



Federal Communications Commission
Washington, D.C. 20554

September 30, 2019

In Reply Refer to:
1800B3-KV

Bott Communications, Inc.
c/o Kathleen Victory, Esq.
Fletcher, Heald & Hildreth, P.L.C
1300 N. 17th St.,
11th Floor
Arlington, VA 22209-1104

In Re: **K259CF, South Fresno, CA**
Gary M. Cocola
File No. BLFT-20180306AAR
Facility ID No. 144742

Interference Complaints

Dear Counsel:

This letter refers to the following pleadings filed by Bott Communications, Inc. (Bott), licensee of Station KCIV(FM), Mount Bullion, California: (1) a July 18, 2018, "Interference Complaint" (Complaint); (2) a September 17, 2018, "Reply to Response of Gary M. Cocola to Interference Complaint and Supplement to Interference Complaint" (Reply-First Supplement); (3) a September 17, 2018, "Opposition to Request for Waiver" (Waiver Opposition); (4) a November 21, 2018, "Request for Expedited Consideration" (Request); (5) a November 21, 2018, "Supplement to Interference Complaint" (Second Supplement); and a November 26, 2018, "Amended Second Supplement to Interference Complaint" (Amended Second Supplement).¹ In the Complaints, Bott alleges that FM Translator Station K259CF, South Fresno, California (K259CF or Station), licensed to Gary M. Cocola (Cocola or Licensee) is interfering with the reception of KCIV(FM),.

Recently, the Commission adopted certain changes to the FCC's rules (Rules) relating to the translator interference complaint resolution process.² The Commission stated that, once effective, all pending complaints 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

¹ Collectively, the Complaint; Reply-First Supplement; Waiver Opposition; Second Supplement; and Amended Second Supplement will be referred to as the Complaints.

² See *Amendment of Part 74 of the Commission's Rules Regarding FM Translator Interference*, Report and Order, FCC 19-40, 34 FCC Rcd 3457(2019) (*Translator Interference Order*).

address the changes.³

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

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

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.

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.

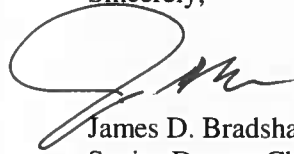
- Statement that Listener listens over-the-air to the desired station at least twice a month;
- Statement that Listener has no legal, financial, employment, or familial affiliation or relationship with desired station.

2. Technical Interference Showing:

- Map plotting the specific location of the alleged interference in relation to the Complaining Station's 45dBu contour;
- Statement that the Complaining Station is operating within its licensed parameters;
- 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;
- 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, Bott must submit the above information and any other information not referenced above that might be required by the Rules. Further action on the Complaints will be withheld for a period of 30 days from the date of this letter to provide Bott an opportunity to respond. Failure to submit the required information will result in the dismissal of the Complaints.

Sincerely,



James D. Bradshaw
Senior Deputy Chief
Audio Division
Media Bureau

cc: Michael Couzens, Esq. (by email)