



Federal Communications Commission
Washington, D.C. 20554

September 9, 2019

In Reply Refer to:
1800B3-LHA

Dan Alpert
2120 N. 21st Road
Arlington, VA 22201

In Re: W224DK, Durham, NC
Delmarva Educational Association
Facility ID No. 146901
File No. BPFT-20181129AAI
Informal Objection

Dear Mr. Alpert:

This letter refers to the pending Informal Objection (Objection), filed on February 11, 2019, by Northstar Broadcasting Corporation, licensee of Station WRSV(FM)¹, Elm City, North Carolina (Complaining Station) alleging proposed interference from W224DK, Durham, North Carolina, licensed to Delmarva Educational Association, and all related pleadings.

Recently, the Commission adopted certain changes to the FCC's rules (Rules) relating to the processing of FM Translator applications.² The Commission stated that, once effective, all pending applications would be decided under the new Rules. The Commission further stated that parties involved in pending proceedings would be given an opportunity to submit supplemental material to address the changes.³

Our initial review of the Objection under the revised interference standards reveals that additional information is required. Specifically, in order to continue processing the Objection the items marked below must be submitted:⁴

¹ W224DK operates co-channel to WRSV(FM).

² See *Amendment of Part 74 of the Commission's Rules Regarding FM Translator Interference*, Report and Order, FCC 19-40, 34 FCC Rcd ____ (2019) (*Translator Interference Order*).

³ *Id.* at ¶ 49.

⁴ An item will be marked as missing the required information if it is missing from one or more listener complaints.

1. Listener Complaints:

- ☒ Detailed information on the Complaining Station's protected contour and the population located therein;
- ☒ Minimum Number of Listener Complaints as determined by the population located within the Complaining Station's protected contour;⁵
- _____ Signed and dated (within one year of Complaint and all other listener complaints) by Listener;
- _____ Listener's full name, address and phone number;
- ☒ Clear, concise, and accurate description of the location where interference is alleged;⁶
- ☒ Statement that Listener listens over-the-air to the desired station at least twice a month;
- ☒ Statement that Listener has no legal, financial, employment, or familial affiliation or relationship with desired station.

2. Technical Interference Showing:

⁵ See 47 CFR § 74.1203 Table 1.

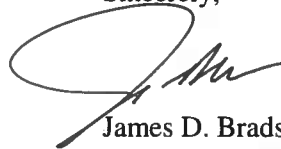
Population within Protected Contour	Minimum Listener Complaints Required for Interference Claim
1-199,999	6
200,000-299,999	7
300,000-399,999	8
400,000-499,999	9
500,000-999,999	10
1,000,000-1,499,999	15
1,500,000-1,999,999	20
2,000,000 or more	25
LPFM stations with fewer than 5,000	3

⁶ In the *Translator Interference Order*, the Commission noted that "[a]ppropriate descriptions include map coordinates, street addresses, street intersections, or other descriptions such as 'along Route XX near mile marker XX' or 'between Exits 1 and 2 on Route XX.' Unacceptable descriptions would include 'on my way to work' or 'downtown,' as they do not inform . . . [if] within its 45 dBu contour or . . . provide sufficient information to resolve the complaint." *Id.* at note 65.

- X Map plotting the specific location of the alleged interference in relation to the Complaining Station's 45dBu contour;
- X Statement that the Complaining Station is operating within its licensed parameters;
- X Statement that the Complaining Station licensee has used commercially reasonable efforts to inform the relevant translator licensee of the claimed interference and attempted private resolution;
- X Undesired/Desired data demonstrating that at each listener location the ratio of undesired to desired signal strength exceeds -20 dB for co-channel situations, -6 dB for first-adjacent channel situations or 40 dB for second- or third- adjacent channel situations, calculated using the Commission's standard contour prediction methodology.

Within thirty (30) days of this letter, Northstar Broadcasting Corporation must submit the above information and any other information not referenced above that might be required by the Rules. Further action on the Informal Objection will be withheld for a period of 30 days from the date of this letter to provide Northstar Broadcasting Corporation an opportunity to respond. Failure to submit the required information will result in the dismissal of the Informal Objection.

Sincerely,



James D. Bradshaw
Senior Deputy Chief
Audio Division
Media Bureau

cc: Timothy G. Nelson (by email)