

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
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APPLICATION STATUS: (202) 418-2730
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Galaxy Utica Licensee LLC
235 Walton Street
Syracuse, NY 13202

In Re: NEW(FM), Utica, NY
Facility ID # 202809
BNPFT-20180418AHD

Informal Objection

Dear Applicant:

The staff has under consideration: (1) the above captioned application for a NEW FM translator to Utica, New York; (2) the Informal Objection filed by WOLF Radio, Inc. on May 14, 2018; (3) all related pleadings. For the reasons set forth herein, we dismiss the Informal Objection and grant the application BNPFT-20180418AHD.

Petitioner filed an Informal Objection that the proposed application will cause interference to WMVN(FM), Sylvan Beach, New York in violation of Section 74.1204(f). In order to provide convincing evidence under Section 74.1204(f) that grant of the translator construction permit “will result in interference to the reception” of an existing full-service station, an opponent must provide, at a minimum: (1) the name and specific address of each listener for which it claims credit; (2) some demonstration that the address of each purported listener falls within the 60 dB μ contour of the proposed translator station;¹ (3) some evidence, such as a declaration from each of the claimed listeners, that the person listens to the full-service station at the specified location; and (4) evidence that grant of the authorization will result in interference to the reception of the “desired” station at that location. The “undesired-to-desired” (“U/D”) signal strength ratio methodology may be used to demonstrate the potential for interference under Section 74.1204(f).² Section 74.1204(f) requires the objector to show that a specific U/D signal strength ratio is exceeded at the location of a *bona fide* listener of the desired station to establish that interference will result.

¹ The best method is to plot the specific addresses on a map depicting the translator station’s 60 dB μ contour.

² See *The Association for Community Education, Inc.*, FCC 04-155, Para. 13, (rel. July 8, 2004).

The applicant filed an amendment on July 13, 2108. The amendment reduced the effective radiated power, moved the transmitter site and changed the directional antenna pattern. Based on the amended parameters, the predicted listeners that claim they would receive interference are no longer inside the 60 dBμ contour of the proposed facility therefore, the Informal Objection is dismissed.

Please note, Section 74.1203(a) states that should the translator commence operation and cause interference to the reception of input signal of any FM translator, even to the input to another translator, the translator will be required to eliminate the interference or cease operation.

Accordingly, the Informal Objection filed on January 3, 2019 by WOLF Radio, Inc. IS HEREBY DISMISSED, the application BNPFT-20180418AHD IS HEREBY GRANTED. These actions are taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau