.O. BOX 128
BUTLER, MARYLAND 21023-0128

TELEPHONE: 443.927.6657

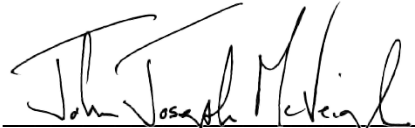
EMAIL: <<mailto:kd4vs@comcast.net>>

DATE: MARCH 1, 2016

RESPECTFULLY SUBMITTED,

LINDA C. CORSO

BY

A handwritten signature in black ink, appearing to read "John Joseph McVeigh", written over a horizontal line.

JOHN JOSEPH McVEIGH

HER COMMUNICATIONS COUNSEL

EXHIBIT A

MULLANEY ENGINEERING, INC.
9049 SHADY GROVE COURT
GAITHERSBURG, MD 20877



**PETITION FOR RECONSIDERATION
GRANT OF MINOR MOD FOR FM TRANSLATOR
K259AS Mod: Ch. 230 at Mesa, Arizona
BPFT-20160129AWZ - Amended - Facility ID: 144058**

This engineering statement has been prepared at the request of Linda C. Corso, Licensee of KRDE (FM) on Ch. 231C1 (94.1 MHz) at San Carlos, Arizona (Facility ID: 37577). This statement is in support of a **Petition for Reconsideration** of a recent Grant of a Minor Modification for FM Translator K259AS, relocating from Globe to Mesa, AZ, and operating on Ch. 230 (93.9 MHz) by Rocket Radio Corporation. This modified FM translator will operate on the **1st Adjacent** Channel of KRDE and the translator's 60 dBu contour *“will overlap a populated area already receiving a regularly used, off-the-air signal”* of KRDE and *“grant of the authorization will result in interference to the reception of such signal.”*

(See Section 74.1204(f)).

Figure 1 is a map showing the protected 60 dBu & the interfering 54 dBu contours of **KRDE** and of the CP operation by K259AS as authorized in its granted, amended **application** (U/D= -6 dB). One should note that the **54-dBu interference contour** as authorized by the translator CP is just outside the **60-dBu contour of KRDE**. Consequently, the FCC rules predict interference at all locations further West.

March 2016

Figure 1A is a Tabulation of the Technical Parameters associated with KRDE and of the CP recently granted for K259AS. K259AS originally specified Channel 275, but amended that initial app to specify Channel 230. This was obviously done to moot an Informal Objection filed with respect to the flawed K246CH application, which was simultaneously amended from Channel 230 to Channel 275. K259AS came through the backdoor of the application process to obtain a CP without having to address the claims of predicted interference.

Figure 2 is a more detailed map showing the protected 60 dBu contour of K259AS as amended to Ch. 230 and subsequently **Granted**. The map also shows that **KRDE** is predicted to have a signal level of **57.3 to 51 dBu** throughout the **60-dBu service area of the translator CP**. Thus, in this case, the appropriate 1ST adj. channel interference contour of the translator is between 51.3 to 45 dBu (not the 54 dBu traditionally used for protection of the stronger 60 dBu signal).

One should note that the translator application proposes to serve **Mesa, AZ**, as a **“Fill-In”** service for KBSZ AM 1260 kHz, which is licensed to **Apache Junction, AZ**. A review of map **Figure 2**, submitted herein, **shows that the 60-dBu service area of the translator serves a mere 0.4% of the population and only 2.2% of the area contained within the City of Mesa, and “zero” within that of Apache Junction.**

The **translator CP facility** would operate with an ERP of 45 Watts-DA. Its antenna would be mounted 15 m (49') AGL of an existing tower 46 m (150') tower, and would have an HAAT of 265 m (871'). The translator's 60-dBu

March 2016

contour would extend up to 14.6 km, encompassing **142 sq.km and 6,838 persons** (2010 Census), all of whom will be subject to interference from the translator. This interference **will prevent the direct reception of KRDE** by the general public which has come to rely on this service for many years. Including interference outside the translator's 60-dBu contour, operation on Channel 230, as authorized by the CP, will impact **166,350 persons** currently able to receive KRDE.

Established Listeners Within Translator 60 dB

Figure 3 is a map which plots the locations of reception as described by numerous listeners who have expressed concern over the loss of reception that would result if K259AS operates on Channel 230 (93.9 MHz). Three of those listeners reside at locations within the translator's 60-dBu contour. The rest all describe regular listening habits within the translator's 60-dBu contour.

Figure 3A is a tabulation of these persons' names and addresses, and the signal levels at the locations relevant to their listening practices, using the standard FCC curves for KRDE & K259AS. According to the FCC rules for 1st Adjacent Channel interference, any place that the Desired to Undesired (D/U) signal ratio is not +6 dB or greater, the Desired station (KRDE) will suffer interference.

March 2016

Summary

I conclude that this GRANT of a minor modification of K259AS to operate on Channel 230 will cause destructive interference to the existing reception of KRDE at any location within the translator's 60-dBu contour.

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.



John J. Mullaney, Consulting Engineer

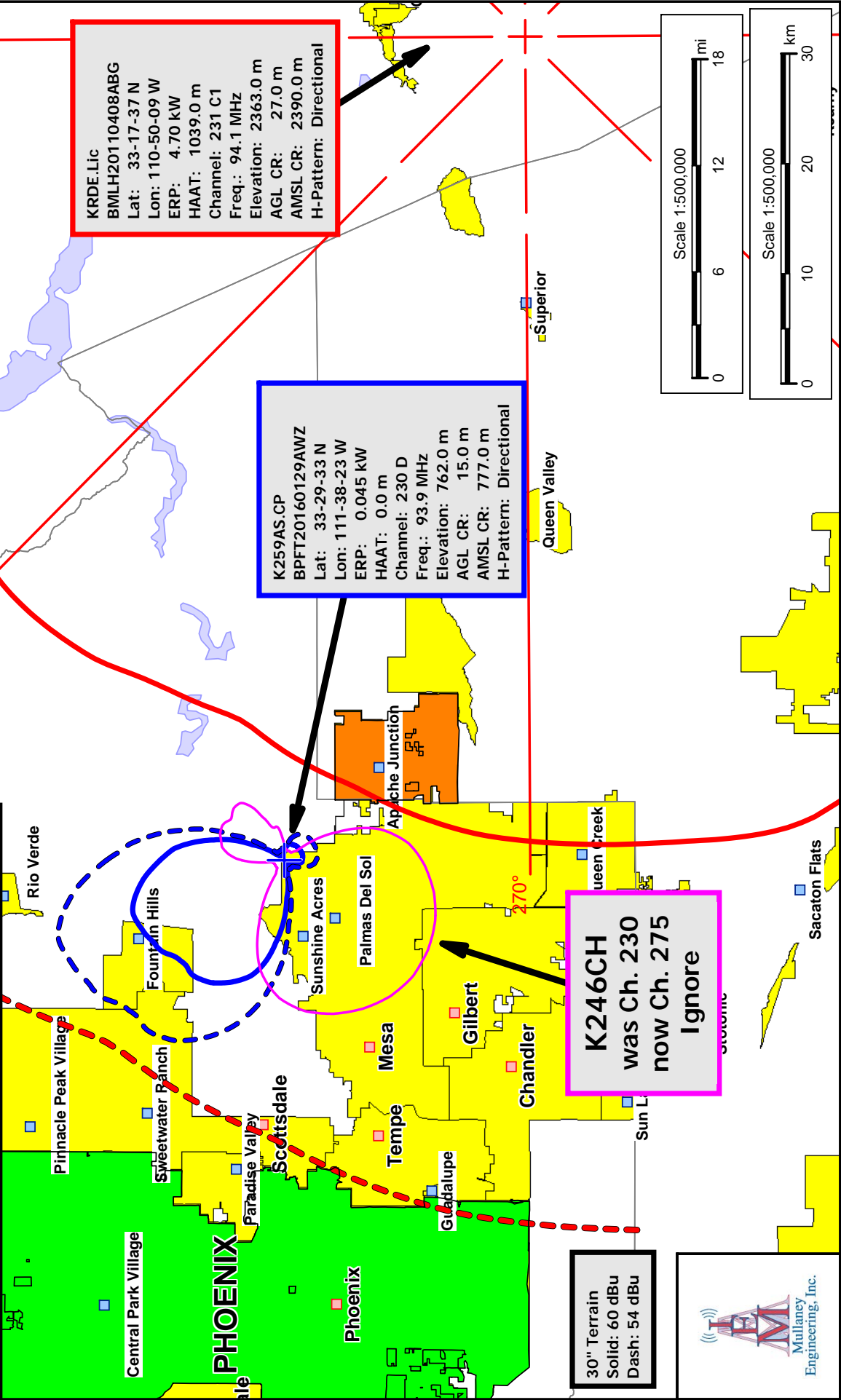
Executed on the 1st day of March 2016

FIGURE 1

FCC Contour Protection Map

Petition for Reconsideration

K259AS CP for Ch. 230 - BPFT-20160129AWZ - Amended
 Filed by KRDE.Lic - San Carlos, AZ - March 2016



FM Search Results

Current Owner

Call Sign	Stat / Intl St	Country / State / City	File Number	Assoc ID
Freq	Service	Chan - Class - Intl	Border-Dist	Current/Archive
Owner	Docket	73 215	Last Update	
Antenna ID	DA	Make / Model / Bays / Spacing	FRN	Facility ID
Latitude	Longitude	Orientation	ASRN	Fac. Status - Date
H / V :	ERP	ERP Max	HAAT	AMS
			Tip AG	Application ID
			AGL	App Status - Date
				Max HAAT

KRDE LIC US AZ SAN CARLOS BMLH 20110408ABG
 94.1 MHz FM 231 C1 M 211.0 C Y 9/27/2013
 LINDA C. CORSO
[95884](#) Y PSI / FMR-2C-DA, two sections / 2 / 1.00 **0004077681** 37577 LICEN - 8/26/2002
 N 33° 17' 37.0" W 110° 50' 09.0" 0. ° T X 30.00 [1423421](#) GRANT - 4/18/2011
 NAD-83: 33° 17' 37.2" 110° 50' 11.4"
 H/V: 4.70(kW) 1,039.0 m / 3,408 f 2,390.0 m / 7,841 ft 27.0 m / 89 ft 1,247.0 m / 4,090 ft
 LINDA C. CORSO

K246CH APP US AZ PHOENIX BPFT 20160129AVI 72477
 93.9 MHz FX 230 D M 205.0 A N 2/22/2016
 ROCKET RADIO CORPORATION
[16130](#) Y SCA / CA-2V / - / - **0001595149-S** 155722 LICEN - 9/18/2015
 N 33° 29' 33.0" W 111° 38' 23.0" 222° T X 46.00 [1720594](#) SUPER - 2/22/2016
 NAD-83: 33° 29' 33.2" 111° 38' 25.5"
 V: 0.045(kW) 777.0 m / 2,549 ft 15.0 m / 49 ft
New Primary ID: 72477 AM 1340 kHz **KIKO** AZ APACHE JUNCTION 0017654526
Primary ID: 11217 **KBSZ** AZ APACHE JUNCTION

JOHN LOW JOSEPH DIPIETRO
 Phone: (650) 494-8164 Phone: (352) 367-1725
 V.LOW@ATT.NET **Ignore Amended to Ch. 275** JOED@RFENGINEERS.COM

K259AS CP US AZ MESA BPFT 20160129AWZ 11217
 93.9 MHz FX 230 D M 205.0 C N 2/24/2016
 ROCKET RADIO CORPORATION
[16150](#) Y SCA / CL-FM / - / - **0001595149-S** 144058 LICEN - 6/25/2015
 N 33° 29' 33.0" W 111° 38' 23.0" 326° T X 46.00 [1721870](#) CPEXP - 2/24/2019
 NAD-83: 33° 29' 33.2" 111° 38' 25.5"
 H: 0.045(kW) 777.0 m / 2,549 ft 15.0 m / 49 ft 363.0 m / 1,191 ft
Associated Facility ID: 11217 AM 1260 kHz **KBSZ** AZ APACHE JUNCTION 0017654526

JOHN LOW JOSEPH DIPIETRO
 Phone: (650) 494-8164 **initially on Ch. 275** Phone: (352) 367-1725
 V.LOW@ATT.NET **now on Ch. 230** JOED@RFENGINEERS.COM

FIGURE 1A - TECHNICAL INFORMATION



Petition for Reconsideration

K259AS CP for Ch. 230 - BPFT-20160129AWZ - Amended
 Filed by KRDE Ch. 231C1 - San Carlos, AZ - March 2016

FIGURE 2

Translator - FCC 60 dBu Map

Petition for Reconsideration

K259AS CP for Ch. 230 - BPFT-20160129AWZ - Amended
Filed by KRDE Ch. 231C1 - San Carlos, AZ - March 2016

1st Adjacent
U/D -6 dB

City of Mesa Translator 60 dBu

PERSONS SQ.KM.

City: 450,085 381
60: 212,405 240

OVERLAP

1,853 8.4
City: 0.4 % 2.2 %
60: 27.1 % 5.9 %

City + gray areas.
10,430 23 km

KRDE
would require
more than
66 dBu

K259AS.CP
BPFT20160129AWZ
Lat: 33-29-33 N
Lon: 111-38-23 W
ERP: 0.045 kW
HAAT: 0.0 m
Channel: 230 D
Freq.: 93.9 MHz
Elevation: 762.0 m
AGL CR: 15.0 m
AMSL CR: 777.0 m
H-Pattern: Directional

KRDE
57.3 dBu

KRDE
51 dBu

City of Mesa

30" Terrain
Solid: 60 dBu



Scale 1:190,000

Scale 1:190,000



Fountain Hills

Sweetwater Ranch

Scottsdale

Glendale Valley

Sunshine Acres

Palmas Del Sol

Dreamland Villa

Leisure World (sub)

Sagewood (sub)

Silver Spur Village

FIGURE 3A - LOCATION OF LISTENING (pages 1-7)**TABULAR ANALYSIS OF KRDE DECLARANTS II**

Name of Declarant	Address or Listening Location	Inside Predicted FX f(50,50) 60-dB μ Contour	Predicted KRDE f(50,50) Field Strength in dB μ	Predicted FX f(50,10) Field Strength in dB μ	D/U (dB)	Map Code
Gina Bone	2859 South Vegas Mesa, Arizona 85212	No	---	---	---	---
	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	On North Bush Highway or North Power Road where it passes Granite Reef Dam	Yes	54.4 54.7 52.7	74.5 68.0 77.9	-20.1 -13.3 -23.9	LOC-2A LOC-2B LOC-2C
	Through all of the East Valley of Arizona: Mesa, Apache Junction, Superior, Miami and Globe	Some Yes, Others No	Various	Various	Various	---
Gregory M. Brown	4701 East Glencove Street Mesa, Arizona 85205	No	---	---	---	---
	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	On North Bush Highway or North Power Road where it passes Granite Reef Dam	Yes	54.4 54.7 52.7	74.5 68.0 77.9	-20.1 -13.3 -23.9	LOC-2A LOC-2B LOC-2C

**Petition for Reconsideration**

K259AS CP for Ch. 230 - BPFT-20160129AWZ - Amended
Filed by KRDE Ch. 231C1 - San Carlos, AZ - March 2016

Name of Declarant	Address or Listening Location	Inside Predicted FX f(50,50) 60-dB μ Contour	Predicted KRDE f(50,50) Field Strength in dB μ	Predicted FX f(50,10) Field Strength in dB μ	D/U (dB)	Map Code
Gregory M. Brown (Continued)	In Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard	Yes	51.3 51.8 52.0	60.6 62.4 64.0	-9.3 -10.6 -12.0	LOC-3A LOC-3B LOC-3C
Scott Cantrell	11427 East Ellis Street Mesa, Arizona 85207	No	---	---	---	---
	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	On North Bush Highway or North Power Road where it passes Granite Reef Dam	Yes	54.4 54.7 52.7	74.5 68.0 77.9	-20.1 -13.3 -23.9	LOC-2A LOC-2B LOC-2C
David A. Dugan	3400 Grand Avenue Phoenix, Arizona 85007	No	---	---	---	---
	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	While traveling the Bee Line Highway. and camping in the Relevant Area	Yes	Various	Various	Various	---
Monica Dugan	9036 North Fireridge Trail Fountain Hills, Arizona 85268	Yes	51.0	60.3	-9.3	F

Name of Declarant	Address or Listening Location	Inside Predicted FX f(50,50) 60-dB μ Contour	Predicted KRDE f(50,50) Field Strength in dB μ	Predicted FX f(50,10) Field Strength in dB μ	D/U (dB)	Map Code
Monica Dugan (Continued)	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	In Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard	Yes	51.3 51.8 52.0	60.6 62.4 64.0	-9.3 -10.6 -12.0	LOC-3A LOC-3B LOC-3C
	Scottsdale, Mesa. Hiking in East Mesa, North Scottsdale and Fountain Hills Trails	Some Yes, Others No	Various	Various	Various	---
	3407 East McDowell Road Mesa, Arizona 85213	No	---	---	---	---
Louis C. Kish	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	On North Bush Highway or North Power Road where it passes Granite Reef Dam	Yes	54.4 54.7 52.7	74.5 68.0 77.9	-20.1 -13.3 -23.9	LOC-2A LOC-2B LOC-2C
	In Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard	Yes	51.3 51.8 52.0	60.6 62.4 64.0	-9.3 -10.6 -12.0	LOC-3A LOC-3B LOC-3C

Name of Declarant	Address or Listening Location	Inside Predicted FX f(50,50) 60-dB μ Contour	Predicted KRDE f(50,50) Field Strength in dB μ	Predicted FX f(50,10) Field Strength in dB μ	D/U (dB)	Map Code
Louis C. Kish (Continued)	Phon D. Sutton Recreational Area	Yes	54.5	72.8	-18.3	---
	Coon Bluff	Yes	55.1	68.7	-13.6	---
	Bulldog Canyon	No	57.2	28.1	+29.1	---
Jack Matteson	11044 North Pinto Drive Fountain Hills, Arizona 85268	No (Just Outside)	50.6	58.8	-8.2	H
	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	In Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard	Yes	51.3 51.8 52.0	60.6 62.4 64.0	-9.3 -10.6 -12.0	LOC-3A LOC-3B LOC-3C
	3865 East Larkspur Drive, Phoenix, Arizona 85032	No	---	---	---	---
	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	In Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard	Yes	51.3 51.8 52.0	60.6 62.4 64.0	-9.3 -10.6 -12.0	LOC-3A LOC-3B LOC-3C
Linda McThrall						

Name of Declarant	Address or Listening Location	Inside Predicted FX f(50,50) 60-dB μ Contour	Predicted KRDE f(50,50) Field Strength in dB μ	Predicted FX f(50,10) Field Strength in dB μ	D/U (dB)	Map Code
Frank Novotny	5657 East Hampton Circle, Mesa, Arizona 85206	No	---	---	---	---
	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	On North Bush Highway or North Power Road where it passes Granite Reef Dam	Yes	54.4 54.7 52.7	74.5 68.0 77.9	-20.1 -13.3 -23.9	LOC-2A LOC-2B LOC-2C
	At the Salt River, at or near the Phon D. Sutton Recreation Area	Yes	54.5	72.8	-18.3	---
Donald Shires, Jr.	2856 South Vegas, Mesa, Arizona 85212	No	---	---	---	---
	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	On North Bush Highway or North Power Road where it passes Granite Reef Dam	Yes	54.4 54.7 52.7	74.5 68.0 77.9	-20.1 -13.3 -23.9	LOC-2A LOC-2B LOC-2C

Name of Declarant	Address or Listening Location	Inside Predicted FX f(50,50) 60-dBμ Contour	Predicted KRDE f(50,50) Field Strength in dBμ	Predicted FX f(50,10) Field Strength in dBμ	D/U (dB)	Map Code
Donald Shires, Jr. (Continued)	Through all of the East Valley of Arizona: Mesa, Apache Junction, Superior, Miami and Globe	Some Yes, Others No	Various	Various	Various	---
Nicholas Toth	16510 East Jacklin Drive, Fountain Hills, Arizona 85268	Yes	51.4	61.7	-10.3	L
	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	In Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard	Yes	51.3 51.8 52.0	60.6 62.4 64.0	-9.3 -10.6 -12.0	LOC-3A LOC-3B LOC-3C
	On Highway 87 going South from Fountain Hills	Yes	Various	Various	Various	---
	8202 East Second Avenue Mesa, Arizona 85208	No	---	---	---	---
Jenney Wallace Jenney Wallace (Continued)	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C

Name of Declarant	Address or Listening Location	Inside Predicted FX f(50,50) 60-dBμ Contour	Predicted KRDE f(50,50) Field Strength in dBμ	Predicted FX f(50,10) Field Strength in dBμ	D/U (dB)	Map Code
Chris S. Yeager	44 North Mountain Road Apache Junction, Arizona 85126	No	---	---	---	---
	On Highway 87 (North Beeline Highway) where it intersects East Shea Boulevard	Yes	52.4 52.4 52.7	65.2 65.1 65.9	-12.8 -12.7 -13.2	LOC-1A LOC-1B LOC-1C
	On North Bush Highway or North Power Road where it passes Granite Reef Dam	Yes	54.4 54.7 52.7	74.5 68.0 77.9	-20.1 -13.3 -23.9	LOC-2A LOC-2B LOC-2C
	In Fountain Hills, South of Fountain Hills Dam, along North Saguaro Boulevard	Yes	51.3 51.8 52.0	60.6 62.4 64.0	-9.3 -10.6 -12.0	LOC-3A LOC-3B LOC-3C
	On the Salt River, and in Usery Mountain Park	Yes/No	Various	Various	Various	---

CERTIFICATE OF SERVICE

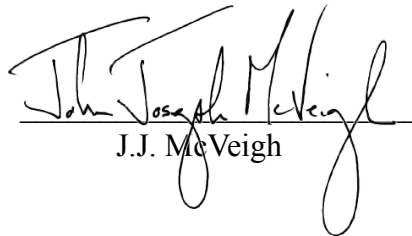
I hereby certify that I have, this First day of March, 2016, sent, by electronic mail, an electronic copy, and by United States Mail, postage prepaid, a physical copy of the foregoing

PETITION FOR RECONSIDERATION, to:

John Neely, Esq.
Miller and Neely, PC
3750 University Boulevard, West,
Suite 203
Kensington, Maryland 20037

Communications Counsel to the Applicant

<mailto:johnsneely@yahoo.com>



J.J. McVeigh