

May 2, 2019

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

Re: Amendment of Part 74 of the Commission's Rules Regarding FM Translator Interference
(MB Docket No. 18-119)

Dear Ms. Dortch:

Mentor Partners, Inc. ("Mentor Partners") appreciates the opportunity to provide its views on the Federal Communications Commission's ("Commission") draft Report and Order ("R&O") addressing translator interference complaints.¹ Mentor is a family owner and operator of several FM and AM licenses in the Big Rapids, Michigan area. Through a focused approach to community engagement as well as local news and sports coverage, Mentor provides an important public service to the its community of license and the surrounding area utilizing numerous translators that ensure full service to the community.

The R&O would make a number of alterations to Commission regulations that assist small local broadcasters like Mentor that utilize FM translators to ensure robust service their communities and are in the public interest. For example, Mentor agrees that permitting translators to shift within their band to resolve complaints will prove to be an effective and responsive means to quickly and efficiently resolve related complaints.

While supporting the Commission's efforts and goals in this docket, Mentor does note several concerns with the R&O and urges the Commission to consider whether its rules changes will benefit AM broadcasters and the public interest. We strongly urge the Commission to ensure that its rules (1) do not permit translators to be taken off the air before reasonable efforts are made to address the interference complaint at issue and (2) do not unduly encourage unnecessary translator interference complaints. Mentor believes that the Commission can avoid these unintended effects by:

- Requiring ("shall") both translator operators and complaining stations to work together to resolve translator interference complaints.² We do not believe it is proper for the Commission to place the burden in complaint resolution onto one party in such a scenario, potentially rewarding a holdout approach.

¹ Amendment of Part 74 of the Commission's Rules Regarding FM Translator Interference, Report and Order, MB Docket No. 18-119 (Apr. 18, 2019).

² *Id.* at ¶ 14.

- Mentor strongly urges the Commission to set a contour limitation for interference complaints of no less than 48 dBu. We oppose the use of a 45 dBu contour,³ which does not appear to have been calculated to weigh the public interest with impacts on translator operators and broadcasters (and on a “Joint Commenters” analysis which we believe the Commission has given undue weight). At a minimum, Mentor strongly urges the Commission to delay its decision on a dBu contour until sufficiently comprehensive engineering analysis can be conducted to determine the impacts on broadcasters and translators.
- Mentor requests that the Commission eliminate its commitment to “consider requests for waiver of the 45 dBu contour limit where the requestor demonstrates the existence of a sizable community of listeners outside the 45 dBu contour limit” when “at least 20 complaints from listeners outside the 45 dBu contour of the desired station in lieu of—or, optionally, in addition to—the required number of complaints within the 45 dBu contour” are included in the waiver request.⁴ Mentor believes that the standard being created for waivers unduly undermines the contour limit for complaints, and introduces uncertainty for those complying with the rules. Mentor requests that this provision be eliminated from the R&O.

/Jeff Scarpelli/

Jeffrey Scarpelli
President

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³ *Id.* at ¶¶ 36-40.

⁴ *Id.* at ¶ 44.