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March 3, 2017

ORIGINAL

Our File No. 20680-00200

**VIA HAND DELIVERY**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, S.W.  
Room TW-A325  
Washington, DC 20554

Accepted / Filed

MAR - 3 2017

Federal Communications Commission  
Office of the Secretary

2017 MAR - 6 A 10:35

Re: Main Studio Waiver Request  
FM Station with Erroneously Assigned Call Sign KCTI-FM  
Facility ID No. 91220, Gonzalez, Texas

Dear Ms. Dortch:

On behalf of Texas Public Radio ("TPR"), licensee of AM radio station KCTI(AM), Gonzalez, Texas (Facility ID No. 24564), we are writing to oppose Sun Radio Foundation's ("Sun Radio") letter request for a Main Studio Waiver filed on February 21, 2017, for radio station Facility ID No. 91220, Gonzalez, Texas ("the FM Station"). The Commission should not provide the FM Station with a waiver of the Main Studio Rule until the Commission corrects its ministerial error by rescinding secondary call sign KCTI-FM and assigning another call sign to the FM Station.

On March 8, 2016, the secondary call sign KCTI-FM was erroneously assigned to the FM Station without authorized consent from primary call sign station KCTI(AM). Because neither Sun Radio, nor Maranatha Church of Laredo Incorporated ("Maranatha"), the prior licensee of the FM Station, was ever properly authorized to use the "KCTI-FM" secondary call sign, the FM Station's call sign change should never have been granted.

As the Commission is aware,<sup>1</sup> as soon as TPR discovered the invalid call sign assignment, TPR immediately sought to resolve the issue without Commission involvement. In fact, the General Partner of the former licensee of KCTI(AM) (*i.e.*, Gonzalez Communications, a Texas Limited Partnership)

<sup>1</sup> TPR filed a letter with the Commission on December 22, 2016, insisting that the Commission rescind the erroneous call sign assignment. Sun Radio filed a response to TPR's letter on January 19, 2017, to which TPR replied on February 13, 2017.



G A R V E Y S C H U B E R T B A R E R

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attempted at that time to correct the situation without Commission involvement.<sup>2</sup> Unfortunately, because of Sun Radio's obstinacy, it has not been possible to resolve this matter privately.

Now, Sun Radio has filed a request that the Commission grant a Main Studio Waiver for the FM Station. The Commission should not, however, take any action that would allow the FM Station to become further entrenched under the invalid "KCTI-FM" secondary call sign. TPR strenuously objects to the waiver until the Commission voids the erroneous call sign assignment discussed above.

Respectfully Submitted,

TEXAS PUBLIC RADIO

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Mary Mann, Gonzalez Communications, a Texas Limited Partnership (via email)  
Dan J. Alpert, *Counsel to Sun Radio Foundation and Maranatha Church of Laredo Incorporated* (via email)

GSB:8478529.4

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<sup>2</sup> See Exhibit B attached to TPR letter dated December 22, 2016 ("I won't mince words here. What is going on?!?!?! Undo whatever "deal" you arranged with O'Neil (which you had no authority to make) and provide written proof immediately to all parties that this has been taken care of. Assure Joyce that we will not need legal council as she is completely in the right legally (not to mention ethically)").