Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Sections 74.1203(a)(3) and 74.1204(f) of the Commission's Rules to Protect Local Radio Service Provided by Fill-In Area FM Translators	))))	RM No. 11786

To: The Commission

Consolidated Comments of
Wilkins Parent Corporation and Its Affiliates

Wilkins Parent Corporation, and its affiliates[1] ("Wilkins") by Counsel, and pursuant to the *Public Notice Report No. 3074 (released April 18, 2017)* submits these Comments in support of the above-captioned rule making proposal filed by Aztec Capital Partners, Inc. ("Aztec"). Wilkins, thru its affiliates is the licensee of multiple Radio Stations, as well as fill-in FM Translator Stations. In support hereof, Wilkins submit the following:

Aztec's proposal should be welcomed by the radio broadcast community as an effort to modernize the FM Translator rules and policies of the Federal Communications Commission ("FCC"). Although FM Translator Stations operate on a secondary basis to full power FM radio stations, within the context of AM Revitalization there is nothing secondary or inferior about the service they provide to the public or the important role they provide in allowing AM radio stations to compete for audience share and advertising

[1] Wilkins affiliates are: Alabama Radio Corporation, Cajun Radio Corporation, Capital City Radio Corporation, Grace Media, Inc., Heritage Christian Radio, Inc., J.J.&B. Broadcasting, Inc., Kansas City Radio, Inc., Macon Media, Inc., Mobile Bay Corporation, New England Communications, Inc., Pensacola Radio Corporation, Richmond Christian Radio Corporation, Steel City Radio, Inc., Upstate Radio, Inc., Wild West Radio Corporation and Wilkins Communications Network, Inc.

revenue.

Since Wilkins initiated fill-in FM Translator service for their respective AM Radio Stations there has been a modest increase in audience share and advertising revenue throughout its network. With the public comments that Wilkins has received in the past year, it is obvious that the public's perception of its programming has been enhanced by each AM station's rebroadcast on the local FM dial. With those thoughts in mind, Wilkins can empathize with Aztec's frustrations of being prevented from keeping its FM Translator Station on-air due to listener complaints from persons residing well outside of the radio market that Aztec operates in.

Currently, Wilkins affiliate in York, Pennsylvania is experiencing an issue with a full-powered station in a totally separate Radio Market. While no complaints have been filed with the Commission, it is of concern to Wilkins that such a distant signal might have an impact on a fill-in translator.

Because of this recent experience, Wilkins is aware, under current FCC policy, how captive and fragile such operations are to interference complaints. Since Wilkins may try to acquire another FM Translator Station in the future, the matters at issue here remain important. Accordingly, Wilkins submit that the following changes need to be made to the FCC's rules and policies regarding FM Translator interference complaints:

1. The FCC should require that there by a minimum number of verifiable complaints of interference that would trigger the necessity that the FM Translator Station take corrective action or shut down. Recently NAB suggested that this number be six (6). Wilkins submit that the minimum number be <u>ten (10)</u>, and that each complaint be verified with a dated written statement that includes the person's full name, address, phone number or email address, and specific information as to where the interference takes place and how often that person listens to the distant signal station. Finally, none of these complaints

should be considered verifiable until such time as the licensee of the FM Translator has an opportunity to speak with or meet with each complainant. The failure of a complainant to cooperate within thirty (30) days of his or her written statement should result in the disregard of that complaint as unverifiable.

2. There should be a distance barrier that would prevent listener complaints from being considered. Someone who resides or works a certain distance away from the distant signal's transmitter location should have no expectation of a clean or audible signal. Wilkins submits that such distance should be the area within the distant signal's 60 dBu contour or 25 miles, whichever is greater. Anyone residing, working or driving outside that area should not qualify as a viable listener complainant. The absolute certainty of such distance calculations is necessary for administrative convenience.

3. Irrespective of the viability of the complaint, the FCC should dismiss any complaint where it can be shown that the programming on the distant signal station can be accessed on an Internet stream, on a smart phone connection or any other alternative means of communication that is reasonably available to the complainant and where the licensee of the FM Translator offers to pay for the expenses incurred to access such alternative means of communications, if that is necessary.

Since the FCC updated its rules and policies in 2009 to allow certain FM translator stations to rebroadcast certain AM Radio Stations, there has been modest and steady progress towards the revitalization of the AM Radio Service. Now is not the time to stall those efforts. The ideas offered by Wilkins in these Comments are common sense measures that will continue the modernization of the FCC's rules and policies for FM Translators and concomitantly continue the revitalization of the AM Radio Service.

Twenty-six years ago, within the context of reviewing technical proposals to improve the AM broadcast service, the Commission stated the following:

> Over the years ... channel congestion and interference, both radio- and environmentally-induced, have dramatically increased in the AM band. Coincident with this growth has been a decline in the fidelity of AM receivers. As a consequence, during the last twenty years there has been a well-documented shift of AM listeners to newer mass media services that offer higher technical quality and better aural fidelity. This shift in listenership has clearly dulled the competitive edge of this once vital service.
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> Nonetheless, we believe that AM radio continues to hold a valuable place on the communications landscape. AM service provides a significant number of outlets that contribute to the vital diversity of viewpoints and programming available to Americans. Indeed, AM often offers the only radio service to listeners in a variety of circumstances, particularly those living in and traveling through rural areas. In view of the undisputed public importance of the AM service, we believe that innovative and substantial regulatory steps must be taken to ensure its health and survival.
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> For the past several years, the Commission has made an intensive effort to identify the service's most pressing problems and, where relevant and feasible, to adapt the regulatory environment for AM stations that will ameliorate those problems. *Review of the Technical Assignment Criteria for the AM Broadcast Service, 6 FCC Rcd. 6273 at paras. 2-4 (1991) (footnotes omitted).*

Despite the Commission's encouraging words almost three generations ago, it is accurate to say that the more things have changed, the more they have stayed the same. Much effort has been expended to identify the problems of the AM broadcast service, but until very recently little has been done to fix those problems. In reality, the AM broadcast service was abandoned for decades, and now it is regaining credibility and relevancy. This new momentum needs to continue.

WHEREFORE, the foregoing premises considered, Wilkins support Aztec's rule making proposal.

Respectfully submitted,

Wilkins Parent Corporation

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May 18, 2017

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CERTIFICATE OF SERVICE

I, Sharon L. Hinderer, a legal assistant in the law offices of Putbrese Hunsaker & Trent, P.C., do hereby certify that copies of the "Comments" have been sent via first class, U.S. mail, postage prepaid, this 18th day of May 2017, to the following:

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