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November 21, 2018

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VIA HAND DELIVERY

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554
Attn: Chief, Audio Division, Media Bureau

Accepted / Filed

NOV 21 2018

Federal Communications Commission
Office of the Secretary

Re: *In the Matter of Gary M. Cocola, Licensee of FM Translator, K259CF, South Fresno, California (Facility ID No. 144742)*
Second Supplement to Interference Complaint of Bott Communications, Inc.
REQUEST FOR EXPEDITED CONSIDERATION

Dear Ms. Dortch:

Bott Communications, Inc. (“Bott”), licensee of full-power FM broadcast station, KCIV, Mount Bullion, California (Facility ID No. 6504) (Channel 260/99.9 MHz) (“KCIV”), by its undersigned counsel, respectfully requests **EXPEDITED CONSIDERATION** of its Interference Complaint (its Reply and Supplement to Interference Complaint and Second Supplement to Interference Complaint) against FM translator, K259CF, South Fresno, California (Facility ID No. 144742), licensed to Gary M. Cocola. As detailed in Bott’s Second Supplement filed in this proceeding, since the filing of its original Interference Complaint on July 18, 2018, as supplemented with complaints from additional listeners on September 17, 2018 and again today, November 21, 2018, the operations of K259CF on KCIV’s first-adjacent channel (i.e., Channel 259/99.7 MHz) are continuing to cause interference to the regular listeners’ reception of KCIV.

Pursuant to Section 74.1203(a)(1) of the Commission’s rules, “[a]n authorized FM translator . . . will not be permitted to continue to operate if it causes any actual interference to . . . the transmission of any authorized broadcast station . . .” 47 C.F.R. § 74.1203(a)(1). Since Bott filed its original Interference Complaint, Mr. Cocola has not made any progress in eliminating the interference received by KCIV’s regular listeners.

KCIV has been operating in the Fresno, California metropolitan area since the late 1980s, and has cultivated a strong listenership in the area since the station commenced operations. As evidenced by the 120 listener complaints received to date, Mr. Cocola's K259CF is severely impacting KCIV's listenership – causing listeners to lose the ability to receive the programming of a favorite station due to K259CF's interference with the KCIV signal. Mr. Cocola's translator interferes with the signal of KCIV in violation of the Commission's rules. Mr. Cocola has utterly failed to comply with any of the Commission's response requirements regarding Bott's Interference Complaint, and to *eliminate* interference to KCIV's listeners caused by his FM translator. Immediate relief from the Commission is requested.

Should you have any questions regarding this transmittal, please contact the undersigned.

Respectfully submitted,



Kathleen Victory
Keenan P. Adamchak

Counsel for Bott Communications, Inc.

cc: Kim Varner (kim.varner@fcc.gov)*
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Michael Couzens, Esq., Counsel to Gary M. Cocola (cuz@well.com)**
Gary M. Cocola, Licensee of K259CF, South Fresno, California***

* via email

** via email and U.S. First Class Mail

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