

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET S.W.
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION

APPLICATION STATUS: (202) 418-2730

HOME PAGE: www.fcc.gov/media/radio/audio-division

JUL 29 2016

PROCESSING ENGINEER: Robert Gates

TELEPHONE: (202) 418-2700

FACSIMILE: (202) 418-1410

INTERNET ADDRESS: Robert.Gates@fcc.gov

Ted W. Austin, Jr.
P. O. Box 17
St. Anthony, ID 83445

In Re: K294CN, Hoback Junction, WY
Facility ID # 145943
BMPFT-20160129AZD

Informal Objection

Dear Applicant:

The staff has under consideration: (1) the above-captioned application for K294CN, Hoback Junction, Wyoming; (2) the March 2, 2016 Informal Objection filed by Broadway MediaLS, LLC (Broadway) and all related pleadings. For the reasons set forth herein, we grant the Informal Objection and dismiss the application.

Broadway is the licensee of KUUU(FM), South Jordan, Utah. KUUU(FM) is licensed on channel 223 which has a second adjacent relationship with the proposed translator facility. Broadway purports that the proposed translator will cause interference to KUUU(FM).

Based on Section 74.1204(a), the proposed translator facility overlaps KUUU(FM).¹ Section 74.1204(d) of the rules permits a translator applicant to demonstrate that "no actual interference will occur" due to "lack of population" and we have permitted applicants to use an undesired/desired signal strength ratio methodology to define potential interference areas on second or third-adjacent channels.² To determine the interference area under this method, the proposed FM translator's second-adjacent interfering contour is calculated by adding 40 dB to the KUUU(FM) signal strength in the immediate vicinity of the translator's station transmitter site. The applicant computes KUUU(FM)'s signal strength as 71.3 dBu, therefore the translator's interfering contour is 111.3 dBu. The proposed interfering contour will extend approximately 296 meters from the transmitter site.

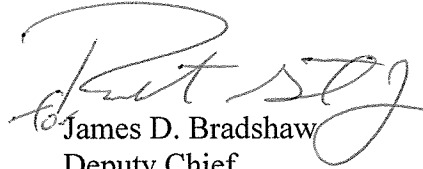
Commercial sites (residences or buildings) or major highways having no reportable population are considered populated under § 74.1204(d). Broadway shows that the 296 meter interference area includes office buildings to the West of the transmitter site which were not address in the application therefore, the application does not comply with § 74.1204(d) and will be dismissed.

¹ The proposed translator 100 dBu would overlap the 60 dBu protected contour of KUUU(FM).

² *Living Way Ministries, Inc.*, Memorandum Opinion and Order, 17 FCC Rcd 17054, 17056, ¶ 5 2002), *recon. denied* 23 FCC Rcd 15070 (2008).

Accordingly, the March 2, 2016 Informal Objection filed by Broadway IS HEREBY GRANTED and BMPFT-20160129AZD IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Bradshaw", written over the printed name.

James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Dennis Kelly (via email)
Mark Mueller (via email)