



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

June 27, 2018

*In Reply Refer to:*  
1800B3-KV

WMUZ Radio, Inc.  
P.O. Box 3003  
Blue Bell, PA 19422

**In re: W296DY, Detroit, MI**  
File No. BLFT-20180328AAQ  
Facility ID No. 200021

**Interference Complaint – Response Required**

Dear Licensee:

This refers to the “Interference Complaint” (Complaint)<sup>1</sup> filed on April 13, 2018, by Cumulus Licensing LLC (Cumulus), licensee of Station WQKL(FM) Ann Arbor, Michigan. In the Complaint, Cumulus alleges that FM Translator Station W296DY, Detroit, Michigan (W296DY or Station), licensed to WMUZ Radio, Inc. (WMUZ or Licensee), is interfering with the reception of Station WQKL(FM).<sup>2</sup>

On April 24, 2018, WMUZ filed a request for Special Temporary Authority (STA) to remain silent.<sup>3</sup> In the STA Application, Licensee reported that the Station went silent on April 24, 2018, and stated:

Since W296DY began transmissions, WMUZ has received reports from the licensee of WQKL, Ann Arbor, Michigan, of listener complaints of interference to WQKL in the Detroit area, apparently by W296DY. In an effort to mitigate this interference, WMUZ reduced the power of W296DY to half, but the listener complaints continued thereafter. In an effort to permanently resolve the interference, WMUZ seeks to turn off W296DY while a new site from which operation without interference can resume is located and an application for a move thereto is filed.<sup>4</sup>

On May 14, 2018, Commission staff granted the STA Application for W296DY to remain silent for a period of 180 days.<sup>5</sup>

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<sup>1</sup> All pleadings referenced herein are available at the Media Bureau’s Consolidated Database (CDBS) under the Station’s License Application, File No. BLFT-20180328AAQ.

<sup>2</sup> In support of the interference allegations, Cumulus includes complaints from 17 different listeners. Complaint, Appendix A.

<sup>3</sup> See File No. BLSTA-20180424AAL (STA Application).

<sup>4</sup> *Id.* at Exh. 1.

<sup>5</sup> See Letter from Lisa Scanlan, Deputy Chief, Audio Division, Media Bureau to John Neely, Esq., reference 1800B3-MAT (MB May 14, 2018).

To date, Licensee has not submitted an application to modify the Station's licensed facilities or otherwise respond to the Complaint. While we acknowledge that the Station is temporarily silent pursuant to the granted STA Application, the Licensee may have a future obligation to address the Complaint.

We encourage WMUZ to pursue alternate site proposals including operation from another site, with reduced power, and/or on an adjacent channel. However, if WMUZ chooses to return to operation with its licensed facilities, pursuant to Section 74.1203 of the Rules,<sup>6</sup> W296DY would be required to eliminate any actual interference it causes. It would then be necessary for WMUZ to submit a detailed report (Interference Response) on each listener complaint, even if an individual listener has previously filed a complaint in a different interference proceeding that Licensee has addressed. For each listener complaint, the Interference Response must 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 provided by the Station for each device allegedly receiving the interference and whether such interference persists. Each of the listener complaints would need to be addressed individually.

The Rules regarding FM translators restrict FM translator stations to operate strictly on a secondary basis and limit their service. Section 74.1203(a)(3)<sup>7</sup> of the Rules states that an FM translator station will not be permitted to continue to operate if it causes any actual radio signal interference to the direct reception by the public of the off-the-air signals of any authorized broadcast station.<sup>8</sup> Actual interference is based on listener complaints indicating that the signal they regularly receive is being impaired by the signal radiated by the FM translator station. Section 74.1203(b)<sup>9</sup> of the Rules states that if the interference cannot be properly eliminated by the application of suitable techniques, the operation of the offending FM translator station shall be suspended and shall not be resumed until the interference has been eliminated.

Accordingly, within thirty days of resuming operation with its licensed facilities, WMUZ must take appropriate actions required by the provisions of 47 CFR § 74.1203 to resolve all complaints of interference to fulfill its obligations and submit its Interference Response.<sup>10</sup> Further action on the Complaint will be withheld to provide WMUZ an opportunity to respond.<sup>11</sup> Failure to correct all

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<sup>6</sup> 47 CFR § 74.1203.

<sup>7</sup> 47 CFR § 74.1203(a)(3).

<sup>8</sup> An FM translator station creating actual radio signal interference to any authorized broadcast station is obligated to eliminate the interference, regardless of the location where the impaired signal reception occurs.

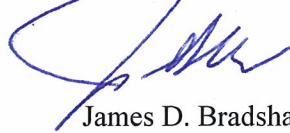
<sup>9</sup> 47 CFR § 74.1203(b).

<sup>10</sup> WMUZ also should send a courtesy via email to Kim Varner at [kim.varner@fcc.gov](mailto:kim.varner@fcc.gov) and James Bradshaw at [james.bradshaw@fcc.gov](mailto:james.bradshaw@fcc.gov). Additionally, the obligation to resolve interference complaints is ongoing. Specifically, should any complaints be filed in the future, Licensee must resolve or address those complaints within 30 days of receipt.

<sup>11</sup> We further note that should Licensee file an application to modify the Station's licensed facilities, as stated in the STA Application, the staff will expedite said application.

complaints within 30 days of resuming operation with its licensed facilities may require Station W296DY to suspend operation pursuant to 47 CFR § 74.1203 of the Rules.

Sincerely,



James D. Bradshaw  
Senior Deputy Chief  
Audio Division  
Media Bureau

Cc: Andrew S. Kersting, Esq. (by email)  
John Neely, Esq. (by email)