#### **Before The**

# 2816 MAY 13 A 10: 56 FEDERAL COMMUNICATIONS COMMISSION

#### Washington, D.C. 20554

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|------|-------------------|--|--------------------|--|
| I    | In the matter     | of:  | )                  |  |
| (    | Covenant Ne       | twork  | )<br>)<br>)        | File no. BPFT-20160426ACG  |
| I    | Licensed Fac      | or Minor Change to a ility or Station W248CH | )                  | Facility ID No. 144050   |
|      | Shrewsbury,       |  | )                  | Accepted/Files   |
|      | Γο:<br>Attention: | The Office of the Se<br>Chief, Media Burea   | •                  | MAY 12 2016  Rederal Communications Commission Office of the Secretary |

#### SUPPLEMENT TO INFORMAL OBJECTION

Gateway Creative Broadcasting, Inc. ("Gateway"), licensee of KHZR-FM, Potosi, Missouri, , files this Supplement to its Informal Objection to the above pending application for minor change of Covenant Network ("Covenant"). Gateway operates KHZR, 97.7 FM in the St. Louis market. Covenant seeks a minor change to licensed facility W248CH and proposes to operate on channel 248, 97.5 MHZ, which is co-channel with KHZR.

In its Informal Objection, Gateway proffered two Declarations of individuals that "listen to FM radio station KHZR on 97.7 at [their] residence and the neighboring area." See Informal Objection, p. 2-3; and Exhibit B Listener Statements. At the time of filing, Gateway was in the process of obtaining additional listener declarations and advised the Commission that it would supplement its Informal Objection.

Gateway now offers twenty-seven (27) additional Listener Declarations of individuals who also reside and listen to Gateway's KHZR-FM within the proposed 60 dBu contour of

Covenant's translator. See May 10, 2016 Declaration of Sandi Brown, attached as Exhibit C; KHZR-FM Listener Map attached as Exhibit C-1; Listener Statements attached as Exhibit D.

These Declarations provide further convincing and independent evidence that Covenant's

translator will interfere with the reception of KHZR-FM. See The Association for Community

Education, Inc., Memorandum Opinion and Order, 19 FCC Rcd 12682, 12685-6 (2004), citing

Amendment of Part 74 of the Commission's Rules Concerning FM Translator Stations, 5 FCC

Rcd 7212, 7230 (1990)("Translator Report and Order"), modified, 6 FCC Rcd 2334 (1991),

recon. den., 8 FCC Rcd 5093 (1993).

WHEREFORE, Gateway again respectfully requests that the pending Covenant

application be denied.

Respectfully submitted,

GATEWAY CREATIVE BROADCASTING, INC.

BY:

A.Wray Fitch III

Christine Lambrou Johnson

Its Attorneys

Gammon & Grange, P.C.

8280 Greensboro Drive, 7th Floor

McLean, VA 22101-3807

Dated: May 11, 2016

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#### **DECLARATION**

- I, Sandi Brown, do hereby state as follows:
  - 1. I am the General Manager and President of Gateway Creative Broadcasting, Inc., licensee of KHZR-FM.
  - 2. I certify that every listener address (attached in Exhibit D) is inside the 60 dbu 50:50 contour of the W248CH pending application as submitted in Figure 2 (attached as Exhibit A-1). Also attached is a map overlay of W248CH's 60dbu with the locations of KHZR listener addresses identified (Exhibit C-1) all located within the W248CH 60 dbu contour.
  - 3. None of the listeners providing listener statements are employees or otherwise associated with Gateway Creative Broadcasting, Inc. except as listeners.

The foregoing statement is true and correct to the best of my knowledge and is made under penalty of perjury.

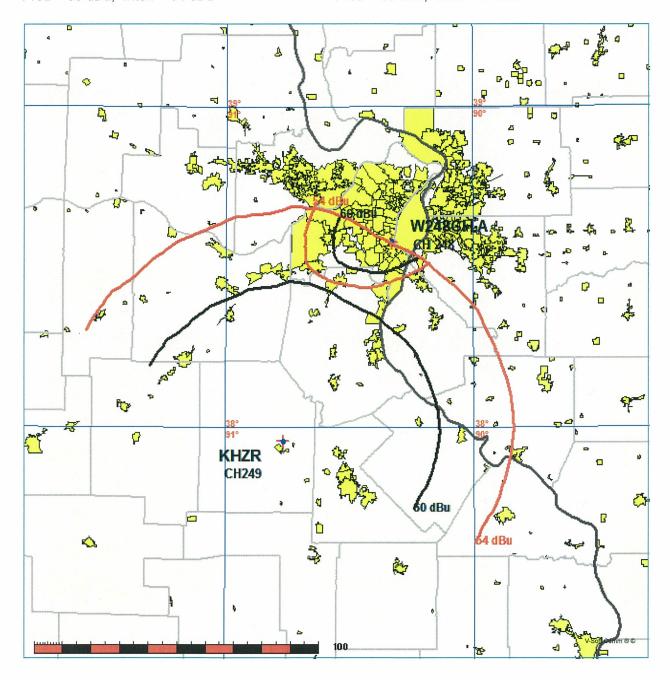
5-11-16 Date

President and General Manager

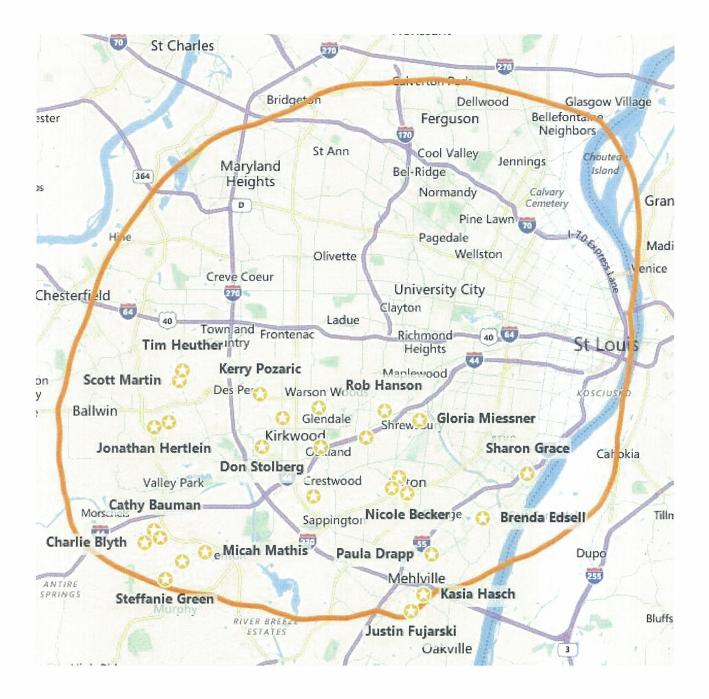
Figure 2 Minor Change of W248CH

FMCommander Single Allocation Study - 04-25-2016 - NGDC 30 SEC W248CH.A's Overlaps (In= -15.03 km, Out= 4.17 km)

W248CH.A CH 248 D DA Lat= 38 34 49.8, Lng= 90 19 44.6 0.25 kW 263.3 m HAAT, 418 m COR Prot.= 60 dBu, Intef.= 54 dBu KHZR CH 249 C2 73.215 N BLH20061106ABW Lat= 37 57 31.0, Lng= 90 45 47.0 26.5 kW 207 m HAAT, 483 m COR Prot.= 60 dBu, Intef.= 54 dBu



## Exhibit C-1



| My name is                    | Huether                             | and I reside at                |
|-------------------------------|-------------------------------------|--------------------------------|
| JULIO FEATHURSTONE!<br>Street | Dr. Fawn and Contry<br>City         | Zip Code                       |
| I listen to FM radio sta      | ation KHZR on 97.7 at my reside     | ence and the neighboring area. |
| The foregoing stateme         | ent is true and correct to the best | of my knowledge and is made    |
| $\frac{5/4/16}{\text{Date}}$  | Twicky ).                           | Kuetty                         |

| My name is ONATHA     | N HERTL     | <u>ENN</u> and I   | reside at |
|-----------------------|-------------|--------------------|-----------|
| HZ LyNWood FORGT City | JZ. MANCHOS | TOR MO<br>Zip Code | 13021     |

I listen to FM radio station KHZR on 97.7 at my residence and the neighboring area.

The foregoing statement is true and correct to the best of my knowledge and is made

under penalty of perjury.

Date

Name\

| M         | y name is $\frac{5cott}{}$  | Martin          |                        | and I reside at    |
|-----------|-----------------------------|-----------------|------------------------|--------------------|
| 1766      | Bradburn Drive              | st. La          | 1015 631               | 131                |
| Street    |                             | City            | Zip Co                 | ode                |
|           | isten to FM radio station F |                 |                        |                    |
| 11        | ne foregoing statement is t | rue and correct | to the best of my know | riedge and is made |
| under pen | alty of perjury.            |                 |                        |                    |
|           | 124 9, 2016                 | Name            | al A humit             | <u> </u>           |

| M   | name is Ca | rol Farell | and I reside a | t 20 Roseacre  | Lane St  | Louis N     | 10 | 6311      | q |
|-----|------------|------------|----------------|----------------|----------|-------------|----|-----------|---|
| 7.1 |            | uoi i aion | and i restae a | L LO ILOSOUCIO | Lanc. Di | . Louis, iv |    | $o_{J+1}$ | ~ |

I listen to FM radio station KHZR on 97.7 at my residence and the neighboring area.

The foregoing statement is true and correct to the best of my knowledge and is made under penalty of perjury.

Carol Farell

5/9/16

Date

Vame

| My name is                | Don Stolberg               | and I reside at                      |
|---------------------------|----------------------------|--------------------------------------|
| 1235 Craigvale Ct.        | Kirkwood, MO               | 63122 .                              |
| Street                    | City                       | Zip Code                             |
| I listen to FM radi       | o station KHZR-FM 97.7 MHz | Potosi, Missouri "Boost 101.9" at my |
|                           | min a one o                |                                      |
| residence and the neighbo | ring area.                 |                                      |
| _                         | -                          | pest of my knowledge and is made     |
| _                         | -                          | pest of my knowledge and is made     |
| The foregoing state       | -                          | pest of my knowledge and is made     |

| My name is              | Charlie Blyth                          | and I reside at                       |
|-------------------------|--|---------------------------------------|
| _2148 Avalon View<br>Dr |  | 63026                                 |
| Street                  | City                                   | Zip Code                              |
| Histen to F             | M radio station KHZR on 97.7 at my     | y residence and the neighboring area. |
| The foregoin            | ng statement is true and correct to th | ne best of my knowledge and is made   |
| under penalty of pe     | ņury.                                  |                                       |
| 5/9/10                  | Charlie Blyth                          | l Hel                                 |
| Date                    | Name                                   |                                       |

|       | My name is   | can in   | et 1017 | and I reside at |
|-------|--------------|----------|---------|-----------------|
| 35    | May Valley L | n Fenton | Mo      | 63026           |
| treet | 7 4          | City     |         | Zip Code        |

The foregoing statement is true and correct to the best of my knowledge and is made under penalty of perjury.

2/9/16

Date

Name

| My nar | meis Beronica    | nead       | and I reside at |
|--------|------------------|------------|-----------------|
| 7008   | Harvich Dr. City | , St Louis | mo 63126        |
| Street | City             | Ź          | ip Code         |

I listen to FM radio station KHZR on 97.7 at my residence and the neighboring area.

The foregoing statement is true and correct to the best of my knowledge and is made under penalty of perjury.

5/9/16

Date

Beronica Mead

| My name is                | Julie Amos                       |                    | and I reside at   |
|---------------------------|----------------------------------|--------------------|-------------------|
| 662 Chelsea Ave.          | Kirkwood, MO                     | 63122              |                   |
| Street                    | City                             | Zip Co             | de                |
| I listen to FM rad        | io station KHZR on 97.7 at my    | residence and the  | neighboring area. |
| The foregoing sta         | tement is true and correct to th | e best of my knowl | edge and is made  |
| under penalty of perjury. |                                  |                    |                   |
| 5/8/16<br>Date            | Name                             | Amos               |                   |

| My name is  | Justin Fujarski              | and I reside at                    |
|---|------------------------------|------------------------------------|
| 4946 Karington Place Dr                           | Saint Louis                  | 63129                              |
|   | City                         | Zip Code                           |
| I listen to FM radio stati                        | on KHZR on 97.7 at my re     | esidence and the neighboring area. |
| The foregoing statement under penalty of perjury. | is true and correct to the b | est of my knowledge and is made    |
| under penalty of perjury.                         |                              |                                    |
| _5-9-16<br>Date                                   | Name                         | ##                                 |
| Date  | Name                         |                                    |

|         | My name is         | Abigail    | Pierce  | and I reside at |
|---------|--------------------|------------|---|-----------------|
| 464     | Redwood            | Forest Dr. | Manchester  | MO 63021        |
| Street  |                    | City       |   | Zip Code        |
|         |                    |            | on 97.7 at my residence a correct to the best of my |                 |
| under p | enalty of perjury. |            |   |                 |
|         | 5/9/10<br>Date     | Name       | Aligail A.  | Pien            |

| My name is GLORIA MIESNER |                |               |                    | and I reside at |               |                |
|---------------------------|----------------|---------------|--------------------|-----------------|---------------|----------------|
| 732H                      | WEIL)          | AYE           | 57 L0013           | mo              | 63119         |                |
| Street                    |                |               | City               |                 | Zip Code      |                |
|                           |                |               |                    |                 | •             |                |
| I lis                     | ten to FM ra   | dio station K | HZR on 97.7 at r   | ny residence    | e and the nei | ghboring area. |
| The                       | foregoing st   | atement is tr | rue and correct to | the best of r   | ny knowledg   | ge and is made |
| under penal               | lty of perjury |               |                    |                 |               |                |
| <u>5</u>                  | 19/16          |               | Glour              | Mies            | nes           | onarea         |
| Date                      | е              |               | Name               |                 |               |                |

| My name is | Rob Hanson   | and I reside at         |
|------------|--------------|-------------------------|
| 37 Joy Ava | 5). Lovis Mo | <b>ξ3</b> / (9 Zip Code |
| Street     | City         | Zip Code                |

I listen to FM radio station KHZR on 97.7 at my residence and the neighboring area.

The foregoing statement is true and correct to the best of my knowledge and is made under penalty of perjury.

5-9-16

Date

Name

| My name is                | renda Edsell                      | and I reside at                  |
|---------------------------|-----------------------------------|----------------------------------|
| 830 Regina Ave            | St Louis<br>City                  | 63125<br>Zip Code                |
|                           | •                                 | idence and the neighboring area. |
| The foregoing statem      | ent is true and correct to the be | est of my knowledge and is made  |
| under penalty of perjury. |                                   |                                  |
| <u>5/9/16</u><br>Date     | <u>Bunda A</u><br>Name            | dsell                            |

|                            | My name is Poy Ed                                 | sell_    |                          | and I reside at           |
|----------------------------|---|----------|--------------------------|---------------------------|
| $\frac{83}{\text{Street}}$ | ORegina Ave,                                      | City     | 4 Louis                  | (3125).<br>Zip Code       |
|                            | I listen to FM radio station l                    | KHZR o   | n 97.7 at my residence   | and the neighboring area. |
| under j                    | The foregoing statement is to penalty of perjury. | true and | correct to the best of m | ny knowledge and is made  |
|                            | <u>6 6 16</u><br>Date                             | Name     | 2 Shol                   |                           |

63111.

My name is Sharon Michal Grace and I reside at

6320 Vermont Avenue St. Louis

| Street |                              | City         | Zip Code                                      |
|--------|------------------------------|--------------|---|
|        | I listen to FM radio station | KHZR on 9    | 7.7 at my residence and the neighboring area. |
|        | The foregoing statement is   | true and con | rect to the best of my knowledge and is made  |
| under  | penalty of perjury.          |              |   |
|        | 05/09/1                      | _4           | dr-   |
|        | Date                         | Name         |   |

| COMPOSE Prof LISTENER STATEMENT Add to either stated throaten and I reside at control of the con |                          | in:sent |   | Martha                     |
|--|--------------------------|---------|---|----------------------------|
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| Starred  Starred  My name is Martha Menner and I reside at  My name is M | COMPOSE                  |         | LIGHTNING OF A TEMENT   |                            |
| Important  Sent Mail  Drafts (4)  Circles  Junk  Personal  Travel  More  The foregoing statement is true and correct to the best of my knowledge and is made  under penalty of perjury.  We're having trouble connecting to Google.  We'll keep trying  This may be caused by network or proxy issues.   | abox (61)                |         | LISTENER STATEMENT  | Add to circles             |
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| Travel  More  The foregoing statement is true and correct to the best of my knowledge and is made  Something's not right.  We're having trouble connecting to Google.  We'll keep trying  This may be caused by network or proxy issues.   | ersonal                  |         | History to EM and in station MITO on 07 Tat any sacidance and the painthosing uses  |                            |
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|  | network or proxy issues. |         | Date / Name   |                            |
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Send

|        | My nan    | ne is                                   | 10ar       | bara          | Dranh            | anı           | _ and I reside  | at   |
|--------|-----------|---|------------|---------------|------------------|---------------|-----------------|------|
| 611    | √.        | Gey                                     | 141        | 1Cir.         | kwoo a           | V 63          | 122             |      |
| Street |           | /                                       | _          | City          |                  | Zip Co        | de              |      |
|        |           |   |            | ···           |                  |               |                 |      |
|        | I listen  | to FM ra                                | dio statio | on KHZR on    | 97.7 at my resi  | dence and the | neighboring ar  | ·ea. |
|        |           |   |            |               |                  |               |                 |      |
|        |           |   |            |               |                  |               |                 |      |
|        | The for   | egoing st                               | tatement   | is true and c | orrect to the be | st of my know | ledge and is ma | ade  |
| under  | penalty o | of perjury                              | у.         | _             |                  |               |                 |      |
|        |           |   |            |               | 0 (              | 7             |                 |      |
|        | 5-10      | 0-16                                    |            | 180           | m///             | rui-          |                 |      |
|        | Date      | *************************************** |            | Name          | 1                |               | <del></del>     |      |

|                           |  | NAMES (Green and Anna Anna Anna Anna Anna Anna Anna |                           |
|---------------------------|--|---|---------------------------|
|                           | My name is 1010016                                   |   |                           |
| QQ <sup>-</sup><br>Street | 79 Chateau Poi Ct                                    | AGF ON City   | (03   23   25   Zip Code  |
|                           | I listen to FM radio station K                       | HZR on 97.7 at my residence                         | and the neighboring area. |
| under                     | The foregoing statement is tr<br>penalty of perjury. | rue and correct to the best of n                    | ny knowledge and is made  |
|                           | 5/10/16<br>Date                                      | Name Name   | er ·                      |
|                           |  |   |                           |
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|                           |  |   |                           |
|                           |  |   |                           |
|                           |  |   |                           |
|                           |  |   |                           |

| My name is             | ance Stuckneyer   | and I reside at |
|------------------------|---|-----------------|
| 17 Fortune             | Ln St Louis   | MO 63122        |
| Street                 | City  | Zip Code        |
|                        | station KHZR on 97.7 at my residence ament is true and correct to the best of m | ~ ~             |
| <u>5-10-16</u><br>Date | Janes St.   | uchneyer        |

| My name is Kasia F         | 1ascn                     | and I reside at                     |
|----------------------------|---------------------------|-------------------------------------|
| 930 Forder Glen Court      | St. Loui <u>s, MO</u>     | 63129 .                             |
| Street                     | City                      | Zip Code                            |
| I listen to FM radio stati | on KHZR on 97.7 at my     | residence and the neighboring area. |
| The foregoing statement    | is true and correct to th | e best of my knowledge and is made  |
| under penalty of perjury.  |                           | ·                                   |
| · <u>5-10-16</u>           | Kasis                     | Hasch                               |
| Date                       | Name                      |                                     |

| My name is KERRY            | My name is KERRY POZARIC     |                                    |
|-----------------------------|------------------------------|------------------------------------|
| 1125 Vinetta Dr.            | St-Louis                     | 63131                              |
| Street                      | City                         | Zip Code                           |
| I listen to FM radio statio | on KHZR on 97.7 at my re     | esidence and the neighboring area. |
| The foregoing statement     | is true and correct to the l | best of my knowledge and is made   |

under penalty of perjury.

Date

5/10/16

| N            | ly name is | Para D | rapp   |                      | and I reside at                              |
|--------------|------------|--------|--------|----------------------|--|
| 37<br>Street | 47 Codef   | Dr. St | Louis, | 776 6310<br>Zip Code | <u>5                                    </u> |
|              |            |        |        |                      |  |

I listen to FM radio station KHZR on 97.7 at my residence and the neighboring area.

The foregoing statement is true and correct to the best of my knowledge and is made under penalty of perjury.

Stiglic

Date

Name

|              | My name is <u>Cathy</u>     | Boumann                       | and I reside at  |
|--------------|-----------------------------|-------------------------------|--|
| 18<br>Street | Salvation Ridg              | City Fenton                   | <u>MO 63026</u> .<br>Zip Code  |
| Succi        | •                           | Cny                           | Zip Code   |
|              | I listen to FM radio statio | n KHZR on 97.7 at my res      | sidence and the neighboring area.  |
|              |                             |                               | ,  |
|              | The foregoing statement i   | is true and correct to the be | est of my knowledge and is made  |
| under j      | penalty of perjury.         |                               |  |
|              | 5/10/16                     | Dathy                         | Lauman   |
|              | Date                        | Name                          | and the same of th |

| I listen to FM radio station KHZ | Zip Code  Zip Code  Zip Code  ZR on 97.7 at my residence and the neighboring area. |
|----------------------------------|--|
| The foregoing statement is true  | e and correct to the best of my knowledge and is made                              |
| under penalty of perjury.        | Stephanie Green  |
| 5-9-16<br>Date                   | Name Name  |

| My name is Jam   | d fallson  | and I reside at |
|------------------|------------|-----------------|
| 7101 Staffordet. | Afflor Mo. | 63123           |
| Street           | City       | Zip Code        |

I listen to FM radio station KHZR on 97.7 at my residence and the neighboring area.

The foregoing statement is true and correct to the best of my knowledge and is made under penalty of perjury. Jonah Faselore

5/10/16\_\_

Date

| My name is <u>Aa</u>      | ron Wiegand                     | and I reside at                    |  |  |  |
|---------------------------|---------------------------------|------------------------------------|--|--|--|
| 7408 Whitehaven Drive     | St. Louis, MO                   | 63123                              |  |  |  |
| Street                    | City                            | Zip Code                           |  |  |  |
| I listen to FM radio :    | station KHZR on 97.7 at my r    | esidence and the neighboring area. |  |  |  |
| The foregoing staten      | nent is true and correct to the | best of my knowledge and is made   |  |  |  |
| under penalty of perjury. |                                 |                                    |  |  |  |
| _5/10/2016                | aaron                           | Wiegand                            |  |  |  |
| Date                      | Name                            |                                    |  |  |  |

| My name isChristina Diebold |                         | and I reside at   |                        |                  |  |  |
|-----------------------------|-------------------------|---|------------------------|------------------|--|--|
|                             | _8 Apostle CtStreet     | FentonCity  | 63026<br>Zip Co        | de               |  |  |
|                             | I listen to FM r        | I listen to FM radio station KHZR on 97.7 at my residence and the neighboring area. |                        |                  |  |  |
|                             | The foregoing s         | statement is true and correct to  | o the best of my knowl | edge and is made |  |  |
|                             | under penalty of perjur | y.  |                        |                  |  |  |
|                             | 5/10/16                 | Circlold  | <u> </u>               |                  |  |  |
|                             | Date                    | Name  |                        |                  |  |  |

#### **CERTIFICATE OF SERVICE**

I, T.J. Anderson, in the law offices of Gammon & Grange, P.C., do hereby certify that a copy of the foregoing Petition for Reconsideration was served by first class mail of the United States Postal Service, postage pre-paid, on this 12<sup>th</sup> day of May, 2016, on the following:

Dennis J. Kelly Law Office of Dennis J. Kelly PO Box 41177 Washington, DC 20018-0577

And by email on the following:

Robert Gates Federal Communications Commission robert.gates@fcc.gov

T.J. Anderson