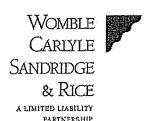
STAMP & RETURN



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Telephone: (202) 467-6900 Fax: (202) 467-6910 www.wcsr.com John F. Garziglia Direct Dial: (202) 857-4455 Direct Fax: (202) 261-0055 E-mail: JGarziglia@wcsr.com

January 14, 2016

Accepted/Files

James D. Bradshaw, Deputy Chief Audio Division, Media Bureau c/o Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street, SW Washington, DC 20554 JAN 14 2016

Federal Communications Commission
Office of the Secretary

Re:

Interference Complaints W275BD, Greenfield, Indiana FCC Facility ID No. 143744

Dear Mr. Bradshaw:

This letter is submitted at the request of Indiana Community Radio Corporation, the licensee of W275BD, Greenfield, Indiana, by Radio One of Indiana, LLC who is the licensee of the primary station carried by W275BD and who is engaging in interference remediation pursuant to the authorization of Indiana Community Radio Corporation.¹

This letter responds to the December 15, 2015 letter from James D. Bradshaw, Deputy Chief, Audio Division (the "FCC Letter") regarding eleven allegations of interference apparently submitted by Reising Radio Partners, Inc., the licensee of WXCH(FM), Columbus Indiana.²

The FCC Letter asked Indiana Community Radio Corporation to submit a detailed report on the allegations of interference, asking that the report include: (1) the name and address of the complainant; (2) specific devices receiving the interference (i.e. type of device, manufacturer's name, model number and serial number); and (3) any assistance

¹ See December 16, 2015 Letter from Linda Jerome, President, Indiana Community Radio Corporation, to Radio One, Inc., the parent entity of Radio One of Indiana, LLC (attached as Attachment 1).

² It is stated that Reising Radio Partners, Inc. "apparently" submitted the allegations as there is no indication in the FCC Letter as to the procedure that caused the allegations to arrive at the Audio Division of the FCC. Rather, the FCC Letter simply attaches eleven forms titled "MOJO Contact Form" without any cover letter, email message or other indication of the route that these forms took to be filed at the FCC. To the extent that there was any oral or written communications between Reising Radio Partners, Inc. and FCC staff preceding (or subsequent) to the filing of these allegations, Radio One of Indiana, LLC respectfully requests it be apprised of such communications as such communications otherwise constitute prohibited ex parte contacts.

provided for each device allegedly receiving the interference. The FCC Letter requested appropriate actions from Indiana Community Radio Corporation by January 14, 2016.

This letter addresses the interference remediation status of the following purported WXCH listeners:

- Jeff Christian response (NO)
- · Robert Stepp No response
- Ben Underwood NO
- Kaylyn Shinolt
- Laura Underwood № (\)
- Terrah Nunley NO
- Richard Haehl
- M. Limburg №0
- Aimee Reisert OK
- Don Hart NO
- Antonio Coria N O

Radio One of Indiana, LLC on behalf of Indiana Community Radio Corporation sent a letter offering interference remediation on December 23, 2015 to each of these purported WXCH listeners by United States Postal Service Mail (USPS), return receipt requested, immediately after the receipt of the FCC Letter. A response was requested by January 5, 2016 so that it could engage in interference remediation efforts and submit a timely reply to the FCC's letter.

The letter asked when there might be a convenient time for a visit from representatives of Radio One of Indiana, LLC to possibly remedy the interference. In addition to offering interference remediation, the letter asked for information on the type of device experiencing interference, the manufacturer and model name or number of the device, the serial number of the device, the location at which the device experiences interference, the connections, if any, between those associated with Reising Radio Partners, Inc. and the complainant, and the regularity of listening to WXCH.

DETAILED REPORT ADDRESSING EACH COMPLAINANT

John Takach, the Chief Engineer for the Radio One of Indiana, LLC group of radio stations and the person responsible for the technical aspects of the carriage of the W275BD primary station, was asked to review the interference complaints forwarded by the Federal Communications Commission to Indiana Community Radio Corporation. Mr. Takach supports the factual information given below in his Declaration at Attachment 2.

One of the aspects of the complaints that appeared anomalous to Mr. Takach as an engineering matter was the significant distance from the WXCH transmitter site that the complainants concerns appeared to arise given that WXCH is a below-maximum height and below-maximum power Class A radio station with a protected signal extending less than 17½ miles. All of the areas of concern were located well beyond the WXCH

protected contour and many were located within the Indianapolis area which is some 30 to 40 miles from WXCH (approximately twice the 17½ mile distance that Class A stations can generally expect a regularly-received signal). In other words, something appeared amiss to Mr. Takach as a technical matter.

Below is a detailed report addressing each of the complainants individually:

Jeff Christian 4039 W PR790S Shelbyville, IN 46176

The December 23, 2015 letter offering interference remediation was delivered on January 7, 2016 and signed for by Jeffrey W. Christian (see Attachment 3). No response was received from Mr. Christian. It appears that Mr. Christian is Facebook friends with Bob Hawkins who is the WXCH station engineer and also Facebook friends with Dave Wineland who works at WXCH. In addition, upon information and belief but without confirmation, Mr. Christian may be employed at another station controlled by the owner of WXCH.

Robert Stepp 3501 Lindenwald Drive Indianapolis, IN 46217

The December 23, 2015 letter offering interference remediation was delivered on December 31, 2015 and signed for by Robert Stepp (see Attachment 3). No response was received from Mr. Stepp. It appears that Mr. Stepp is Facebook friends with Ben Underwood who is connected with WXCH through his friendship with an employee of WXCH. Mr. Stepp is also Facebook friends with Dave Wineland who works at WXCH.

Ben Underwood 8464 Slippery Elm Court Indianapolis, IN 46227

The December 23, 2015 letter offering interference remediation was delivered on December 28, 2015 (see Attachment 3). No response was received from Mr. Underwood. Mr. Underwood is married to Laura Underwood who also filed complaint, and is Facebook friends with Daye Wineland who works at WXCH.

Kaylyn Shinolt 170 Love Avenue, Apt. K Greenwood, IN 46142

The December 23, 2015 letter offering interference remediation was delivered on December 28, 2105 and signed for by Ms. Shinolt (see Attachment 3). Ms. Shinolt responded by email on January 5, 2016 stating that she did not have time to provide the information requested but would meet with representatives of Radio One of Indiana, LLC (see Attachment 4). Radio One of Indiana, LLC did not meet with Ms. Shinolt as it was apparent that Ms. Shinolt is not a disinterested WXCH listener. Ms. Shinolt is Facebook friends with Mike King who is the GM for WXCH, and is Facebook friends with DJ Jones who works at WXCH.

Laura Underwood 60 S State Avenue Indianapolis, IN 46201

The December 23, 2015 letter offering interference remediation remains undelivered with no response from USPS as to the status of delivery to Ms. Underwood. It is noted that the address on the complaint is a work address. Ms. Underwood is married to Ben Underwood who also filed a complaint stating his home address. Ms. Underwood is Facebook friends with Dave Wineland who is employed at WXCH.

Terrah Nunley 132 S Franklin Street, Apt. 2 Greensburg, IN 47240

The December 23, 2015 letter offering interference remediation was delivered on December 29, 2015 and signed for by Terrah L. Nunley (see Attachment 3). No response was received from Ms. Nunley. Ms. Nunley is Facebook friends with Jeff Christian who filed a complaint. Ms. Nunley is Facebook friends with Brent Lee who is listed as the Production Director at WXCH.

Richard Haehl 11642 Weeping Willow Court Zionsville, IN 46077

The December 23, 2015 letter offering interference remediation was delivered on December 29, 2015 and signed for by Millie Haehl (see Attachment 3). No response was received from Mr. Haehl. The Haehl family knows the Reising Family who owns the station. Parker Haehl is friends with Chelsea Reising (family member of WXCH owner) and is a project manager at Richard Haehl's office.

M Limburg 4964 Rockland Road Greenwood, IN 46143

The December 23, 2015 letter offering interference remediation remains undelivered with no response from USPS as to the status of delivery to M Limburg. The name listed in the complaint is M Limburg which appears to be the mother of Dave Limburg. Facebook indicates that Dave Limburg is Facebook friends with WXCH engineer Bob Hawkins. The email address provided for contact (ddavwl@aol.com) suggests that the complainant is Dave Limburg since his middle initial is W. His full name is Dave W Limburg and he appears in publically-available databases as being associated with the address listed by M Limburg.

Aimee Reisert 1245 Berrywood Drive Greenwood, IN 46143

The December 23, 2015 letter offering interference remediation was delivered on December 31, 2015 and was signed for by Aimee Reisert (see Attachment 3). Ms. Reisert timely responded to the letter and requested interference remediation (see Attachment 5). As shown in the attached Declaration of John Takach, Ms. Reisert was visited on the subject of interference remediation on January 8, 2016. At the conclusion of the visit, Ms. Reisert indicated to Mr. Takach that she did not wish anything further to be done with respect to interference remediation.

Don Hart 6142 E Union Road Shelbyville, AL 46176

The December 23, 2015 letter offering interference remediation did not receive a return receipt from USPS regarding the status of delivery to Mr. Hart. On January 11, 2016, however, Mr. Hart responded by email (see Attachment 6). In Mr. Hart's response, he did not provide the information requested in the FCC Letter regarding the manufacturer and model name or number of his reception devices, the serial number of the devices, nor the location at which the devices experience interference. In addition, Mr. Hart's response did not request interference remediation.

Antonio Coria 7301 N Old US Highway 421 Lot 27 Saint Paul, IN 47272

The December 23, 2015 letter offering interference remediation was delivered on December 31, 2015 and was signed for by Antonio B. Coria (see Attachment 3). No response was received from Mr. Coria.

Section 74.1203(b) of the Commission's rules specifically states that "if a complainant refuses to permit the FM translator or booster licensee to apply remedial techniques . . . the licensee of the FM translator or booster station is absolved from further responsibility for that complaint." Further, it is settled law that the Commission will base its conclusions regarding FM translator interference on verifiable complaints. See The Association for Community Education, Inc., 19 FCC Rcd 12682 (2004) at footnote 37.

Accordingly, in the absence of a response requesting interference remediation from Jeff Christian, Robert Stepp, Ben Underwood, Laura Underwood, Terrah Nunley, Richard Haehl, M Limburg, Don Hart, and Antonio Coria, Indiana Community Radio Corporation is absolved from further responsibility for their complaints pursuant to Section 74.1203(b) of the Commission's rules.

Aimee Reisert did respond requesting interference remediation. After being visited, Ms. Reisert indicated that she does not desire interference remediation. Ms. Shinolt responded requesting interference remediation but did not provide information requested in the FCC Letter. In any event, as noted above, Ms. Shinolt is not entitled to interference remediation as she is not a *bona fide* disinterested listener. Mr. Hart responded but did not request interference remediation.

Most of the complaints submitted by Reising Radio Partners, Inc. have either an apparent stake in the outcome of the proceeding or are closely affiliated with persons who do. The FCC requires that a complainant alleging interference from a translator station be "disinterested" to be entitled to interference remediation. See The Association for Community Education, Inc., 19 FCC Rcd 12682 at footnote 37 (2004) ("We approve of the staff practice that has required that the complainant be 'disinterested,' e.g. a person or entity without a legal stake in the outcome of the translator station licensing proceeding."). None of the complaints from purported listeners Jeff Christian, Robert Stepp, Ben Underwood, Kaylyn Shinolt, Laura Underwood, Terrah Nunley, Richard Haehl or M Limburg are from disinterested listeners. For this reason alone, their complaints are not cognizable as a matter of FCC law. To the extent any of them responded or will respond in the future, they are not entitled under The Association for Community Education, Inc. to interference remediation.

It becomes apparent when the totality of complaints submitted by purported listeners of WXCH are considered, this complaint proceeding is an effort by the owners

or personnel of WXCH to procure and solicit interference complaints not to protect actual WXCH listeners, but rather to protect some concept of the diminishing WXCH signal as it gets closer to Indianapolis, more than twice the distance it is expected to be received as a regularly used signal. Interference remediation for non-bona fide non-disinterested listeners such as the majority of complainants here is not required by Section 74.1203(a)(3) & (b) of the Commission's rules.

CONCLUSION

This completes the report requested in the FCC Letter. Interference remediation is not required as none of the purported WXCH listeners are either: *bona fide* disinterested listeners; listeners who responded to an offer of interference remediation; or listeners who desire interference remediation.

Radio One of Indiana, LLC is submitting this detailed report on behalf of Indiana Community Radio Corporation addressing each of the alleged complaints individually as requested by the FCC Letter. As shown above, Indiana Community Radio Corporation, pursuant to Section 74.1203(a)(3) and Section 74.1203(b) of the Commission's rules, is absolved from further responsibility for each of the purported listener allegations of interference.

Accordingly, all of the allegations of interference contained in the FCC Letter should be promptly dismissed.

Respectfully Submitted,

RADIO ONE OF INDIANA, LLC

Dy

John W. Garzi

Its Attorney

Enclosures

cc:

Aaron Shainis, Esq.

Keith Reising Linda Jerome

INDIANA COMMUNITY RADIO CORPORATION dba Radio Mom

PO Box 846

Greenfield, Indiana 46140

December 16, 2015

Radio One, Inc. Attention: Linda J. Vilardo, Chief Administrative Officer 1010 Wayne Avenue, 14th Floor Silver Spring, MD 20910

Re: Resolution of Complaints to the Federal Communications Commission

Ladies and Gentlemen:

Reference is made to that certain Asset Purchase Agreement by and between Radio One of Indiana, L.P. ("Radio One") and Indiana Community Radio Corporation ("ICRC") dated October 13, 2013 (the "Agreement"). Reference is also made to that certain letter from the United States Federal Communications Commission to ICRC dated December 15, 2015 (the "FCC Letter"). Terms used but not defined herein shall have the meanings set forth in the Agreement.

As you are aware, per Section 6.3(d) of the Agreement, ICRC is re-broadcasting on the W275B translator a feed from a Radio One station as a signal test under the Agreement. Section 6.3(d) further provides that "[i]n the event that any interference complaints regarding the operations of the translator operating with facilities specified by the License Application are received by Seller or filed with the FCC, the parties shall work together in either remediating such interference complaints, or in the filing of a Modification Application to moot such interference complaints." In furtherance of such cooperation, ICRC hereby appoints Radio One and its designees (including counsel) to act on ICRC's behalf with respect to resolution of matters described in the aforementioned FCC Letter. Such appointment and authorization is limited to working with and/or on behalf of ICRC to resolves the matters set forth in the FCC Letter. If you have any questions or concerns relating to any of the foregoing, please do not hesitate to call me.

Sincerely,

Linda Jerom President

Indiana Community Radio Corporation

DECLARATION

I, John Takach, do hereby state:

- 1. I am a Chief Engineer for the Radio One of Indiana, LLC group of radio stations and responsible for the technical aspects of the carriage of the primary station carried by FM translator W275BD, Greenfield, Indiana.
- 2. As part of my duties as Chief Engineer, I was asked to review certain complaints forwarded to the W275BD FM translator licensee by the Federal Communications Commission regarding WXCH(FM), Columbus, Indiana. The results of my review of those complaints and the complainants is described in this Declaration.
- 3. I reviewed the complainants for ties and other connections to WXCH and the group of radio stations owned by or connected to Reising Radio Partners, Inc., the licensee of WXCH. One of the aspects of the complaints that appeared anomalous as an engineering matter was the significant distance from the WXCH transmitter site that these complainants concerns appeared to arise given that WXCH is a below-maximum height and below-maximum power Class A radio station with a protected signal extending less than 17½ miles. All of the areas of concern were located well beyond the WXCH protected contour and many were located within the Indianapolis area which is some 30 to 40 miles from WXCH (approximately twice the 17½ distance that Class A stations can generally expect a regularly-received signal). In other words, something appeared amiss as a technical matter.
- 4. I reviewed the listing of complainants attached to the December 15, 2015 letter from James Bradshaw, Deputy Chief, Audio Division, Media Bureau, Federal Communications Commission. My review of the complainants using publically-available sources turned up a number of acknowledged connections between the complainants and WXCH. In particular, here are the results of my review:

<u>Jeff Christian</u>: Facebook indicates that Mr. Christian is Facebook friends with Bob Hawkins who is the WXCH station engineer, and Facebook friends with Dave Wineland who works at WXCH. In addition, I am told through a third-

party source that Mr. Christian works at another station controlled by the owner of WXCH, but I have been unable to confirm that information.

Robert Stepp: Facebook indicates that Mr. Stepp is Facebook friends with Ben Underwood who is another complainant. While I did not initially think anything of the complainants knowing one another, it became apparent when reviewing the complainants that this group of complainants was likely a small cadre of friends with the WXCH owner and WXCH personnel who may have been asked to file complaints and that is the reason for the surprising connections many had with one another. In addition, Facebook indicates that Mr. Stepp is Facebook friends with Dave Wineland who works at WXCH.

<u>Ben Underwood</u>: Facebook indicates that Mr. Underwood is married to Laura Underwood who also filed complaint. In addition, Facebook indicates that Mr. Underwood is Facebook friends with Dave Wineland who works at WXCH.

<u>Kaylyn Shinolt</u>: Facebook indicates that Ms. Shinolt is Facebook friends with Mike King who is the General Manager of WXCH, and Facebook friends with DJ Jones who works at WXCH.

<u>Laura Underwood</u>: Ms. Underwood apparently used a work address for her complaint. Facebook indicates that Ms. Underwood is married to Ben Underwood who also filed a complaint on their home address, and is Facebook friends with Dave Wineland who is employed at WXCH.

<u>Terrah Nunley</u>: Facebook indicates that Ms. Nunley is Facebook friends with Jeff Christian who filed a complaint, and Facebook friends with Brent Lee who is listed as the Production Director at WXCH.

<u>Richard Haehl</u>: Facebook indicates that the Haehl family knows the Reising family who owns the station. Parker Haehl is friends with Chelsea Reising and is a project manager at Richard Haehl's office

M. Limburg: The name listed is the complaint is M Limburg which I believe is the mother of Dave Limburg. Facebook indicates that Dave Limburg is Facebook friends with WXCH engineer Bob Hawkins. The email address provided for contact (ddavwl@aol.com) suggests that the complainant is Dave Limburg since his middle initial is W. His full name is Dave W Limburg and he appears in publically-available databases as being associated with the address listed by M Limburg.

<u>Don Hart</u>: The Hart family is linked to the Haehl family, who also filed a complaint, through their children.

5. I have attached to this Declaration corresponding internet screen shots documenting the information above.

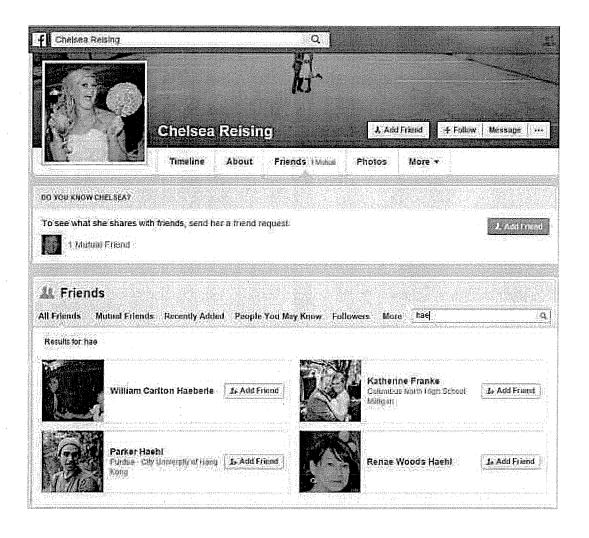
6. One complainant, Aimee Reisert, accepted the offer of interference remediation extended by Radio One of Indiana, LLC. On January 8, 2016, I met with Ms. Reisert. Andrea Geiger, our sales manager, was also present. Ms. Reisert stated that she listens to a variety of stations and listens to WXCH to hear some oldies. It sounded like she was a casual listener of WXCH. Andrea and I met with Ms. Reisert at a Walmart nearby where she claimed reception issues were occurring. I ran some tests on signal strength with our signal on and off. Ms. Reisert stated that she just wanted to make someone aware of her reception issues. Ms. Reisert did not appear to want us to do anything more and she did not ask for anything further.

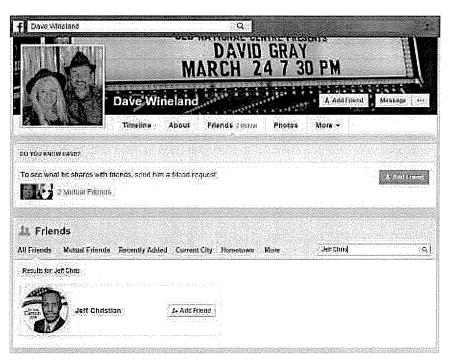
Executed this 14th day of January, 2016 under penalty of perjury.

John Takach

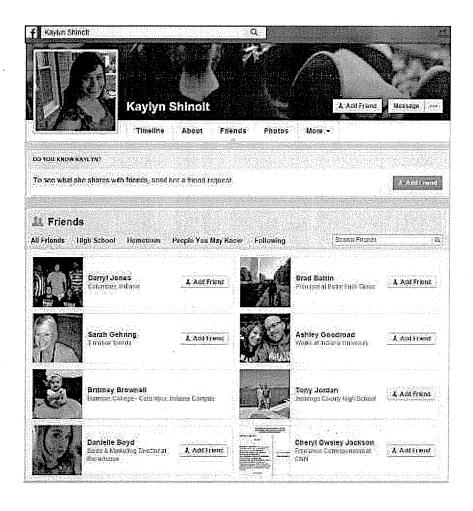


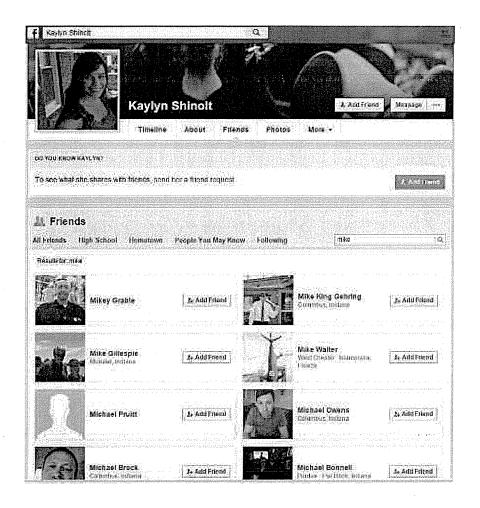


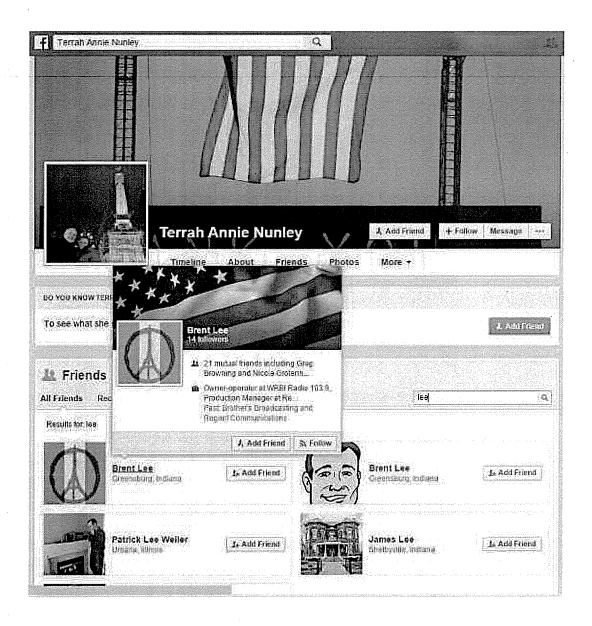


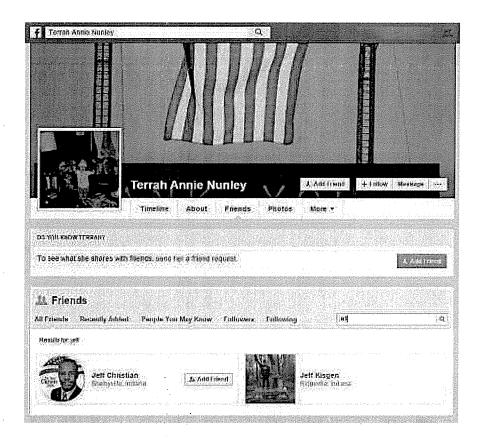




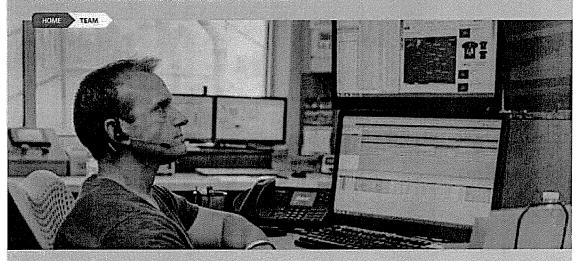








CENTRAL INDIANA'S ELITE READY MIX CONCRETE SUPPLY TEAM



OUR PEOPLE ARE OUR DIFFERENCE

For nearly 70 years, 5he by Metanian has been supplying greater ladian point & Central Indiana with lang-lasting, trigh quality needy mix and apprepals. We don't just these represes. We deliver value through the quality of justicer we deliver, precision in which we deliver it and the expectas of ear people.

(Classis a knowledgeable team-working together to consistently provide a product its well as service that our customers count dis. Due 20 disputchers, 12 plant managers and nearly 70 crivers are on "the front lives," emissing you receive your materials or time and raspect

THE EXECUTIVE TEAM

The executive team sets the tone for "The Shelby Impact."



Philip Haehl President



Richard Haehl Executive VP



Aaron Haehl Geet Faanciel Officer



Matt Haehl Vice President of Operations and Sales



Chris Wolf Director of Technical Support



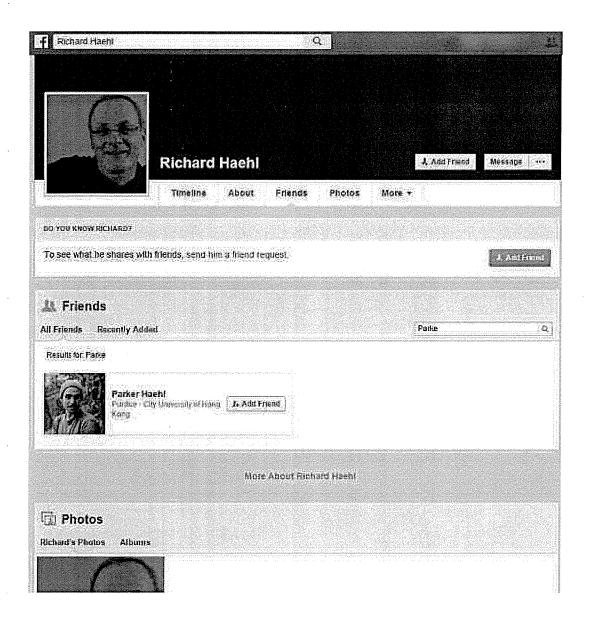
Gregg Hebbe Vice President

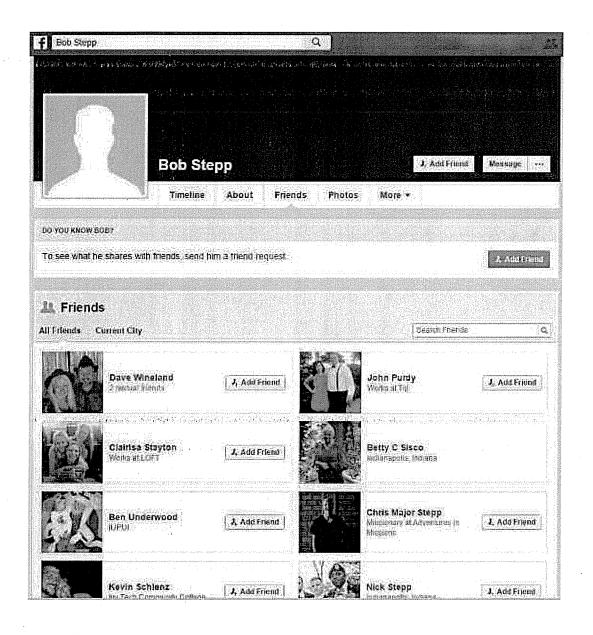


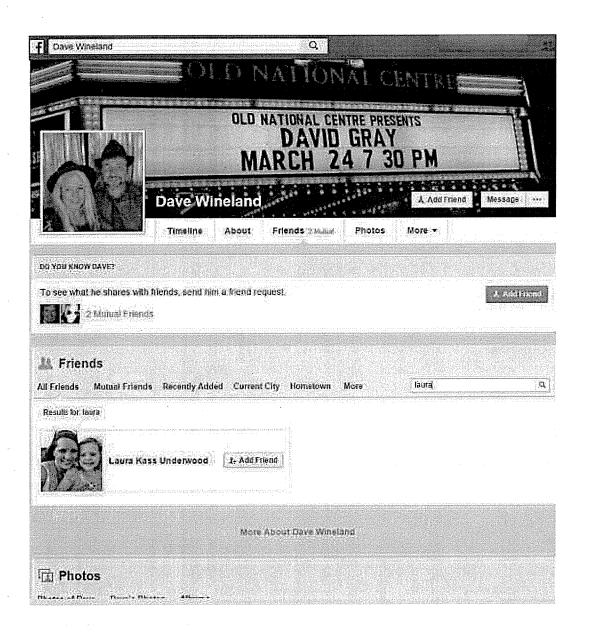
Parker Haehl Project Manager

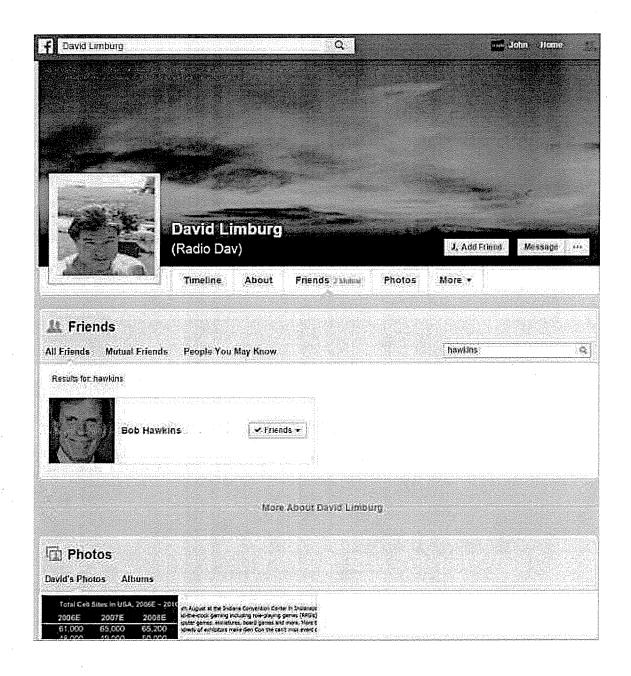


Jim Harner Human Resources Manager









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COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION A. Signature ■ Complete items 1, 2, and 3. ☐ Agent Print your name and address on the reverse ☐ Addressee so that we can return the card to you. B. Received by (Printed Name) C. Date of Delivery tach this card to the back of the mailpiece, Himee Keisert 12-31-15 or on the front if space permits. D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No rticle Addressed to: Aimee Reisert 1245 Berrywood Drive Greenwood, IN 46143 □ Priority Mail Express® □ Registered Mail™ □ Registered Mail Restricted Delivery □ Return Receipt for Merchandise □ Signature Confirmation™ □ Stepature Confirmation 3. Service Type 3. Service Type Adult Signature Adult Signature Restricted Delivery Certified Mail@ Certified Mail@ Collect on Delivery Collect on Delivery Insured Mail Insured Mail Restricted Delivery (over \$500) 9590 9401 0055 5071 0115 03 ☐ Signature Confirmation ☐ Restricted Delivery 7015 0640 0007 8572 1308 PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON	DELIVERY
 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X. July Country B. Received by (Printed Name) Autorica De Cort A	□ Agent □ Addressee □ C. Date of Delivery
1. Article Addressed to:	D. Is delivery address different from If YES, enter delivery address	
Antonio Coria 7301 N Old US highway 421 Lot 27 Saint Paul, IN 47272		

Garziglia, John

From: Sent: Kaylyn Shinolt <kshinolt@gmail.com> Tuesday, January 05, 2016 6:41 PM

To:

Garziglia, John

Subject:

MOJO radio

Dear Mr. Garziglia,

I am not happy that I had to make a special trip to the post office to pick up paperwork that was sent to me. I don't understand all of your questions and do not have time to fill it out, but I wanted to let you know I'm still frustrated that I can't pick up MOJO on 102.9. I used to be able to listen to it in my car on my way to work and now I cannot. I would like to listen to it again.

I can meet with you tomorrow Wednesday the 6th or Thursday the 7th at 8pm to see if there is something you can do.

Thanks, Kaylyn Shinolt



1200 Nineteenth Street, NW Suite 500 Washington, DC 20036

Telephone: (202) 467-6900 Fax; (202) 467-6910 www.wcsr.com

John F. Garziglia Direct Dial: (202) 857-4455 Direct Fax: (202) 261-0055 Email: jgarziglia@wcsr.com

December 23, 2015

To: 12022610055

VIA EXPRESS MAIL –RETURN RECEIPT

Ms. Aimee Reisert 1245 Berrywood Drive Greenwood, IN 46143

Dear Ms. Reisert:

I am writing on behalf of Radio One of Indiana, LLC, the owner of the primary radio station known as "Boom 102.9 Indy", which has its programming carried on radio station W275BD, Greenfield, Indiana.

It is my understanding that you have notified radio station WXCH(FM), Columbus, Indiana in a web submission that you are a listener of WXCH and that you have had problems receiving WXCH, at least in certain instances or under certain circumstances.

WXCH has submitted your name and address to the Federal Communications Commission in Washington, DC to become part of the official governmental records alleging that W275BD is interfering with your reception of WXCH.

Interference to the reception of WXCH could occur for several reasons unrelated to W275BD. Atmospheric conditions occasionally affect the reception of FM stations. Hills and other terrain often block FM signals. A listener's distance from an FM station largely determines whether a good, listenable signal will be received. In the case of WXCH, the maximum distance that the Federal Communications Commission expects that WXCH listeners will be able to receive satisfactory reception is approximately 17½ miles from the WXCH transmitter site. The WXCH transmitter site is located adjacent to the intersection of I-65 and Carr Hill Road southwest of Columbus. Some WXCH listeners may even experience reception problems at distances closer than 17.4 miles from its transmitter site.

If you are experiencing interference to your regularly received signal of WXCH that is caused by W275BD, we require further information.

To correct any interference you may be receiving to your regular listening to WXCH, the Federal Communications Commission requests that we obtain information from you so that we can determine if any action is required on our part.

It is necessary for you to answer all of the questions below for us to evaluate and request a fix of any problems, if required. Please feel free to write your answers on this letter, and either



Ms. Aimee Reisert December 23, 2015 Page 2

fax it back to me at (202) 261-0055, scan and email it to me at jgarziglia@wcsr.com, or mail it to me at the address above.

This letter with your signed responses will become part of the official governmental records of the Federal Communications Commission.
HOW OFTEN DO YOU NOW LISTEN TO WXCH?
☐ DAILY
SEVERAL TIMES PER WEEK
ONCE PER WEEK
SEVERAL TIMES PER MONTH
LESS THAN SEVERAL TIMES PER MONTH
□ NEVER
PLEASE DESCRIBE IN DETAIL WHERE YOU NOW REGULARLY LISTEN TO WXCH (I.E. AT MY HOME AT [ADDRESS]; AT MY WORK OR BUSINESS AT [ADDRESS]; WHILE DRIVING ON [ROAD] FROM [ADDRESS] TO [ADDRESS]:
While driving - my general area that I drive is from I-65/Main St - Greenwood,
US-31/Southport Rd and Franklin Rd/Edgewood Rd
WHEN DID INTERFERENCE TO YOUR WXCH LISTENING FIRST OCCUR:
☐ APPROXIMATELY TWO MONTHS AGO
APPROXIMATELY THREE MONTHS AGO
APPROXIMATELY FOUR MONTHS AGO
OTHER:

WOMBLE CARLYLE SANDRIDGE & RICE

Ms. Aimee Reisert December 23, 2015 Page 3

W SI IN

To:12022610055

WHEN LISTENING TO WXCH, DO YOU HAVE TROUBLE JUST PICKING UP THE SIGNAL OF WXCH (I.E. THE SIGNAL DROPS OUT) OR DO YOU EXPERIENCE INTERFERENCE FROM ANOTHER STATION TO THE WXCH SIGNAL, OR BOTH?
PLEASE CHECK ONE OR BOTH:
☐ JUST TROUBLE PICKING UP WXCH SIGNAL
☑ INTERFERENCE FROM ANOTHER STATION
IF INTERFERENCE FROM ANOTHER STATION, CAN YOU IDENTIFY WHAT IS THE STATION CAUSING THE INTERFERENCE? An BAB-sounding station, though initially It was a hispanic station that I was picking
DO YOU EVER HEAR STATIC OR HISSING, OR EXPERIENCE A SIGNAL DROP- OUT, DURING YOUR REGULAR LISTENING TO WXCH, WITHOUT INTERFERENCE FROM ANOTHER STATION?
☐ YES
⊠ NO
IF THE PROBLEM IS INTERFERENCE, WHERE DO YOU EXPERIENCE THE PROBLEM? AT HOME
☑ IN MY CAR
AT WORK (ADDRESS):
OTHER LOCATION:
IF THE PROBLEM IS INTERFERENCE, PLEASE STATE AS PRECISELY AS POSSIBLE WHERE YOU ARE EXPERIENCING THE INTERFERENCE:
I was always able to pick up MOSO white driving
around the southside of Indy and Greenwood The area
that I mostly drive is between 1-69/main St in Greenwood,
US-31 Southport Rd and Franklin Rd/Edgewood Rd.



WHAT CAUSED YOU TO CONTACT WXCH REGARDING INTERFERENCE TO WXCH (CHECK ALL APPLICABLE)?
☐ WEBSITE ANNOUNCEMENT
CONVERSATION WITH ANOTHER PERSON
NAME OF OTHER PERSON:
CONVERSATION WITH WXCH OWNERS OR PERSONNEL:
NAME:
NAME: NAME: MISSED hearing the station
DO YOU NOW HAVE, OR HAVE YOU HAD IN THE PAST, ANY CONNECTION WITH WXCH, OR ANY OF ITS AFFILIATED STATIONS SUCH AS "QMIX 107.3" (WRZQ-FM), "KORN COUNTRY 100.3 (WYGB)", WAUZ 89.1 FM, WYGS 91.1 FM, WKRY88.1 FM, WKJD 90.3 FM, WITH THEIR OWNER KEITH REISING, JR., OR WITH ANY EMPLOYEE, ADVERTISER, OR VENDOR, OR ANY OTHER CONNECTION SUCH AS WITH A FAMILY MEMBER, RELATIVE OR FRIEND, INCLUDING SOCIAL MEDIA, OF SUCH?
☐ YES
⊠ NO
IF "YES", PLEASE STATE CONNECTION:
DO YOU NOW HAVE, OR HAVE YOU HAD IN THE PAST, ANY CONNECTION WITH ANY OTHER RADIO STATION OR MEDIA AS AN EMPLOYEE, ADVERTISER, OR VENDOR, OR ANY OTHER CONNECTION SUCH AS WITH A FAMILY MEMBER, RELATIVE OR FRIEND, INCLUDING SOCIAL MEDIA, OF SUCH?
☐ YES
⊠ NO
IF "YES", PLEASE STATE CONNECTION:
WCSR 35489710v1



		IMUNICATED WITH ANY OF AND YOUR INTERFERENCE
Keith L. Reising, Jr.	Bob Hawkins	Dave Wineland
☐ Ben Underwood	Mike King	DJ Jones

Brent Lee Chelsea Reising Rita Peele Dave Limburg IF SO, PLEASE DESCRIBE THE CIRCUMSTANCES OF YOUR COMMUNICATIONS: sent a FB message with website and fill out a could no longer IN ADDITION TO THE ABOVE, PLEASE DESCRIBE WITH WHOM OUTSIDE OF YOUR IMMEDIATE FAMILY YOU HAVE COMMUNICATED WITH REGARDING YOUR WXCH INTERFERENCE CONCERNS, AND THE SUBSTANCE OF THOSE COMMUNICATIONS: husband



01-04-16;02:33PM; From: Edward Jones

Ms. Aimee Reisert December 23, 2015 Page 6

IF YOU BELIEVE YOU ARE RECEIVING INTERFERENCE FROM ANOTHER RADIO STATION WHILE TRYING TO LISTEN TO WXCH, PLEASE LIST THE SPECIFIC RADIO DEVICE(S) RECEIVING THE INTERFERENCE (I.E. TYPE OF DEVICE, MANUFACTURER'S NAME, MODEL NUMBER AND SERIAL NUMBER):

TYPE OF DEVICE #1 (I.E. PORTABLE RADIO, CAR

DEVICE #1:

RADIO, HOME STERÈO, ETC.) :
Car radio
MANUFACTURER AND MODEL NAME OR NUMBER OF DEVICE #1:
Chryster Town + Country
SERIAL NUMBER OF DEVICE #1:
LOCATION WHERE INTERFERENCE OCCURS WITH DEVICE #1 (PLEASE BE AS SPECIFIC AS POSSIBLE):
All over the eastern half of Greenwood,
Franklin and Percy townships.



	HOW OFTEN DO YOU LISTEN TO WXCH AT THIS SPECIFIC LOCATION WITH DEVICE #1?
	☐ DAILY
	SEVERAL TIMES PER WEEK
	ONCE PER WEEK
	SEVERAL TIMES PER MONTH
	LESS THAN SEVERAL TIMES PER MONTH
	□ NEVER
	WHEN LISTENING TO WXCH AT THIS SPECIFIC LOCATION, ARE YOU:
	☐ AT HOME?
	☐ AT WORK OR YOUR PLACE OF BUSINESS?
	COMMUTING TO AND FROM WORK OR BUSINESS?
	OTHER: errands
DEVICE #2:	
	TYPE OF DEVICE #2 (I.E. PORTABLE RADIO, CAR RADIO, HOME STEREO, ETC.):
	MANUFACTURER AND MODEL NAME OR NUMBER OF DEVICE #2:
	SERIAL NUMBER OF DEVICE #2:



	ATION WHERE INTERFERENCE OCCURS WITH ICE #1 (PLEASE BE AS SPECIFIC AS POSSIBLE):
	,
	OFTEN DO YOU LISTEN TO WXCH AT THIS EXFIC LOCATION WITH DEVICE #2?
	DAILY
	SEVERAL TIMES PER WEEK
	ONCE PER WEEK
	☐ SEVERAL TIMES PER MONTH
	☐ LESS THAN SEVERAL TIMES PER MONTH
	□ NEVER
. T. F T T T	N LISTENING TO WXCH AT THIS SPECIFIC
	ATION, ARE YOU:
	☐ AT HOME?
	☐ AT WORK OR YOUR PLACE OF BUSINESS?
	COMMUTING TO AND FROM WORK OR BUSINESS?
	OTHER:



PLEASE STATE WHEN, PRIOR TO FRIDAY, JANUARY 8, 2015 THAT ONE OF OUR RADIO STATION'S ENGINEERS CAN VISIT YOU SO THAT YOU CAN RE-CREATE THE INTERFERENCE CONDITIONS ON THE RADIO(S) LISTED ABOVE:

	DATE / TIME FOR VISIT: Tuesday, Thursday, Friday 12:30 -2:30 pm
	PHONE NUMBER(S) WHERE YOU MAY BE REACHED: 765-412-8536
I hereby ce penalty of	A
12/3/1/ (Date)	AIMIL DReisert (Signature)

Your time to answer these questions is appreciated and required if we are to further investigate the interference issues.

The Federal Communications Commission expects a response from W275BD in a short period of time. If I do not hear from you by <u>January 5, 2016</u>, Radio One of Indiana, LLC will assume you are no longer experiencing a problem, notify the Federal Communications Commission of that fact, and consider the matter closed.

Sincerely,

%hn F. Garziglia

Counsel to Radio One of Indiana, LLC

Attachment 6

Garziglia, John

From:

Don Hart <don.hart@aes.com>

Sent:

Monday, January 11, 2016 9:05 AM

To:

Garziglia, John

Cc:

Keith Reising (kreising@qmix.com); Tom.Wheeler@fcc.gov

Subject:

See attached Interference form request

Attachments:

Smsacskc316011109250.pdf

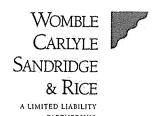
John Garziglia,

See attached form for my interference complaint from your client's (Radio One) station. Sorry I could not meet your January $5^{\rm th}$ deadline…and yes, I am still experience interference from the station.

I cannot understand why your client's station needs to overpower other stations. This form—and the way it was sent—seems to be a way of intimidating listeners from voicing their complaints.

Thank you,

Don Hart



1200 Nineteenth Street, NW Suite 500 Washington, DC 20036

Telephone: (202) 467-6900 Fax: (202) 467-6910 www.wcsr.com John F. Garziglia Direct Dial: (202) 857-4455 Direct Fax: (202) 261-0055 Email: jgarziglia@wcsr.com

December 23, 2015

VIA EXPRESS MAIL -RETURN RECEIPT

Mr. Don Hart 6142 E Union Road Shelbyville, AL 46176

Dear Mr. Hart:

I am writing on behalf of Radio One of Indiana, LLC, the owner of the primary radio station known as "Boom 102.9 Indy", which has its programming carried on radio station W275BD, Greenfield, Indiana.

It is my understanding that you have notified radio station WXCH(FM), Columbus, Indiana in a web submission that you are a listener of WXCH and that you have had problems receiving WXCH, at least in certain instances or under certain circumstances.

WXCH has submitted your name and address to the Federal Communications Commission in Washington, DC to become part of the official governmental records alleging that W275BD is interfering with your reception of WXCH.

Interference to the reception of WXCH could occur for several reasons unrelated to W275BD. Atmospheric conditions occasionally affect the reception of FM stations. Hills and other terrain often block FM signals. A listener's distance from an FM station largely determines whether a good, listenable signal will be received. In the case of WXCH, the maximum distance that the Federal Communications Commission expects that WXCH listeners will be able to receive satisfactory reception is approximately 17½ miles from the WXCH transmitter site. The WXCH transmitter site is located adjacent to the intersection of I-65 and Carr Hill Road southwest of Columbus. Some WXCH listeners may even experience reception problems at distances closer than 17.4 miles from its transmitter site.

If you are experiencing interference to your regularly received signal of WXCH that is caused by W275BD, we require further information.

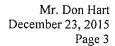
To correct any interference you may be receiving to your regular listening to WXCH, the Federal Communications Commission requests that we obtain information from you so that we can determine if any action is required on our part.

It is necessary for you to answer <u>all</u> of the questions below for us to evaluate and request a fix of any problems, if required. Please feel free to write your answers on this letter, and either



fax it back to me at (202) 261-0055, scan and email it to me at jgarziglia@wcsr.com, or mail it to me at the address above.

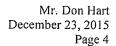
This letter with your signed responses will become part of the official governmental records of the Federal Communications Commission. HOW OFTEN DO YOU NOW LISTEN TO WXCH? X DAILY SEVERAL TIMES PER WEEK ONCE PER WEEK SEVERAL TIMES PER MONTH LESS THAN SEVERAL TIMES PER MONTH NEVER PLEASE DESCRIBE IN DETAIL WHERE YOU NOW REGULARLY LISTEN TO WXCH (I.E. AT MY HOME AT [ADDRESS]; AT MY WORK OR BUSINESS AT [ADDRESS]; WHILE DRIVING ON [ROAD] FROM [ADDRESS] TO [ADDRESS]: WHEN DID INTERFERENCE TO YOUR WXCH LISTENING FIRST OCCUR: APPROXIMATELY TWO MONTHS AGO APPROXIMATELY THREE MONTHS AGO APPROXIMATELY FOUR MONTHS AGO





WHEN LISTENING TO WXCH, DO YOU HAVE TROUBLE JUST PICKING UP THE SIGNAL OF WXCH (I.E. THE SIGNAL DROPS OUT) OR DO YOU EXPERIENCE INTERFERENCE FROM ANOTHER STATION TO THE WXCH SIGNAL, OR BOTH?

2
PLEASE CHECK ONE OR BOTH:
☐ JUST TROUBLE PICKING UP WXCH SIGNAL
☐INTERFERENCE FROM ANOTHER STATION
IF INTERFERENCE FROM ANOTHER STATION, CAN YOU IDENTIFY WHAT IS THE STATION CAUSING THE INTERFERENCE? HIS Papil & Flow 7-45 Hip Hop
DO YOU EVER HEAR STATIC OR HISSING, OR EXPERIENCE A SIGNAL DROP- OUT, DURING YOUR REGULAR LISTENING TO WXCH, WITHOUT INTERFERENCE FROM ANOTHER STATION?
☐ YES
NO
IF THE PROBLEM IS INTERFERENCE, WHERE DO YOU EXPERIENCE THE PROBLEM? ☐ AT HOME ☐ IN MY CAR ☐ AT WORK (ADDRESS): don't lister @ work ☐ OTHER LOCATION:
IF THE PROBLEM IS INTERFERENCE, PLEASE STATE AS PRECISELY AS POSSIBLE WHERE YOU ARE EXPERIENCING THE INTERFERENCE:
Home, driving, in Shelhyulle, Indiana,
0/00c- 1-74-



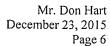


WHAT CAUSED YOU TO CONTACT WXCH REGARDING INTERFERENCE TO WXCH (CHECK ALL APPLICABLE)?

	ECK ALL APPLICABLE)?
□ WI	EBSITE ANNOUNCEMENT
Со	NVERSATION WITH ANOTHER PERSON
	NAME OF OTHER PERSON:
□ со	NVERSATION WITH WXCH OWNERS OR PERSONNEL:
	NAME:
Dот	HER: Amoyance from your client's
WITH WXCH (WRZQ-FM), WKRY88.1 FI WITH ANY E CONNECTIO	W HAVE, OR HAVE YOU HAD IN THE PAST, ANY CONNECTION H, OR ANY OF ITS AFFILIATED STATIONS SUCH AS "QMIX 107.3", "KORN COUNTRY 100.3 (WYGB)", WAUZ 89.1 FM, WYGS 91.1 FM, M, WKJD 90.3 FM, WITH THEIR OWNER KEITH REISING, JR., OR EMPLOYEE, ADVERTISER, OR VENDOR, OR ANY OTHER ON SUCH AS WITH A FAMILY MEMBER, RELATIVE OR FRIEND, SOCIAL MEDIA, OF SUCH?
	☑NO
IF "YES", PL	EASE STATE CONNECTION:
WITH ANY O ADVERTISEI	W HAVE, OR HAVE YOU HAD IN THE PAST, ANY CONNECTION OTHER RADIO STATION OR MEDIA AS AN EMPLOYEE, R, OR VENDOR, OR ANY OTHER CONNECTION SUCH AS WITH A MBER, RELATIVE OR FRIEND, INCLUDING SOCIAL MEDIA, OF
	□ yes
[NO
[[F "YES", PLI	MO MO EASE STATE CONNECTION:



		MUNICATED WITH ANY OF ND YOUR INTERFERENCE
Keith L. Reising, Jr.	Bob Hawkins	Dave Wineland
☐ Ben Underwood	Mike King	DJ Jones
Brent Lee	Chelsea Reising	Rita Peele
Dave Limburg		
Station "over	Keith-about my na him aware a powering" thim.	Fyour chients
YOUR IMMEDIATE FAM YOUR WXCH INTERFER COMMUNICATIONS:	IILY YOU HAVE COMMUI RENCE CONCERNS, AND T	E WITH WHOM OUTSIDE OF NICATED WITH REGARDING THE SUBSTANCE OF THOSE S. Cant Penumber L. Situation

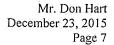




IF YOU BELIEVE YOU ARE RECEIVING INTERFERENCE FROM ANOTHER RADIO STATION WHILE TRYING TO LISTEN TO WXCH, PLEASE LIST THE SPECIFIC RADIO DEVICE(S) RECEIVING THE INTERFERENCE (I.E. TYPE OF DEVICE, MANUFACTURER'S NAME, MODEL NUMBER AND SERIAL NUMBER):

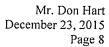
DEVICE #1:

TYPE OF DEVICE #1 (I.E. PORTABLE RADIO, CAR RADIO, HOME STEREO, ETC.):	١
lan' receiving interference - un realistic. Radio station was fine be	1_ x -/a
MANUFACTURER AND MODEL NAME OR NUMBER OF DEVICE #1:	
SERIAL NUMBER OF DEVICE #1:	
LOCATION WHERE INTERFERENCE OCCURS WITH DEVICE #1 (PLEASE BE AS SPECIFIC AS POSSIBLE):	
	RADIO, HOME STEREO, ETC.): This request And receiving interference - un realistic - Radio station was fine book MANUFACTURER AND MODEL NAME OR NUMBER OF DEVICE #1: SERIAL NUMBER OF DEVICE #1: LOCATION WHERE INTERFERENCE OCCURS WITH





LLP	HOW OFTEN DO YOU LISTEN TO WXCH AT THIS SPECIFIC LOCATION WITH DEVICE #1?
	DAILY
	SEVERAL TIMES PER WEEK
	☐ ONCE PER WEEK
	SEVERAL TIMES PER MONTH
	LESS THAN SEVERAL TIMES PER MONTH
	□ NEVER
	WHEN LISTENING TO WXCH AT THIS SPECIFIC LOCATION, ARE YOU:
	AT HOME?
	☐ AT WORK OR YOUR PLACE OF BUSINESS?
	COMMUTING TO AND FROM WORK OR BUSINESS?
	OTHER:
DEVICE #2:	
	TYPE OF DEVICE #2 (I.E. PORTABLE RADIO, CAR RADIO, HOME STEREO, ETC.):
	Véhiclé - see response to 4/
	MANUFACTURER AND MODEL NAME OR NUMBER OF DEVICE #2:
	SERIAL NUMBER OF DEVICE #2:
	DECIMENT DEVICE #2.





······································	_
	OFTEN DO YOU LISTEN TO WXCH AT THIS FIC LOCATION WITH DEVICE #2?
	☐ DAILY
	SEVERAL TIMES PER WEEK
	ONCE PER WEEK
	SEVERAL TIMES PER MONTH
	LESS THAN SEVERAL TIMES PER MONTH
	□ NEVER
	LISTENING TO WXCH AT THIS SPECIFIC FION, ARE YOU:
	AT HOME?
	☐ AT WORK OR YOUR PLACE OF BUSINESS?
	COMMUTING TO AND FROM WORK OR BUSINESS
	OTHER:



PLEASE STATE WHEN, PRIOR TO FRIDAY, JANUARY 8, 2015 THAT ONE OF OUR RADIO STATION'S ENGINEERS CAN VISIT YOU SO THAT YOU CAN RE-CREATE THE INTERFERENCE CONDITIONS ON THE RADIO(S) LISTED ABOVE:

	DATE / TIME FOR VISIT:
	ALTERNATE DATE / TIME FOR VISIT:
	PHONE NUMBER(S) WHERE YOU MAY BE REACHED:
I hereby certi penalty of per	fy as to the complete truthfulness and accuracy of the above responses under rjury:
/_ //_ /((Date)	(Signature)

Your time to answer these questions is appreciated and required if we are to further investigate the interference issues.

The Federal Communications Commission expects a response from W275BD in a short period of time. If I do not hear from you by <u>January 5, 2016</u>, Radio One of Indiana, LLC will assume you are no longer experiencing a problem, notify the Federal Communications Commission of that fact, and consider the matter closed.

Sincerely.

ohn F. Garziglia

Counsel to Radio One of Indiana, LLC