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October 15, 2008

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

FILED/ACCEPTED

OCT 15 2008

Federal Communications Commission  
Office of the Secretary

**Re: Eternal Word Television Network, Inc.  
New EFM, Springville, AL  
BNPED-20071018AJH (Facility Id. No. 174604)**

**Response to Informal Objection**

Dear Ms. Dortch:

Eternal Word Television Network, Inc. ("EWTN"), by its attorney, hereby respectfully responds to an Informal Objection to the referenced application dated December 12, 2007 (but not received by the FCC mailroom until December 18) filed by Richard Snyder.

Even though informal objections are not subject to the formal pleading requirements of petitions to deny, they still must contain adequate and specific factual allegations sufficient to warrant the relief requested. *See, e.g., Area Christian Television, Inc.*, 60 RR 2d 862, 864 (1986). Mr. Snyder's informal objection lacks a single shred of support for his purely speculative allegations. While it is unclear what his interest is or what he really wants, it would appear that he objects to the overall number of applications being filed for new noncommercial educational FM ("EFM") facilities and suggests (although without any factual support) that EWTN is acting as a "front" for "apps filed by entities with the initial names of 'Catholic' or even others, including 'Chesapeake' and dozens more." (Informal Objection at ¶9.)

On the contrary, this is the only EFM application filed by EWTN in this or any other filing window. The full scope of EWTN's activities can be gleaned from its website, [www.ewtn.com](http://www.ewtn.com). Relevant here is that, since its founding 27 years ago by Mother Angelica, EWTN has become the largest religious network in the world, distributing Catholic radio and television programming to more than 148 million homes. Its radio distribution is by satellite to its dozens of affiliated stations. However, although in 1998 it had been granted a permit at Tyner, Kentucky (BPED-971211MD), until now EWTN has not owned any EFM stations itself. When the opportunity arose to own a station in its home area, EWTN filed the present application. Clearly, the programming will consist of its own material that also will continue to

be distributed to the other affiliates through its radio network. As appropriate, local material may be broadcast as well, produced by EWTN or other sources.

Other than as affiliates of its extensive radio and television networks, EWTN has no relationship with, much less control of, other EFM stations or applications. Mr. Snyder's only attempt to substantiate his abstract charges of a connection between EWTN and other applications are the following, as enumerated in ¶10 of his Informal Objection:

- "Same contact person" – This is simply untrue. The contact person listed in the subject application is Michael Warsaw, the President of EWTN, who is not listed as the contact in any other known EFM application (as this is the only such application EWTN ever filed).
- "Same engineer" – No consulting engineer could stay in business if he or she had only a single EFM client. The Commission has never found anything nefarious about, nor a conflict posed by, applicants drawing upon the expertise of the same engineer to prepare EFM applications.
- "Same or nearly the same...program suggested" (elipses in original) – EWTN intends to run mostly its own programming. Other independently-owned EFM stations are, or may choose to become, affiliates of the EWTN network, in which case they would run the same programming for at least part of their broadcast day. This, too, is a common industry practice.
- "NOT ONE OF THESE APPLICATIONS HAS APPLIED TO THE TOWER OWNER FOR PERMISSION TO LOCATE ON THE TOWER" (all capital letters in original) – Again, untrue. While we cannot speak for others of "these applications" (whoever they might be, as Mr. Snyder does not identify any), EWTN obtained a written confirmation of site availability from the owner of its proposed tower prior to filing the subject application.
- "Failure to file the required documents with the local paper and/or a local presence for public viewing of the filings" – Yet again, untrue. To alleviate any doubt, attached is proof that the required notice was published as required by FCC rules. The notice identifies the location of the public file for this application.
- "Conflicts of interest" – Mr. Snyder does not attempt to identify any specific conflict of interest or even suggest any generic type of conflict to which he intends to refer. As noted above, other than its program affiliation agreements, EWTN has no relevant interests at all, much less any that would pose a conflict within this context.

While Mr. Snyder asks the Commission to "please look at these charges" (Informal Objection at ¶13), he has presented no basis whatever upon which the Commission could do so. Rather, his allegations are wholly speculative and unsupported. In contrast, in support of this

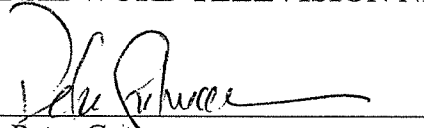
Response, attached hereto is a declaration under penalty of perjury of the President of EWTN verifying all of the facts presented herein.

For the foregoing reasons, the Informal Objection must be dismissed. *See, e.g., Texas Educational Broadcasting Co-Operative, Inc.*, 22 FCC Rcd 13038, 13045 (MB 2007) (unsupported allegation adequately rebutted by licensee submission supported by affidavit from station employee with responsibility for that matter).

Respectfully Submitted,

**ETERNAL WORD TELEVISION NETWORK, INC.**

By: \_\_\_\_\_

  
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Its Counsel

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**PUBLIC NOTICE**

On October 18, 2007, Eternal Word Television Network, Inc. filed an application with the Federal Communications Commission in Washington, D.C. seeking a construction permit for a new noncommercial FM station on Channel 204A at Springville, AL, broadcasting with effective radiated power of 0.65 kW at 120 meters above ground level and a transmitter site at 33 degrees 49 minutes 42.1 seconds north latitude and 88 degrees 25 minutes 11.4 seconds west longitude. The main studio of the station will be located at 5817 Old Leeds Rd, Ironville, AL 35210. The officers and directors of the Applicant are: R. William Sinkovior, Michael P. Warsaw, Charles M. Wilson, Joseph Canizaro, Most Rev. Charles J. Chapp, John J. Cunningham, Professor Charles E. Rice, Bill Zorniser, Danny Abramowicz, Christina Aki, Leon Aki, Helen Hitchcock, Mary Ann Mathis, Ramona Stettinmeyer, and Marcia F. Perry.

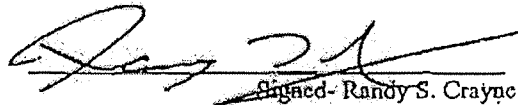
A copy of the application, amendments and related materials is on file for public inspection at 5817 Old Leeds Road, Ironville, AL 35210 during normal business hours.

BN: Oct 26, 27, Nov 2, 3, 2007

On this 7<sup>th</sup> day of NOVEMBER

A.D. Two Thousand, and Seven, Randy S. Crayne declares that he is the Billing Manager of "The Birmingham News" published in the City of Birmingham, in the County of Jefferson, in the State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham News" on the following dates:

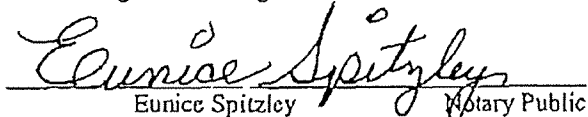
OCT 26, 27, NOV 2, 3, 2007

  
Signed- Randy S. Crayne

State of Alabama  
County of Jefferson

On 11-12, 2007, Randy S. Crayne

personally appeared before me, who is personally known to me to be the signer of the above document, and he acknowledged that he signed it.

  
Eunice Spitzley Notary Public

MY COMMISSION EXPIRES JANUARY 23, 2008

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# DECLARATION UNDER PENALTY OF PERJURY

Michael Warsaw states under penalty of perjury that he is the President of Eternal Word Television Network, Inc, that he has read the foregoing "Response to Informal Objection" and that the facts stated therein are true and correct to the best of his personal knowledge and belief.

  
Michael Warsaw

October 15, 2008