

FEDERAL COMMUNICATIONS COMMISSION

445 12th Street, SW
Washington, DC 20554

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TECHNICAL PROCESSING GROUP
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JUL 17 2012

Hampton Roads Educational Telecommunications
Association, Inc.
5200 Hampton Blvd.
Norfolk, VA 23508

In re: INTERFERENCE COMPLAINT
W269BQ, Virginia Beach, VA
BLFT-20111114BQI
Facility ID # 148527

Dear Licensee:


This refers to interference complaints filed by Franklin Broadcasting Corporation filed July 9, 2012. The interference complaints are attached. The complaints allege that W269BQ is interfering with the reception of WLQM-FM, Franklin, Virginia.

Pursuant to 47 C.F.R. § 74.1203, W269BQ is required to eliminate any actual interference it causes. Therefore, it is necessary for W269BQ to submit a detailed report on the attached complaint. For the complaint, the report must include: (1) the name and address of the complainant; (2) specific devices receiving the interference (i.e. type of device, manufacturer's name, model number, and serial number); and (3) any assistance provided by W269BQ for each device allegedly receiving the interference and whether such interference persists. Each of the complaints must be addressed individually.

The Commission's Rules regarding FM translators restrict FM translator stations to operate strictly on a secondary basis and limit their service. Section 74.1203(a)(3) states that an FM translator station will not be permitted to continue to operate if it causes any actual radio signal interference to the direct reception by the public of the off-the-air signals of any authorized broadcast station.¹ Actual interference is based on listener complaints indicating that the signal they regularly receive is being impaired by the signal radiated by the FM translator station. Section 74.1203(b) states that if the interference cannot be properly eliminated by the application of suitable techniques, the operation of the offending FM translator station shall be suspended and shall not be resumed until the interference has been eliminated.

¹ An FM translator station creating actual radio signal interference to any authorized broadcast station is obligated to eliminate the interference, regardless of the location where the impaired signal reception occurs.

Within thirty days of this letter, W269BQ must take appropriate actions required by the provisions of 47 C.F.R. § 74.1203 to resolve all complaints of interference to fulfill its obligations. Further action on this complaint will be withheld for a period of thirty days from the date of this letter to provide W269BQ an opportunity to respond. Failure to correct all complaints within this time may require W269BQ to suspend operation pursuant to 47 C.F.R. §§ 74.1203(e) and 74.1232(h).

A handwritten signature in black ink, appearing to read "J. Bradshaw", with a small "cc" written to the left.

James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

Attachment

CC: Barry S. Persh (by email)
Peter Gutmann (by email)

July 9, 2012

FILED/ACCEPTED

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street
Room TW-A325
Washington, DC 20554

JUL 10 - 9 2012
Federal Communications Commission
Office of the Secretary

**Re: Interference Complaint Concerning
W269BQ, Virginia Beach, Virginia (Facility ID No. 148527)**

Dear Ms. Dortch:

This letter is written on behalf of Franklin Broadcasting Corporation ("Franklin"), licensee of station WLQM-FM, channel 269, Franklin, Virginia pursuant to § 74.1203 of the Commission's rules to formally advise the Commission of actual interference being caused to listeners of WLQM-FM by co-channel translator W269BQ and to request that W269BQ be required to cease operation.

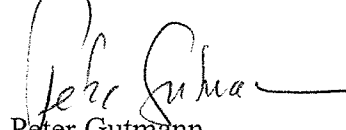
WLQM-FM has been licensed to operate on channel 269 since 1988. Franklin created the station to expand the coverage of its operations on WLQM(AM), which it has operated since 1956. (The only interim transfers of control were to pass ownership of Franklin on to younger family members and family trusts.) However, beginning last fall, WLQM-FM's coverage in the Tidewater area of Virginia has been severely impaired by the operation of W269BQ, which appears to have resulted from implementation of a site change (BPFT-20110801AMK).

Since then, the stations' respective engineers have spoken in efforts to cure the interference, but despite experimentation with temporarily reducing the translator's power or antenna height, and a visit to Franklin's facility to be sure that the problem could not be attributed to WLQM-FM's operation, the problem persists. In the meantime, Franklin's sales representatives report increasing resistance from Suffolk-area businesses, who have come to question the ability of WLQM-FM to reach their customers. Franklin has also received numerous letters from regular listeners, who specifically identify WHRV (the primary station of W269BQ) as the source of interference. Ten such letters are attached.

Clearly, this is not an isolated incident, nor a situation which the parties' good-faith efforts have been able to successfully address through less drastic means. Consequently,

pursuant to § 74.1203(b) of the rules, Franklin requests that the operating authority of W269BQ be suspended until such time (if any) as it is able to resume operation without causing interference to the reception of WLQM-FM.

Respectfully submitted,



Peter Gutmann

Counsel to Franklin Broadcasting Corporation

Attachments

cc (all via electronic mail): Robert Gates, FCC
Todd Gray, Esq. and Barry Persh, Esq., Dow Lohnes, PLLC
(Counsel for Hampton Roads Educational Telecommunications
Association, Inc., licensee of W269BQ)

Samuel Fox
17277 Southampton Parkway
Capron, VA 23829

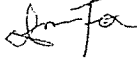
April 5, 2012

WLQM AM-FM Radio
P.O. Box 735
Franklin, Virginia 23851

Dear Manager,

I spend a lot of time in my truck because of work. You guys use to come in great everywhere around here, but for a while now, I can't hear you in Suffolk anymore because another station blocks you out. What's going on with your signal?

Thank you,

A handwritten signature in cursive script, appearing to read 'Sam Fox'.

Samuel Fox

Jamie Bryant
17 Constitutional Avenue
Portsmouth, VA 23705

WLQM Radio
P.O. Box 735
Franklin, VA 23851

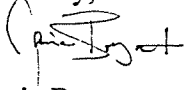
June 1, 2012

Dear Station Manager,

While I live in Portsmouth, I commute to my job every day in Suffolk and have noticed over the past number of months that your station no longer comes in very well here. I use to be able to pick you up really well from before Bowers Hill all the way into Suffolk. But, now another station called WHRV blocks you guys out almost all the way to town now.

I hope you guys can do something about it as I really miss listening to my favorite station!

Sincerely,

A handwritten signature in black ink, appearing to read 'Jamie Bryant', with a stylized flourish at the end.

Jamie Bryant

Andrew Bain
14269 Pinopolis Road
Boykins, VA 23827

May 5, 2012

WLQM
P.O. Box 735
Franklin, VA 23851

Dear WLQM,

As a farmer, I really depend on you guys for your weather and really enjoy listening to Tim Parsons do the local news. I travel a lot to Suffolk and you guys really start breaking up around Route 10. The other day I heard a public radio station broadcasting on your dial. Your station used to come in loud and clear in Suffolk. What's up?

Regards,

Andrew BAIN

Andrew Bain

Becky Blake
1121 Grassy Pond Road
Emporia, VA 23847

April 26, 2012

WLQM AM-FM
P.O. Box 735
Franklin, VA 23851

Dear WLQM,

Because of my job, I travel a lot and love that you guys come in so great almost everywhere I go. But, I noticed since this past winter that I can hardly pick you guys up anymore when I'm over in Suffolk or Isle of Wight County. I lost you guys the other day at Isle of Wight Courthouse. I can't pick you up on Main Street over in Suffolk anymore, either. It sounds like another station mixing in over top your station? I think they call themselves public radio for Hampton Roads?

Please fix this soon as it's so annoying not being able to listen to 101.7 WLQM

Thank you,


Becky Blake

Rachel Lester
106 Elmington Way
Suffolk, Virginia 23434

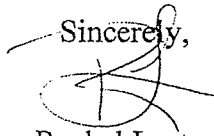
May 12, 2012

Station Manager
WLQM
320 N. Franklin Street
Franklin, VA 23851

Dear Station Manager,

What's happened to your station over here in Suffolk? I can hardly pick you guys up anymore because of another station on your dial position. I really love the music you all play, but I had to switch to another station because I can't hear you over here in Suffolk anymore.

Please do something!

Sincerely,

Rachel Lester

Kandi Lewis
1413 N. Main Street
Suffolk, VA 23434


June 8, 2012

Mr. Michael Clark
General Manager
WLQM-FM
P.O. Box 735
Franklin, VA 23851

Dear Michael,

What's happened to WLQM's signal over here in Suffolk? For months now, we can barely pick you up in my car or in my store here on Main Street. Your station use to have a strong signal over here, but another station seems to have started coming in on top of you. It's very annoying.

Regards,


Kandi Lewis

Janine Joyner
Chip's Repair and Towing Service
1137 Myrtle Street
Suffolk, VA 23434

April, 1, 2012

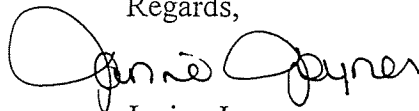
Mr. Michael Clark
General Manager
WLQM-FM
P.O. Box 735
Franklin, VA 23851

Dear Michael,

I'm sure you're aware of the situation, but we thought we should bring to your attention the fact we are having a very difficult time listening to your station in many parts of Suffolk. We especially have a hard time picking you up nowadays on Main Street and in Downtown. A station identifying themselves as WHRV has totally blocked your signal in much of our city.

We're concerned as both a listener and advertiser on your station.

Regards,



Janine Joyner

Tommy Erwin
Precision Pawn
Suffolk Plaza Shopping Center
892 North Main Street
Suffolk, VA 23434

May 5, 2012

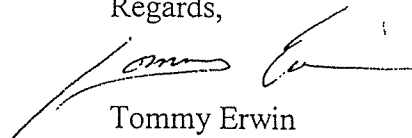
Mr. Michael Clark
General Manager
WLQM-FM
P.O. Box 735
Franklin, VA 23851

Dear Mr. Clark,

I've been an advertiser for a number of months now and an avid listener of your station before that and I'm writing to express my concerns with the loss of your station's signal over here in Suffolk. Over the past six months or so, we can barely pick you up at my store on Main Street in the Big Lots shopping center. I also notice when listening in my car, that WLQM is very difficult to pick up because of what sounds like another station pushing you guys out. In eastern portions of Suffolk, it's very evident that it's a public radio station out of Hampton Roads that is interfering with your signal here in town.

Sure hope you guys can boost your power.

Regards,



Tommy Erwin

*Hunter March Insurance
908 West Washington Street
Suffolk, VA 23434
Phone: (757)934-0755
Fax: (757)934-7743*

May 19, 2012

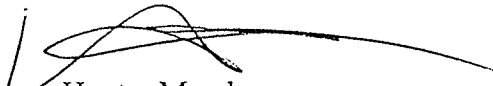
Mr. Michael Clark
General Manager
WLQM AM-FM
P. O. Box 735
Franklin, VA 23851

Dear Michael,

Mary tells me you are aware of the situation, but thought I'd personally bring to your attention as well, that we are having a very hard time picking up your station in Suffolk. There are many places that your station use to have a strong signal, but now is not even listenable. This includes on Route 58 from downtown to Bowers Hill, Main Street and along much of Godwin Boulevard.

As I drive close to Bowers Hill, I can distinctly tell there's another radio station blocking you guys. Hope you can work something out to improve your signal as I really enjoy your station.

Sincerely,



Hunter March

Joey Everett
342D North College Drive
Franklin, VA 23851

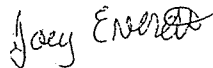
April 14, 2012

General Manager
WLQM-FM
P.O. Box 735
Franklin, VA 23851

Dear Sir,

While I live in Franklin I commute daily to my job in Virginia Beach and I thought you should know how aggravating it is that I can no longer pick up your station when I get to Suffolk. It gets really bad when you get around the Wilroy Road exit off 58 and I can't even hear you guys at Bowers Hill like I use to. There's a public radio station in Norfolk that has really taken over your signal down there.

Regards,

A handwritten signature in cursive script that reads "Joey Everett".

Joey Everett