

Henson Media, Inc.

1930 Bishop Lane Suite 1009 Louisville, KY 40218
phone (502) 458-4222 fax (502) 458-4999

May 2, 2019

Via ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Notice of Ex Parte Communication
MB Docket No. 18-119

Dear Ms. Dortch:

On May 1, 2019, Bayard H. ("Bud") Walters and Clarence E. ("Ed") Henson Jr. met with Joel Miller, Chief of Staff and Senior Legal Advisor, Media Office of Commissioner Mike O'Rielly and then later on the same day, had a meeting with Matt Berry, Federal Communication Commission Chief of Staff; Al Shuldiner, Chief of the Audio Division of the FCC's Media Bureau; and Nathan Leamer, Policy Advisor to the Chairman of the FCC, Ajit Pai.

During the meetings, Mr. Walters and Mr. Henson thanked Chairman Pai and the staff of the FCC for their work and commitment in issuing on April 18, 2019 the Report and Order pertaining to MB Docket No. 18-119. They recognized the work done by the FCC in trying to balance the needs and concerns of operators of FM translators used with AM stations with the needs and concerns of full power stations, while developing a more predictable and efficient approach to settling interference complaints. In the meeting with Mr. Miller, they expressed agreement with the Order specifying a different number of listener complaints depending on the number of people within the full power station's coverage, saying that it made sense for the number of required complaints to be significantly different for Campbellsville, Kentucky and New York City.

However, Mr. Walters and Mr. Henson also expressed concerns that there might be unintended consequences in the Order that would affect the balance between the translator and full power stations. They gave justification for use of a limiting contour of 48dBu instead of 45dBu, stating that due to the secondary status of translators and differences in terrain beyond ten miles, but also the increasing importance of translators to AM operators and to many communities, that it would make sense to adopt a contour that had 6 dBu attenuation from the protected contours. This would be 54 and 48dBu contour depending on class, but since in the Order the Commission declined to use a different contour for different classes, then the lower contour of 48 dBu should be used. Mr. Walters distributed an engineering study prepared by Charles M. Anderson that reinforced this by showing the significant difference in the potential impact on translators by using the 45, 48 and 54 dBu contours. A copy of that study is included in this notice.

Page 2

Notice of Ex Parte Communication

May 2, 2019

Mr. Walters and Mr. Henson also proposed elimination of the waiver in Paragraph 44 of the Order, expressing concern that such a waiver could minimize the effectiveness of the limiting contour. They also raised questions regarding the rating information used in justifying the contour chosen and the use of a waiver, and expressed a concern as to the lack of data on the impact of the Order on translators.

In summary, Mr. Walters and Mr. Henson expressed the concern that the combination of the 45 dBu contour, the waiver of even that contour, and the inability of a translator operator to fully question the validity of any listener complaint could together push the delicate balance the Commission was seeking to establish between the full power and the translator interest, too far to the side of the full power station. They again thanked the Commission for taking on this issue and for all of their work in issuing the Order.

Regards,

A handwritten signature in dark ink, appearing to read "Ed Henson". The signature is fluid and cursive, with the first name "Ed" being more prominent than the last name "Henson".

Ed Henson

LOUISVILLE, KY TRANSLATOR ANALYSIS

FM translators in the non-reserved band serving the core Louisville market (within 25 km) were analyzed to determine the change in ERP required to their existing facilities to disprove an interference complaint based on U/D ratio lodged by their closest full power FM co-channel or first adjacent at its 54, 48 or 45 dBu (50:50) contour.

Translator	Relevant facility	54 dBu limit	48 dBu limit	45 dBu limit ¹
W222CD-CP ² (250W-DA)	WTTS (co) 222B Trifalger, IN-132.6 km	250 W	250 W	250 W
W236AN (200W)	WIKI (1 st adj) 237A Carrolton, KY-60.2 km	73 W	2 W	0 W
W241CK (250W)	WSTO (co) 241C Owensboro, KY-154.06 km	OK	57 W	18 W
W250BD (250W DA)	WSLM (co) 250A Salem, IN-56.6 km	OK	OK	21 W
W257EM-CP (250W-DA)	WKMO (co) 257A Lebanon Junction, KY 58.65 km	4 W	0 W	0 W
W261CO (250W DA)	WNGT(CP) (co) 261A Irvington, KY-70.8 km	65 W	4 W	0 W
W270CR (150W)	WKRQ (co) 270B Cincinnati, OH-143 km	OK	21 W	5 W
W274AM (55 W)	WOKH (1 st adj) 274A Springfield, KY-62.2 km	OK	24 W	0 W
W284AD (99 Watts)	WITZ-FM (co) 284B Jasper, IN-98.5 km	OK	9 W	0 W
W297BV (220W-DA)	WRZI (co) 297A Hodgenville, KY-66.0 km	13 W	0 W	0 W

At the proposed 45 dBu contour limit, six (6) could not survive at their existing sites, three would survive with extremely diminished facilities insufficient to serve the core Louisville market and one would be unchanged.

April 30, 2019

Charles M. Anderson

¹ Facilities were evaluated using their authorized site and antenna system, FCC interference ratios (-20 dB co-channel and -6 dB 1st adjacent channel) and the Globe 30 second terrain database. Indicated ERP is that which prevents overlap with the protected facility's 45 dBu contour.

² Also at risk to adjacent channel translator W223DK-CP.