

STAMP AND RETURN

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Federal Communications Commission  
Bureau / Office

November 19, 2008

Via E-Mail and Hand Delivery

Hossein Hashemzadeh, Associate Chief  
Video Division, Media Bureau  
Federal Communications Commission  
c/o Natek, Inc.  
236 Massachusetts Avenue, NE  
Suite 110  
Washington, DC 20002

Re: Obidia Porras  
Station KCIO-LP, Barstow, CA (Facility ID No. 11529)  
File No. BLTVL-20081027ABB

Dear Mr. Hashemzadeh:

I am writing on behalf of Obidia Porras (the "Licensee"), licensee of Station KCIO-LP, Barstow, California, who has authorized undersigned counsel, by this letter, to withdraw her pending license application for modified facilities of KCIO-LP (File No. BLTVL-20081027ABB) (the "License Application") covering Construction Permit File No. BPTVL-20080110ABY (the "CP") and notify you that KCIO-LP terminated operations at the site specified in the License Application and resumed operations in accordance with its current authorization (File No. BESTA-20080624ACB) yesterday, November 18, 2008.

As the Commission's records reflect, on November 13, 2008, Venture Technologies Group, LLC ("VTG") filed an informal objection against the License Application, alleging that the KCIO-LP facility was not built at the specified tower site in the License Application (the "Clines Springs site") based on the claim that no evidence of a LPTV facility at the Clines Springs site was found on November 6, 2008, when VTG's agent purportedly inspected the site. Undersigned counsel received a service copy of VTG's informal objection and immediately addressed VTG's allegations with the Licensee.

In response, the Licensee has informed undersigned counsel of the following relevant facts: First, VTG's contention that KCIO-LP was not operating from the Clines Spring site on November 6, 2008 is not true. In fact, KCIO-LP began operating from that site on or about October 24, 2008, and continued to do so until yesterday, November 18, 2008. Regrettably, however, the transmitting antenna that was installed for KCIO-LP at the Clines Springs site was not the antenna authorized under the CP (a custom design with two skewed Scala CL-26 antennas); it was a Cyclone 4000.

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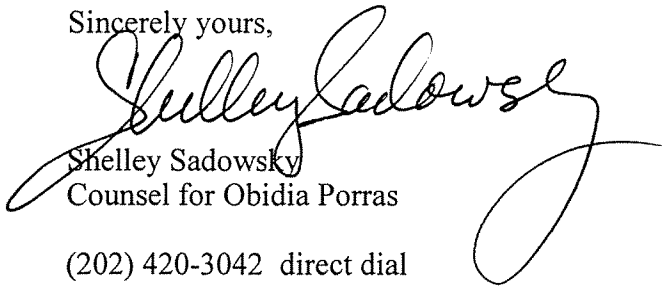
Hossein Hashemzadeh  
FCC  
November 19, 2008

However, now understanding that the facilities authorized in the CP are the facilities that should have been constructed without modification, the Licensee has taken immediate corrective action. As indicated above, the License Application is hereby withdrawn; the KCIO-LP operations at the Clines Springs site was terminated yesterday; and, in order to continue to provide Spanish language religious programming in accordance with Commission authorization, KCIO-LP resumed operations yesterday from its currently authorized transmitter site per BESTA-20080624ACB. In addition, the Licensee has informed undersigned counsel that she intends to construct the transmitting facilities of KCIO-LP at Cline Springs in accordance with the CP as soon as practicable, and will thereafter file a new license application.<sup>1</sup>

The Licensee sincerely apologizes for this regrettable error and assures the Commission that she now understands the requirement to (i) construct transmitting facilities as authorized, (ii) notify the Commission of a change in the facilities, as constructed, from the facilities, as authorized by a construction permit, provided that such a change may be reported in the license application to cover, or (iii) obtain any necessary prior Commission approval of a change in facilities by applying for and receiving grant of a modification of a construction permit. The Licensee further assures the Commission that she will consult with her communications counsel and consulting engineer prior to any future construction of facilities.

Should there be any questions regarding this matter, please contact undersigned counsel for the Licensee.

Sincerely yours,



Shelley Sadowsky  
Counsel for Obidia Porras

(202) 420-3042 direct dial  
(202) 379-9117 direct fax  
[sadowskys@dicksteinshapiro.com](mailto:sadowskys@dicksteinshapiro.com)

Attachment

cc: Kathryn S. Berthot, Chief, Spectrum Enforcement Div., Enforcement Bur. (by E-mail)  
Gregory Masters, Esq. (by E-mail)  
Joan Stewart, Esq. (by E-mail)

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<sup>1</sup> A declaration of Obidia Porras is included herewith.

**Declaration of Obidia Porras**

I, Obidia Porras, hereby declare, under penalty of perjury, that I have reviewed the attached letter of my communications counsel to the Assistant Chief of the Video Division, Media Bureau, and the statements contained therein are true and correct.

  
Obidia Porras

Dated: November 19, 2008