

BEFORE THE
Federal Communications Commission
WASHINGTON, DC 20554

PLEASE STAMP
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THIS COPY TO
FLETCHER, HEALD & HILDRETH

In re:)
)
Application of)
ONIDAS DE VIDA NETWORK, INC.)
)
For a Construction Permit for a Minor)
Change To a Licensed Facilities)
of Station K234BS, Las Vegas, Nevada)
)
)

BPFT-20130730ANF

Facility ID No. 156220

ACCEPTED/FILED

SEP 16 2013

Federal Communications Commission
Office of the Secretary

**INFORMAL OBJECTION TO APPLICATION
FOR MINOR MODIFICATION TO FM TRANSLATOR LICENSE**

Radio Activo Broadcasting, LLC, licensee of Station KXLI(FM), Moapa, Nevada, ("Radio Activo"), by its counsel and pursuant to Section 73.3587 of the Commission's Rules, hereby respectfully objects to the above-captioned application. Grant of the application would increase illegal and destructive co-channel interference already occurring by the signal of K234BS to KXLI's protected signal. Therefore it must be denied.

As the Commission is aware, Radio Activo previously filed on August 15, 2013, a complaint with the FCC's Los Angeles District Director's Office alleging that K234BS is currently operating with unauthorized equipment and is exploiting that equipment to broadcast a grossly over-power signal into KXLI's primary service area. (A copy of the complaint was subsequently sent to the Audio Division on August 23, 2013.)

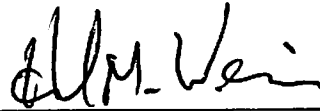
Already operating well outside the law, now K234BS seeks consent to enhance its signal by modifying its facilities. Approval of such an upgrade will inevitably exacerbate the interference problem which Radio Activo has documented.

Attached hereto is a declaration under penalty of perjury from a regular listener of KXLI. He asserts that K234BS is causing interference on KXLI's frequency, rendering listening to KXLI difficult. (Radio Activo reserves the right to supplement this showing at a later date.)

The Commission has constructed a carefully designed system of rules and standards to ensure the integrity of full-power FM signals. Indeed, this is the *sine qua non* of Commission regulation. K234BS' misconduct here undermines that system and must be dealt with swiftly and severely. And it goes without saying that efforts by the malefactor to intensify its interference must be blocked at the starting gate.

WHEREFORE, the premises considered, the instant application for modification of facilities should be denied.

Respectfully submitted,
RADIO ACTIVIO BROADCASTING, LLC



Francisco R. Montero, Esquire
Howard M. Weiss, Esquire
Fletcher, Heald & Hildreth, PLC
1300 17th Street North, 11th Floor
Arlington, Virginia 22209
(703) 812-0400

Date: September 16, 2013

Its Counsel

Francisco Esparza, long-term resident at

4308 SW Rise Ave 24, NUSKIA hereby declare as follows under penalty of perjury:

1. I am a regular listener of Station EXA 94.5 FM KXLI I have listened to the Station since 09-13-12 I have no relationship with Eric Palacios or the licensee of the Station or the Station itself, other than as a regular listener. Recently, I have noted that the station next to 94.5 what appears to be an FM station operating on 94.7 also in Spanish, and sometimes overlaps on 94.5FM. I can tell because their programming is different from the programming on EXA 94.5 FM KXLI. This interference makes it very difficult to hear KXLI on any consistent basis.
2. The above is true and correct to the best of my knowledge and belief.

Name: Francisco Esparza

Date: 08-27-13

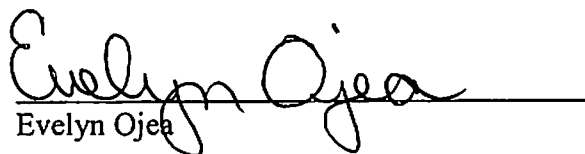
CERTIFICATE OF SERVICE

I, Evelyn Ojea, a secretary of Fletcher, Heald & Hildreth, PLC, hereby certify that a true and correct copy of the foregoing "Informal Objection to Application for Minor Modification to FM Translator License" was sent on this 16th day of September, 2013, via First Class United States mail, postage pre-paid, or as otherwise specified, to the following:

Jeffrey D. Southmayd, Esquire
Southmayd & Miller
4 Ocean Ridge Boulevard South
Palm Coast, FL 32137

Mr. Robert Gates
Federal Communications Commission
Media Bureau
445 12th Street, SW
Washington, D.C. 20554

Charles Cooper
Los Angeles District Director of Enforcement
Federal Communications Commission
By email: charles.cooper@fcc.gov and ctr-la@fcc.gov


Evelyn Ojea