

FEDERAL COMMUNICATIONS COMMISSION

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Rahul Walia
16 Barbieri Court
Princeton, NJ 08540

In re: W284BW, Perth Amboy, NJ
Facility ID No. 143664
BPFT-20160705ACF
Informal Objection

Dear Applicant:

The staff has under consideration: (1) the above-captioned application for W284BW, Perth Amboy, New Jersey; (2) the Informal Objection (Objection) filed by 6 Johnson Road Licenses, Inc., (6JRL) on July 25, 2016; and (3) all related pleadings. For the reasons set forth herein, we deny the Informal Objection and grant the application.

In its Informal Objection, JRL purports that the proposed translator application will cause interference to listeners of WSPK(FM), Poughkeepsie, New York (BLH-09840802CR). In order to provide convincing evidence under Section 74.1204(f) that grant of the translator construction permit "will result in interference to the reception" of an existing full-service station, an opponent must provide, at a minimum: (1) the name and specific address of each listener for which it claims credit; (2) some demonstration that the address of each purported listener falls within the 60 dB μ contour of the proposed translator station;¹ (3) some evidence, such as a declaration from each of the claimed listeners, that the person listens to the full-service station at the specified location; and (4) evidence that grant of the authorization will result in interference to the reception of the "desired" station at that location. The "undesired-to-desired" ("U/D") signal strength ratio methodology may be used to demonstrate the potential for interference under Section 74.1204(f).² Section 74.1204(f) requires the objector to show that a specific U/D signal strength ratio is exceeded at the location of a *bona fide* listener of the desired station to establish that interference will result.

In its Objection, 6JRL submits documentation showing Neilson Radio ratings data and zip code information within the proposed 60dB μ contour of the translator. Neilson Radio ratings data and zip code information are not acceptable methods of demonstrating a Section 74.1204(f) violation. 6JRL has failed to provide any *bona fide* listener complaints from

¹ The best method is to plot the specific addresses on a map depicting the translator station's 60 dB μ contour.

² See *The Association for Community Education, Inc.*, FCC 04-155, Para. 13, (rel. July 8, 2004).

WSPK(FM) listeners, nor has it submitted a plot of the listeners within the 60 dBμ contour of the proposed translator. Accordingly, we will deny the Informal Objection.

Please note, Section 74.1203(a) states that should the translator commence operation and cause interference to WSPK(FM), the translator will be required to eliminate the interference or cease operation.

Accordingly, the July 25, 2015, Informal Objection filed by 6 Johnson Road Licenses, Inc., IS HEREBY DENIED and BPFT-20160705ACF IS HEREBY GRANTED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



for

James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Lawrence M. Miller
Scott Woodworth, Esq.
Gene Wisniewski