



**Federal Communications Commission
Washington, D.C. 20554**

July 18, 2017

In Reply Refer to:
1800B3-PPD

Immanuel Broadcasting Network, Inc.
P.O. Box 1000
Cartersville, GA 30120

In re: W265AV, Woodstock, GA
File No. BLFT-20140915AAD
Facility ID No. 28332

Interference Complaint

Dear Licensee:

This letter refers to the interference complaint filed by Nelson Rodriguez (Mr. Rodriguez) on February 3, 2017 (Complaint).¹ The Complaint alleges that W265AV, Cartersville, Georgia, licensed to Immanuel Broadcasting Network, Inc. (IBN), is interfering with the reception of WJES, Maysville, Georgia. For the reasons set forth below, we require IBN to immediately reduce W265AV's effective radiated power (ERP) to ten watts.

Discussion. In the Complaint, Mr. Rodriguez alleges that W265AV is interfering with the reception of WJES. Mr. Rodriguez submitted over 50 complaints from listeners, who complained of difficulties receiving WJES in their homes, their place of employment, and the nearby areas.² Mr. Rodriguez requests that W265AV be ordered to cease operation.³

On April 3, 2017, staff sent a letter to IBN, asking it to either resolve the complaints of interference within 30 days or to suspend W265AV's operations.⁴ The *Staff Letter* asked IBN to submit a detailed report addressing the complaints. Specifically, the *Staff Letter* stated the report should include: "(1) the name and address of each complainant; (2) specific devices receiving the interference (i.e. type of device, manufacturer's name, model number, and serial number); and (3) any assistance provided by W265AV for each device allegedly receiving the interference and whether such interference persists."⁵

¹ On March 21, 2017, Mr. Rodriguez filed an Emergency Petition for Relief (Petition), which included additional listener complaints. On March 24, 2017, Neil E. Hopper, President of IBN, filed a Declaration disputing whether the complaints were filed by *bona fide* regular listeners. Mr. Hopper also stated IBN has reduced W265AV's ERP by 20 percent. On March 28, 2017, Mr. Rodriguez filed a Supplement to Emergency Petition for Relief (Supplement), which included additional listener complaints.

² Complaint at 3; Petition at Attach. 2; Supplement at Attach. 2.

³ Complaint at 2.

⁴ Letter from James D. Bradshaw, Deputy Chief, Audio Division, FCC Media Bureau, to Immanuel Broadcasting Network, Inc. (April 3, 2017) (*Staff Letter*) at 2.

⁵ *Staff Letter* at 1.

The *Staff Letter* also noted that “[f]ailure to correct all complaints within this time may require W265AV to suspend operation pursuant to 47 CFR § 74.1203.”⁶

On May 3, 2017, in response to the *Staff Letter*, Mr. Hopper notified staff that IBN had reduced its ERP to 50 percent (52 watts), but did not address the individual listener complaints.⁷ On May 5, 2017, Mr. Rodriguez notified staff that W265AV continued to interfere with the reception of WJES.⁸ On May 25, 2017, staff notified Mr. Hopper that IBN had an ongoing obligation to resolve the interference complaints, and should do so by June 15, 2017.⁹ On June 14, 2017, Mr. Hopper submitted a proposal intended to resolve the interference, including installation of a directional antenna and reduction of W265AV’s ERP to 26 watts.¹⁰ The proposal was rejected by Mr. Rodriguez because he believes WJES would continue to receive interference while the proposals were being implemented.¹¹

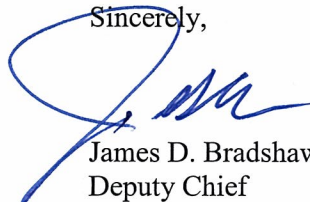
As of today, IBN has not adequately addressed the listener complaints. Staff review of the location of the complaints and the authorized parameters of WJES suggest that W265AV can eliminate interference to WJES by reducing the ERP to ten watts. We believe this power reduction should be sufficient to eliminate the interference to WJES listeners in the areas of Buford; Duluth; Suwanee; Lawrenceville; and Sugar Hill, Georgia, while allowing W265AV to continue to provide service. We note that IBN must promptly resolve any additional interference complaints submitted by Mr. Rodriguez, including those from previous complainants.¹²

Conclusion. Based on the above, IT IS ORDERED, that Immanuel Broadcasting Network, Inc. must REDUCE IMMEDIATELY the EFFECTIVE RADIATED POWER for W265AV to ten watts.

IT IS FURTHER ORDERED, that the license for W265AV (BLFT-20140915AAD) will be REISSUED to specify an effective radiated power of ten watts.

IT IS FURTHER ORDERED, W265AV may not commence operations with more than ten watts effective radiated power at this site without prior written authorization from the Audio Division.

Sincerely,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

Cc: Donald E. Martin (by email)
Marissa Repp (by email)

⁶ *Id.* at 2.

⁷ Letter from Neil Hopper, President, Immanuel Broadcasting Network, Inc. (May 3, 2017) at 1.

⁸ Letter from Donald E. Martin, Counsel for Nelson Rodriguez, to James D. Bradshaw, Deputy Chief, Audio Division, FCC Media Bureau (May 5, 2017) at 1.

⁹ E-mail from Parul P. Desai, Attorney-Adviser, Audio Division, FCC Media Bureau, to Neil Hopper, President, Immanuel Broadcasting Network, Inc. (May 25, 2017).

¹⁰ Letter from Neil Hopper, President, Immanuel Broadcasting Network, Inc. (June 14, 2017) at 1.

¹¹ E-mail from Donald E. Martin, Counsel for Nelson Rodriguez, to Neil Hopper, President, Immanuel Broadcasting Network, Inc. (June 15, 2017).

¹² See 47 CFR § 74.1203 (requiring translators to eliminate interference to broadcast stations).