

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

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

To: The Commission

**REPLY COMMENTS OF BLOOMBERG COMMUNICATIONS, INC.**

Bloomberg Communications, Inc. (“BCI”) respectfully submits these reply comments in support of the Commission’s proposal to modify Section 74.1203(a)(3) by providing that no complaint of actual interference will be considered actionable if the alleged interference occurs outside the desired station’s 54 dBμ contour.<sup>1</sup> BCI agrees with the Commission’s statement that “translators have taken on increased importance over the past decade, especially for AM broadcasters.”<sup>2</sup> While it is the case that translators enable a variety of additional multicast services,<sup>3</sup> BCI finds, based on it and its affiliates’ experiences, that FM translators continue to be vital elements to support signal reach within the main station 54 dBμ contour. BCI believes the

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<sup>1</sup> See *Amendment of Part 74 of the Commission’s Rules Regarding FM Translator Interference*, Notice of Proposed Rulemaking, MB Docket No. 18-119, FCC 18-60 (rel. May 10, 2018), para. 28.

<sup>2</sup> *Id.* at para. 26.

<sup>3</sup> NAB Petition for Rulemaking, RM-11787 (Apr. 20, 2017) at 1.

proposal would impose appropriate limitations on actionable interference complaints, thereby promoting and supporting services to local audiences.<sup>4</sup>

As both a licensee and a partner in local marketing agreements, BCI has experienced challenges that could be partially or wholly alleviated by the proposed change. For example, BCI or an affiliate use an FM translator as permitted to improve service within its 54 dBμ contour. Currently, operation of an FM translator must not only account for limitations based on its Commission authorization, but also potential interference to full power stations, including more distant stations. Reasonable remediation efforts could trigger an interference complaint and result in signal subordination to a more distant licensee. Adopting the proposed rule would take the desirable step of supporting FM translators that allow broadcasts to reach the local audience by limiting interference complaints for more distant stations.

The proposed change would also foster certainty when investing in and building FM translators. BCI and its affiliates have experienced situations in which, after the Commission grants an FM translator construction permit, more distant full power stations send notices stating an expectation that interference will occur (*i.e.*, outside the stations' 54 dBμ contour), and demanding that BCI or its affiliate cease construction or explore other mediation efforts.

BCI acknowledges that FM translators are a secondary service and are subordinate to full power stations. However, the current rules result in unacceptable potential for misuse by stations that do not in fact serve the community. The Commission has recognized that translators are increasingly important, especially to AM broadcasters. BCI agrees that in order to support the public interest in revitalizing AM radio, translators require an appropriate degree of predictability and stability. The proposed rule change will provide some assurance that the

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<sup>4</sup> See also, *e.g.*, Cumulus Media Inc. Comments at 4-5.

resources expended to build FM translators will not be lost because the translator is forced to go off the air or reduce its coverage area due to a complaint from a distant full power station.

As a matter of sound policy, to advance the interest of local audiences, and to support an appropriate level of certainty for permittees building FM translators, BCI respectfully requests that the Commission adopt its proposal to modify Section 74.1203(a)(3) such that no complaint of actual interference will be considered actionable if the alleged interference occurs outside the desired station's 54 dB $\mu$  contour.

Respectfully submitted,

/s/ Karen H. Lawson

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