

2018 AUG -7 PM 1: 49

Before the
Federal Communications Commission
Washington, D.C. 20554

In re Application of)
)
EMMANUEL COMMUNICATIONS, INC.) BNPFT-20171220AAW
) Facility ID No. 200924
For Construction Permit for a New FM Translator)
Station, W256DN, to Operate on Channel 256)
At Worcester, Massachusetts)

Accepted / Filed

Directed to: Office of the Secretary
Attention: Chief, Audio Division, Media Bureau

AUG -3 2018

Federal Communications Commission
Office of the Secretary

OPPOSITION TO PETITION FOR RECONSIDERATION

Plymouth Rock Broadcasting Co., Inc. ("Plymouth Rock"), licensee of WPLM-FM, Plymouth, Massachusetts, by its attorneys, hereby submits its Opposition to the Petition for Reconsideration submitted by Emmanuel Communications, Inc. ("Emmanuel") on July 26, 2018, with regard to the above-captioned application for construction permit for a new FM translator, assigned the call letters W256DN, at Worcester, Massachusetts, and the letter decision, Reference 1800B3-SS, released June 26, 2018, (the "Letter Decision") dismissing this application. With respect thereto, the following is submitted:

The Letter Decision was based on a finding that Plymouth Rock had demonstrated that individuals who are regular listeners to WPLM-FM are located within the proposed 60 dBu contour of W256DN and would receive interference from the proposed operation of W256DN. Emmanuel's Petition for Reconsideration presents nothing whatsoever to call that finding into question or otherwise dispute the basis of the Letter Decision. Indeed, Emmanuel no longer even

proposes that it will actually construct and operate a translator facility on Channel 256 at Worcester, Massachusetts.

Rather, Emmanuel proposes that the Commission either issue a contingent grant of Emmanuel's application, with the grant conditioned upon the immediate filing of an application in the nature of a displacement application to specify another channel, or allow Emmanuel, pursuant to an agreement with Plymouth Rock, to amend its application to a non-adjacent, displacement channel in return for Plymouth Rock's withdrawal of its objections to Emmanuel's application, conditioned upon Commission approval. Plymouth Rock is unaware of whether the Commission would be willing to grant such displacement-type relief in this context, but if so, Plymouth Rock would urge that the Commission follow the second path provided by Emmanuel so that no construction permit is ever granted on Channel 256 to Emmanuel.

As Plymouth Rock has demonstrated, WPLM-FM has listeners in and around Worcester, and Plymouth Rock knows that the number is substantially in excess of the number of people who have taken the time and trouble to execute declarations attesting to their listenership. Therefore, Plymouth Rock seeks to avoid the issuance of any construction permit to a translator on WPLM-FM's channel 256 at Worcester, even one which Emmanuel has indicated it would not construct but would seek to modify to a new channel. Emmanuel is correct that it has proposed to Plymouth Rock that the parties enter into a mutual co-operation agreement, and Plymouth Rock has consented to listen to and consider Emmanuel's proposals. Plymouth Rock and Emmanuel do not, however, have a current agreement, and it is not yet clear whether any agreement can or will be reached.

Plymouth Rock's sole concerns here are with the protection of the ability of its listeners in and around Worcester to receive the WPLM-FM signal, as well as with the ability of other

stations in the region to pick up EAS alerts from WPLM-FM. So long as listeners and other stations can each receive the signals they desire, Plymouth Rock has no philosophical objection to Emmanuel's receiving a construction permit on a channel well removed from Channel 256. Plymouth Rock is not seeking to stand in the way of fulltime station WNEB(AM)'s acquisition of an FM translator that may assist in improving the technical service of WNEB.

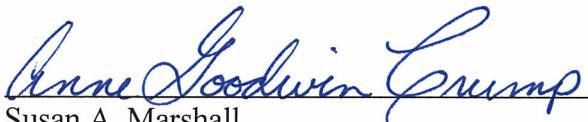
Plymouth Rock would note, as the Letter Decision did as well, that no matter what type of station a translator rebroadcasts, an FM translator is and remains a secondary service. Even the Commission's policy to assist AM stations does not change that fact. Accordingly, any translator's interference with the regular reception of a primary, full-power FM station is prohibited.

As noted above, Emmanuel has not identified any way in which the Commission's findings with regard to its above-captioned application were in error. Instead, Emmanuel is requesting that the Commission adopt an alternate approach to enable it to get what it wants. To the extent that the Commission is willing to allow a change to a displacement channel, and that WPLM-FM's listeners and the stations which monitor WPLM-FM for EAS alerts will remain protected from objectionable interference, Plymouth Rock would not further oppose Emmanuel's

current proposal for a modified channel. In the absence of either of those two circumstances, however, Plymouth Rock would urge the Commission to deny reconsideration and uphold the Letter Decision as correctly decided.

Respectfully submitted,

PLYMOUTH ROCK BROADCASTING CO., INC.

By: 
Susan A. Marshall
Anne Goodwin Crump

Its Attorneys

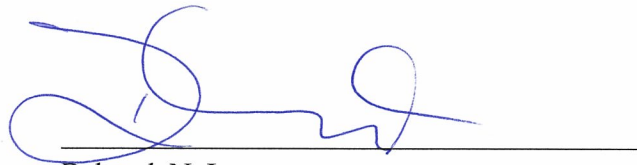
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August 3, 2018

CERTIFICATE OF SERVICE

I, Deborah N. Lunt, an Assistant with the office of Fletcher, Heald & Hildreth PLC, hereby certify that a true and correct copy of the foregoing "Opposition to Petition for Reconsideration" was sent on this 3rd day of August, 2018, via First-Class United States mail, postage pre-paid, to the following:

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Deborah N. Lunt