

FEDERAL COMMUNICATIONS COMMISSION
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JAN 8 2010

Living Bread Radio, Inc.
4365 Fulton Drive, NW
Canton, OH 44718

Re: Living Bread Radio, Inc. ("LBR")
WILB(AM), Canton, Ohio
Facility Identification Number: 2649
Construction Permit: BP-20080402AAY
License Application: BL-20091002ADG
and Blanketing Interference Complaints

Dear Applicant:

This letter is in reference to a blanketing interference complaint received from Mr. Virgil Wright on behalf of the Terrace Club Condominium Unit Owners Association, Inc.¹ The complainant contends that when WILB(AM) increased its daytime power to 15,000 watts, residents in the condominium building experienced interference problems to their television sets, telephones, security alarm systems and fire alarm systems.² The complainant requests that it not be held financially responsible for this problem and looks for help and guidance from the FCC to get the technical problems resolved. This document constitutes formal notice of the complaint to LBR and explains the licensee's responsibilities under the blanketing interference rules. *See* 47 CFR §73.88.³ Pursuant to 47 CFR § 73.3587, we will treat the complaint as an Informal Objection filed against the pending license application of WILB(AM). A copy of the complaint is enclosed.

Background

According to our records, WILB(AM) is a licensed station.⁴ WILB(AM) also holds a construction permit, File Number BP-20080402AAY, to increase its daytime power to 15,000 watts. On October 19, 2009, the Commission granted WILB(AM) to commence program tests using the new 15,000 watts facility.

¹ This was issued complaint # 09-C00171303-1 by the FCC's Consumer Inquiries & Complaints Division, Consumer & Governmental Affairs Bureau.

² Prior to the increase in power, many residents had to have extra filters installed on their TV and phone lines.

³ The Section 73.88 note refers to Section 73.318 for more detailed information.

⁴ WILB(AM) is licensed for 5,000 watts with a directional antenna system.

Blanketing Interference Information

The type of interference described by the complainants may be attributable to "blanketing" interference, which can occur to receivers that are in close proximity to an AM transmitter. *See* 47 CFR §73.88 and 73.318.⁵ To give the station guidance in applying the blanketing rules, we have formulated a list of the five most common blanketing interference situations. The situations vary depending on the following:

- **Whether or not the complaint was filed within the first year of operation.**
Pursuant to § 73.318, complaints will be considered to be filed within the first year of operation if they are filed within one year from the date the station begins program tests.
- **Whether the complainant is located inside or outside the blanketing contour.**
- **Whether the device experiencing interference is covered under the blanketing interference rule.**

Situation # 1

The station is financially responsible for resolving complaints of interference to electrical devices covered under § 73.318 if the complaint is filed within the first year of program test authority and the complainant is located **inside** the station's blanketing contour. *See FM Broadcast Station Blanketing Interference*, FCC 84-514, 57 RR 2d 126 (1984) at paragraph 15.

Situation # 2

The station is not financially responsible for resolving complaints of interference to electrical devices covered under § 73.318 if the complaint is filed within the first year of program test authority and the complainant is located **outside** of the station's blanketing contour. However, the station is expected to cooperate with the complainant by providing effective technical assistance in determining the cause of the problem and offering advice on corrective measures. *See FM Broadcast Station Blanketing Interference*, FCC 84-514, 57 RR 2d 126 (1984) at paragraph 17.

⁵ 47 CFR § 73.318 states that licensees "...must satisfy all complaints of blanketing interference which are received by the station during a one year period. The period begins with the commencement of program tests.... These requirements specifically do not include interference complaints resulting from malfunctioning or mistuned receivers, improperly installed antenna systems, or the use of high gain antennas or antenna booster amplifiers. Mobile receivers and non-RF devices such as tape recorders or hi-fi amplifiers (phonographs) are also excluded." Hard-wired telephones, alarm systems, and fire systems are considered non-RF devices under Section 73.318 and, as such, are not covered by this rule. Cordless telephones are covered by Part 15 of the Commission's rules (*See* Section 15.3(j) for cordless telephone system description). Section 15.5(b) of the Commission's rules states, in pertinent part, that interference to cordless telephones caused by the operation of an authorized radio station must be accepted. Accordingly, any hard-wired or cordless telephone complaints referenced in this case are not covered by the blanketing interference rules.

Situation # 3

The station is not financially responsible for resolving complaints of interference to electrical devices covered under § 73.318 if the complaint is filed **after** the first year of program test authority and the complainant is located inside the station's blanketing contour. The station is required to provide effective technical assistance to the complainant. This entails the providing of information on the cause of the interference and also providing information on proper corrective measures. *See FM Broadcast Blanketing Interference*, FCC 84-514, 57 RR 2d 126 (1984) at paragraph 20.

Situation # 4

The station is not financially responsible for resolving complaints of interference to electrical devices covered under § 73.318 if the complaint is filed **after** the first year of program test authority and the complainant is located **outside** of the station's blanketing contour. However, in similar past cases, to promote goodwill within the station's community, licensees have taken steps to assist in alleviating interference complaints.

Situation # 5

The station is not financially responsible for resolving complaints of interference to electrical devices not covered under § 73.318. However, in similar past cases, to promote goodwill within the station's community, licensees have taken steps to assist in alleviating interference complaints.

Effective Technical Assistance

47 CFR § 73.318(d) states, "[f]ollowing the one year period of full financial obligation to satisfy blanketing complaints, licensees shall provide technical information or assistance to complainants on remedies for blanketing interference." The rule requires that the station provide information and assistance sufficiently specific to enable the complainant to eliminate all blanketing interference and not simply that the station attempt to correct the problems.⁶ Effective technical assistance entails providing specific details about proper corrective measures to resolve the blanketing interference.⁷ For example, providing complainants with diagrams and descriptions which explain how and where to use radiofrequency chokes, ferrite cores, filters (i.e. Microwave Filter Company filters), and/or shielded cable. In addition, effective technical assistance also includes the recommendation on replacement equipment that would work better in the high radiofrequency fields. Also, effective technical assistance does not mean referring the complainant to the equipment manufacturer.

Complaint Report

The Commission intends that broadcast stations take very seriously their responsibility to resolve blanketing interference. Accordingly, the station must respond to the complaints that have been filed and must submit a detailed report of the steps taken to resolve the complaints **within 30**

⁶ See Calvary Educational Broadcasting Network, Inc., 7 FCC Rcd 4040 (1992).

⁷ See FM Broadcast Station Blanketing Interference, FCC 84-514, 57 RR 2d 126 (1984).

days from the date of this letter. The report must contain the following information for each complaint:

1. The affected devices (i.e., the manufacturer, model number and serial number);
2. Whether or not the complainant is within the blanketing contour;
3. The dates and description of the assistance provided; and
4. Whether or not the interference has been resolved.

The report must include a map showing the following:

1. The location of the station's transmitter site;
2. The location of the station's 1 V/m blanketing contour; and
3. The locations of the complainants.

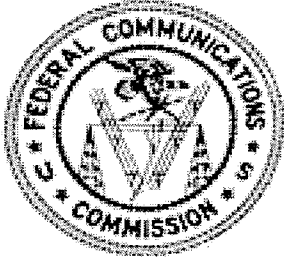
LBR must determine which of the five situations described above apply and take the appropriate actions required by § 73.318 to fulfill its obligations. Failure to address all interference complaints may result in a reduction in authorized power levels (by means of a modified limited Program Test Authority or a Special Temporary Authorization). The complainant will be expected to cooperate fully with the station's efforts to resolve the interference problems. The complainant's failure to do so could lead to a finding that the station has fulfilled its obligations pursuant to § 73.318. Excessive postponements of appointments by either party will be viewed as an obstructive tactic in delaying the resolution of the blanketing interference. These requirements are in place to ensure that all parties cooperate fully and immediately. Any further complaint received by the FCC will be forwarded to LBR for investigation. We will withhold action on license application BL-20091002ADG until this Informal Objection is resolved.

Sincerely,



Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: Ronald W. Coffman
Sharon C. Bowers
James Bridgwater
Virgil Wright



**Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, SW., Room 5-A847
Washington, DC 20554**

Date:11/24/2009

**Virgil Wright
Terrace Club Condominium Unit Owners Association,
4703 Hills and Dales Rd. Unit 302
Canton, OH 44708**

Dear Consumer:

Re: Complaint # **09-C00171303-1**

This letter is in response to your complaint filed with the Federal Communications Commission (FCC). We are reviewing your complaint and will contact you if any further information is needed. Thank you for filing.

For your convenience, a copy of your complaint information has been attached for your records. Please note that if your complaint was transferred to a different form, other than the one on which it was originally captured, copies of both forms will be attached. Please use the complaint number referenced above in lieu of any previously provided complaint number.

If you have further questions please feel free to visit the Consumer & Governmental Affairs Bureau's website at www.fcc.gov/cgb or call us at 1-888-CALL-FCC (1-888-225-5322) voice; 1-888-TELL-FCC (1-888-835-5322) TTY.

Sincerely,

A handwritten signature in cursive script that reads "Sharon C. Bowers".

Sharon C. Bowers, Deputy Division Chief
Consumer Inquiries & Complaints Division
Consumer & Governmental Affairs Bureau

Form 2000E – Media (General) Complaint

Consumer's Information:

First Name: **Virgil** Last Name: **Wright**

Company Name: **Terrace Club Condominium Unit Owners Association, Inc.**

(Complete only if you are filing this complaint on behalf of a company or an organization.)

Street Address or Post Office Box Number: **4703 Hills and Dales Rd. Unit 302**

City: **Canton** State: **OH** Zip Code: **44708**

Telephone Number (Residential or Business): **Phone:(330) 605 - 6063**

E-mail Address: **vwright6@neo.rr.com**

***** ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT *****

1. What is the name of the company that is the subject of your complaint? : **Living Bread Radio**
2. If your complaint is about a radio or television station, provide the following information:
 - a. Station call sign (e.g., "KDID," "WZUF," "KDIU-FM," "WZUE-TV"): **WILB**
 - b. Radio station frequency (e.g., "1020" or "88.5"): **1060 a,**
or TV channel (e.g., "13"):
 - c. Station location: City: **Canton** State: **OH**
3. If you are complaining about a cable or satellite operator (e.g., Comcast, Time Warner, DirecTV), provide the following information:
 - a. Operator name:
 - b. Operator location: City: State:
4. If you are complaining about a particular program, provide the following information:
 - a. Network:
 - b. Program name:
 - c. Date of program (mm/dd/yyyy):
5. Provide the details of your complaint, including the time, date and nature of any conduct or activity complained of and identifying information for companies, institutions or individuals involved (if not already described above):

Form 2000E – Media (General) Complaint

*** ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT ***

a. Date (mm/dd/yyyy): 11/07/2009 08:00:00:AM

b. On 10/20/2009, the radio station increased their power to 15,000 watts. According to WILB, this was done with the approval of the FCC. Since the increase in power, everyone in our condominium building (34 units) and the building itself have experienced problems. These problems range from TV interference to telephone interference to security alarm interference. Prior to the increase in power, many residents had to have extra filters installed on their TV and phone lines. Since the increase, the effectiveness of the filters has been diminished. We are now even receiving false alarms on our fire and security system. Installation of additional filters may be required. The residents should not be held financially responsible to have these filters installed since the fault lies with the radio station. We, the condo association, are looking for help or guidance from the FCC to address this problem.

Thank you in advance.

You may submit this form over the Internet at <http://www.fcc.gov/cgb/complaints.html>, by e-mail to fccinfo@fcc.gov, by fax to 1-866-418-0232, or by postal mail to:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Complaints
445 12th Street, SW
Washington, D.C. 20554

In addition, you may submit your complaint over the telephone by calling 1-888-CALL-FCC or 1-888-TELL-FCC (TTY). If you choose to submit your complaint over the telephone, an FCC customer service representative will fill out an electronic version of the form for you during your conversation. If you have any questions, feel free to contact the FCC at 1-888-CALL-FCC or 1-888-TELL-FCC (TTY).

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT AND THE PRIVACY ACT

The Federal Communications Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information that we request in this form. This form is used for complaints that involve media (general). The public reporting for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, OMD-PERM, Paperwork Reduction Project (3060-0874), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR COMPLETED FORMS TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has

Form 2000E – Media (General) Complaint

***** ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT *****

In addition, the information that consumers provide when filling out FCC Form 2000 is covered by the system of records notice, FCC/CGB-1, Informal Complaints and Inquiries File (Broadcast, Common Carrier, and Wireless Telecommunications Bureau Radio Services). The Commission is authorized to request this information from consumers under 47 U.S.C. 206, 208, 301, 303, 309(e), 312, 362, 364, 386, 507, and 51; and 47 CFR 1.711 et seq.

Under this system of records notice, FCC/CGB-1, the FCC may disclose information that consumers provide as follows: when a record in this system involves a complaint against a common carrier, the complaint is forwarded to the defendant carrier who must, within a prescribed time frame, either satisfy the complaint or explain to the Commission and the complainant its failure to do so; where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be referred to the appropriate Federal, state, or local agency responsible for investigating or prosecuting a violation or for enforcing or implementing the statute, rule, regulation, or order; a record from this system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit; a record on an individual in this system of records may be disclosed, where pertinent, in any legal proceeding to which the Commission is a party before a court or administrative body; a record from this system of records may be disclosed to the Department of Justice or in a proceeding before a court or adjudicative body when: (a) the United States, the Commission, a component of the Commission, or, when represented by the government, an employee of the Commission is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Commission determines that the disclosure is relevant or necessary to the litigation; a record on an individual in this system of records may be disclosed to a Congressional office in response to an inquiry the individual has made to the Congressional office; a record from this system of records may be disclosed to GSA and NARA for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall not be used to make a determination about individuals.

In each of these cases, the FCC will determine whether disclosure of the information in this system of records notice is compatible with the purpose for which the records were collected. Furthermore, information in this system of records notice is available for public inspection after redaction of information that could identify the complainant or correspondent, i.e., name, address and/or telephone number.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507 AND THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. SECTION 552a(e)(3).