

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

MEDIA BUREAU
AUDIO SERVICES DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: WWW.FCC.GOV/MB/AUDIO

NOV 17 2016

PROCESSING ENGINEER: Robert Gates
TELEPHONE: (202) 418-0986
FACSIMILE: (202) 418-1410
INTERNET ADDRESS: Robert.Gates@fcc.gov

ACM JCE IV B LLC
426 South River Road
Tryon, NC 28782

In Re: W223CB, Sebring, FL
Facility ID # 142174
BMPFT-20161031ADA

Informal Objection

Dear Applicant:

The staff has under consideration: (1) the above captioned application; (2) the Informal Objection filed by Robinson Entertainment LLC (Robinson) on November 16, 2016 (3) all related pleadings. For the reasons set forth herein, we grant the Informal Objection and dismiss the application BMPFT-20161031ADA.

Robinson, licensee of WLML-FM, Lake Park, Florida, filed an Informal Objection stating that the proposed translator application will cause interference to listeners of WLML-FM. Robinson states that this proposed facility is in violation of Section 74.1204(f). 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

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

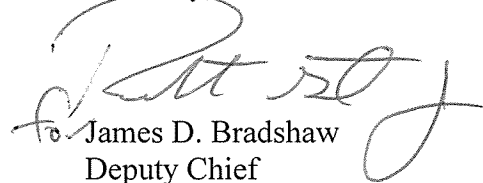
² See *The Association for Community Education, Inc.*, FCC 04-155, Para. 13, (rel. July 8, 2004).

interference will result.

The petitioner submitted documentation from several listeners that certified and they are listeners of WLML-FM and live, work or travel within the 60 dBU contour of proposed translator. Since the Petitioner has demonstrated that there are listeners within the proposed 60 dBU contour of proposed W223CB, the application is dismissed.

Accordingly, the Informal Objection filed on November 16, 2016 by Robinson IS HEREBY GRANTED, the application BMPFT-20161031ADA IS HEREBY DISMISSED. These actions 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 a horizontal line.

James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

CC: Miles Mason (email)
Lee Reynolds (email)
Laura Berman (email)