

FEDERAL COMMUNICATIONS COMMISSION
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TECHNICAL PROCESSING GROUP
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SEP 17 2014

Educational Media Foundation
5700 West Oaks Blvd
Rocklin, CA 95765

In Re: K260BA, Coon Rapids, MN
Facility ID # 141753
BPFT-20110711AGN

Informal Objection

Dear Applicant:

The staff has under consideration: (1) the above-captioned modification application for K260BA, Coon Rapids, Minnesota; (2) the Informal Objection filed by Jeff Sibert on August 2, 2011; (3) all related pleadings. For the reasons set forth herein, we deny the Informal Objections.

Jeff Sibert, in his August 2, 2011 Petition, purports that the proposed translator application should be dismissed for the following reasons:

1. It will pose a significant and serious handicap to the establishment of future LPFM stations in contradiction to Local Community Radio Act of 2010.
2. The application proposes power levels in excess of those allowed by 74.1235(b) and is ineligible for processing under 74.1235(a).
3. Rebroadcasting a digital HD only signal, without its analog counterpart, is an abuse of the FM translator service.
4. The application would allow EMF to effectively originate programming on a 'super-power' translator that serves approximately one million people in the Minneapolis/St. Paul market.

The Commission created policies and procedures to comply with the Local Community Radio Act of 2010 ("LCRA").¹ These policies and procedures were designed to fully and faithfully effectuate the licensing directives set forth at Section 5 of the LCRA while also taking into account the constraints of limited spectrum and technical licensing requirements. The policies and procedures did not include limitations or restrictions on existing stations within Arbitron

¹ Creation of a Low Power Radio Service and Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations, Fourth Report and Order and Third Order on Reconsideration, MM Docket No. 99-25, released March 19, 2012.

markets proposing facility modifications. Therefore, this minor change application did not violate any procedures intended to preserve limited LPFM opportunities in this market.


With respect to the claims that the translator would be in violation of the power limitations of 74.1235, the translator proposes to increase the effective radiated power to 250 watts and rebroadcast KFXN-FM. The proposed 60 dBu service contour will be entirely within the 60 dBu service contour of KFXN-FM, making this translator a "fill-in" translator. Fill-in translators may operate with up to 250 watts. The translator proposes 250 watts and, therefore, complies with Section 74.1235.

The Commission stated in its 2007 Digital Audio Broadcasting Second Report and Order that FM stations may use their additional digital bit rate capacity as they wish. Furthermore, there is no prohibition on translator stations rebroadcasting any digital stream channel from the primary station.² Therefore, we deny the Informal Objection.

The Objection's additional claims do not violate any Commission rules or policies and, therefore, are not an impediment to grant.

Accordingly, the Informal Objection filed on August 2, 2011 by Jeff Sibert IS HEREBY DENIED and the application IS HEREBY GRANTED. These actions are taken pursuant to 47 C.F.R. § 0.283.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Bradshaw", with a small "for" written to the left of the signature.

James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: David Oxenford
Jeff Sibert

² Letter Decision, Chief, Audio Division, Media Bureau, DA 10-764, FM Translator Station W277BS, Ithaca, NY, released May 3, 2010.