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May 5, 2021

Via First Class Mail

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
45 L Street NE
Washington, D.C. 20554

RE: Request for Extension of Experiment Authorization and Waiver
Universal Media Access – KSJO-FM, LLC

Dear Ms. Dortch:

Universal Media Access - KSJO-FM, LLC (“UMA”), the licensee of full power FM radio station KSJO(FM), San Jose, CA (Facility ID 4117) and FM booster KSJO-FM1, Pleasanton, CA (Facility ID 203495), by and through counsel, and pursuant to 47 C.F.R. § 5.203 and 47 C.F.R. § 74.1231(i), hereby requests an extension of the Experimental Authorization granted on February 8, 2021 (BESTA-20210203AAI) (the “Authorization”) in order to continue the experimental tests specified in the Authorization. Currently, the Authorization is set to expire on May 8, 2021.

In particular, UMA requests additional time to conduct experimental operations with respect to the two newly constructed co-located on-channel FM boosters that were constructed in connection with the Authorization. The construction of the facilities was partially delayed due to the impact of COVID-19 on being able to timely obtain and install equipment necessary for the testing. Although the boosters have been built, difficulty in obtaining equipment necessary to establish a stable data connection has delayed actual operation. The Authorization permitted the construction of the facilities, and authorized UMA to originate limited programming on these boosters and existing KSJO-FM1 for ninety (90) days. Because 47 C.F.R. § 74.1231(i) prohibits FM boosters from originating programming, UMA also requests an extension of the waiver of this rule for the duration of the extended experimental authorization for purposes of conducting the experiment.

As noted above, UMA has obtained all necessary equipment and has constructed the FM boosters.. New data circuits are to be installed within the next few days which will allow initial tuning of the system and full operation is expected within two weeks. Since UMA has been unable to operate the fully functional system yet, UMA requests an extension of the Authorization to complete construction and tuning and additional time to test the ZoneCasting™ technology.

In addition, UMA respectfully requests a waiver of Section 5.203(c)(4) of the Commission's rules to be able to transmit Station KSJO's complete programming, including commercial programming. The Media Bureau has granted similar waivers in the past,¹ and grant of the instant request will permit UMA to test the ZoneCasting™ system's ability to replace Station KSJO's regularly scheduled programming. The proposed operation will not alter the technical operation of the previously-authorized facilities, and will permit UMA to continue its testing of the ZoneCasting™ technology on an experimental basis.

Grant of the instant request for extension of the Authorization will serve the public interest. . An extension of the Authorization for an additional ninety (90) days will permit UMA to commence operation of the Zonecasting™ system. Such operation and testing will benefit UMA and the FCC by gaining an understanding of the technical and commercial issues surrounding this matter, in furtherance of the Commission's policy objectives. UMA's extended authority to fully test the ZoneCasting™ technology can help inform the current rulemaking proceeding by providing real-world test results on the full-time use of the ZoneCasting™ technology.²

Should there be any questions concerning this request, please contact me at (202) 663-8195 or miles.mason@pillsburylaw.com or Bert Goldman at (214) 395-5067 or bert@bgoldman.net.

Sincerely,

/s/ Miles S. Mason

Miles S. Mason

*Counsel for Universal Media Access -
KSJO-FM, LLC*

Cc (via email):

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¹ See Letter from Jerome J. Manarchuck, Audio Division, Media Bureau, to Kenneth E. Satten, Esq., BSTA-20180628AAI (July 6, 2018) (waiver of Section 5.203(c)(4) where experimental operations would serve as a replacement for the station's regularly-scheduled programming).

² See Amendment of Section 74.1231(i) of the Commission's Rules on FM Broadcast Booster Stations, Modernization of Media Initiative, Amendment of Section 74.1231(i) of the Commission's Rules on FM Broadcast Booster Stations, Notice of Proposed Rulemaking, FCC 20-166 (rel. Dec. 1, 2020).