Re: 1800B3-TSN

WAPA RADIO

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December 19, 2016

Mr. Peter Doyle, Chief AM Branch
FEDERAL COMMUNICATIONS COMMISSION
445 12TH St. S. W.
Washington, D. C. 30554

Dear Mr. Doyle:

As you know, we don't have a Washington attorney so I have to search for all the necessary information on the internet and on CDBS files to make proper arguments towards the reconsideration. I've been looking for the other license cancellation letters for other AM synchronous boosters and I can't find any of them.

For example:

(1) WBZT 1230 that has in operation a synchronous booster to expand its signal along Florida's East coast in operation since 1995 (licensed). The main station and its booster are 35 miles appart. KKOB 770 that has in operation a synchronous booster at Santa Fe since 1987.
(2) KCOH Houston, TX that has in operation a synchronous booster since 1987
(3) WLLH has been operating until now a synchronous booster at Lawrence, MA since 1941. This booster extends too the service area of WLLH's main station.

These stations have broadcasted entirely their programming thru its AM synchronous boosters for decades.

I've noticed the following irregularities in your decisions concerning my booster stations:

(a) When you sent to me the three license cancellation letters on November 7, 2016 I was the only broadcaster receiving license cancellation letters for my three am synchronous boosters, all at once. When I argue in the reconsideration petition (November 17, 2016) that I was being discriminated you decide to send WI2XAC a license cancellation letter (November 29, 2016).

(b) However, no license cancellation letters to the am synchronous boosters of WBZT, KKOB, KCOH, nor WLLH have been issued yet. Perhaps, other synchronous booster stations are licensed along the continental United States. I will continue my search.

(c) When you decided not to grant me a Construction Permit for the Guayama booster you raised the issue that the booster was outside the 0.5 mv/m contour. You had to admit in the reconsideration decision that there was no restriction in MO&O 87-6 to use AM synchronous boosters to improve or expand a main station's signal. In the reconsideration decision you imply that we abused of the Commission extending the signal of WISO thru the West of the Island. If MO&O 87-6 permits extending the coverage contour of the main station we never did anything incorrect. **All of our applications were reviewed and granted by the AM branch. All comply with the day and night allocation restrictions and with MO&O 87-6.**

(d) The license cancellations of WA2XPA, WI2XSO, WI3XSO on November 7, 2016 are done without an FCC ruling cancelling all existing am synchronous boosters, only those of WAPA and WISO. The construction permits, licenses, and renewal authorizations state that the AM synchronous boosters would be subject to the outcome of a rulemaking process. No rulemaking or ruling was issued by the FCC prior to sending the licenses of my synchronous boosters.

(e) None of the Continental United States stations having AM synchronous boosters has received a license cancellation letter for their boosters as of today. Not even, WBZT nor WLLH that use a synchronous booster to expand their signals.

(f) The FCC justifies cancelling our boosters stating they were restricted to a 5 year operation period. The same is done 22 days later when the cancellation letter to WI2XAC is sent. Never before that, the FCC warned this licensee nor the licensee of WI2XAC of that restriction. No CP, license, renewal authorization specifies that 5 years term.

(g) The FCC states the experimentation licenses were issued under Part 74 of the FCC Rules. (Experimental Radio Service) 47CFR Part 74 par. 5.59b specifies that these stations have to use forms 309, 310, and 311 for construction permit, license and renewals respectively. In the case of WA2XPA, WI2XSO, WI3XSO and WI2XAC the FCC used the normal Part 73 forms 301, 302, 303. (Easily verified examining CDBS application files).

(h) The FCC not only did not warn the licensee of the alleged 5 year term for the experimental boosters **but permitted the licensees to go over that term without any warning,** inducing again the licensee to continue investing thousands of dollars in the installation and modifications of the boosters.

The FCC authorized installation of two tower directional systems for WI2XSO and WI3XSO , even different daytime and nightime directional arrays for WI3XSO and required full proof of performance to them instead of warning that the 5 year experimental license period was over.

EXAMPLE A: FCC GRANTED WI2XSO BLEX-1998-1215AA on June 1999 and on June 2006 (7years later) grants BPEX-20050429AAB to move to a new site, install directional antenna and increase power to 5kw to WI2XSO. Why didn't the FCC raise the 5 year experimentation term allegation at that time to stop the licensee from continue investing large amounts of money?

EXAMPLE B: FCC GRANTED WI3XSO BLEX-20020827ACI on October 2002 and on August 2007 (5years later) instead of stopping the experimentation or at least warning the licensee the FCC grants BPEX-20081217AAB to increase nightime power to 5KW.

I've invested in two costly new Harris DAX-5 (5kw) transmitters for the power increases to WI2XSO and WI3XSO granted by the FCC So, the FCC induced the licensee to invest large amounts of money in installations that supposedly were meant to exist only for 5years.

EXAMPLE C: The FCC granted on FEBRUARY 10, 2016 a Construction Permit to "Decrease tower height and efficiency by replacing old tower". NINE MONTHS LATER the FCC sends a letter cancelling the license of the station. The FCC again induces the licensee to invest large amounts of money in a construction to cancel its licensee few months later. WA2XPA has a new 200 ft Rohn 55G Tower recently installed.

(i) The FCC not only did not warn the licensee of the alleged 5 year term for the experimental boosters **but permitted the licensees to go over that term without any warning,** inducing again the licensee to continue investing thousands of dollars in the installation and modifications of the boosters.

(j) The FCC authorized multiple CP's and Licenses even after the 5 year period allowing Wi2XSO to operate for 17 years, WI3XSO for 14 years, WA2XPA for 13 years and WI2XAC for almost 10 years before sending out license cancellation letters.

(k) WBZT has been operating a booster in Florida for 21 years, KKOB in New Mexico for 29 years, KCOH in Texas for 29 years, and WLLH in Massachussets SINCE 1941. NONE of them cancelled by the FCC. The FCC has permitted them to operate well over the five years period experimental period and well over the period of time I have operated WA2XPA, WI2XSO and WI3XSO.

(l) On January 2004, during the AM revitalization consideration I requested the FCC to initiate a Rulemaking to make AM synchronous boosters permanent. The FCC did not attend this petition. After the license cancellation letters (November 7, 2016) I raise the issue that due process was not done in cancelling our booster licenses and days after you authorize a Comments towards a Rulemaking process period (November 29, 2016).

(m) The FCC does not promote that a Rulemaking process on AM synchronous boosters is being initiated. The PUBLIC NOTICE headline is posted by the Consumer Division one day after the period for comments was initiated, and doesn't refer to AM synchronous boosters. If you don't open the headline link to the Public Notice you can't get aware of what the rulemaking is about. It seems the Comments to Rulemaking process initiated is merely a way to justify the cancellation letters sent previously to my boosters.

Mr. Doyle WA2XPA, WI2XSO and WI3XSO were not only installed according to 1987/89 MO&O that never imposed a 5 year experimentation period, that permited their use to improve and/or expand the service area of the main station. These boosters also meet the criteria cited by you as possible uses for synchronous boosters: Along major highways in order to permit an AM station to serve the traveling public over long distances by forming 'ribbons of service'. These boosters permit the listener tuning the programming of WAPA thru PR-52 (Toll road connecting San Juan and Arecibo) and of WISO thru PR-2 (highway connecting Aguadilla-Mayaguez-Ponce.

If WBZT West Palm Beach is permitted to extend its signal using synchronous booster WBZT at Pompano Beach the same applies to WISO and to WAPA. Even the booster for Guayama you didn't grant met this criteria since it would have created a 'ribbon of service' to permit listeners tune WISO along a major highway. (from Ponce to Guayama). Take a look at Puerto Rico's road map.

Mr. Doyle your reconsideration decision on the new booster application for Guayama was made 17 months after the initial decision. The full Commission review 66 months after. Do you think that's a way of revitalizing AM stations, specially small businesses as ours, or a way to leading them to bankruptcy?

Your decision of shutting down three of my stations (boosters) at the same time has made people in Puerto Rico believe that we are delinquent broadcasters, affecting negatively our prestige as broadcasters and engineers. As time passes by the damages to the image of our stations and to us as professionals are worsening.

I urge you to make a reconsideration decision promptly before you lead us to bankruptcy. If other AM stations have operated their boosters for almost THIRTY YEARS why the hurry in shutting down the three boosters I've been operating? I am 85 years old, and have dedicated 30 of those to make AM synchronous boosters work. My wife, 83 years old, a cancer patient is the only person at the office managing sales, personnel, accounting, etc. My son and I are the only engineers in charge of our stations and boosters. Our business is a small business generating less than $800,000 annually. Puerto Rico is in a severe economical crisis managing a 76 BILLION dollar debt. Congress appointed a Fiscal Control Board for Puerto Rico. The expectatives are that the government will have to fire thousands of people in the coming months. Businesses are closing, people are leaving the Island and going to the States looking for better opportunities. In 2014 83,000 (eighty three thousand people moved from Puerto Rico to the Continental United States).

It seems that the FCC does not want any more AM synchronous boosters but its abusive to cancel the licenses of those who have been operating and serving the public interest without any complaint for more than a decade. The people who listen to these AM synchronous boosters daily and for many years don't deserve either losing an important news media programming that has kept them well informed.

If the problem is that the Federal government wants to silence WAPA/WISO for promoting statehood for the Island for more than 26 years, just say it.

We don't deserve this kind of punishment from the Commission. I respectfully request you to retrieve your determination to cancel WA2XPA, WI2XSO,

WI3XSO and WI2XAC and to grant a grandfather clause to permanently operate these boosters independent of the rulemaking outcome.

RESPECTFULLY SUBMITTED,

Wifredo G. Blanco P.

ENG. WIFREDO G. BLANCO-PI

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