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March 9, 2010

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VIA HAND DELIVERY

Marlene H. Dortsch
Secretary
Federal Communications Commission
Portals II – 12th Street Lobby
Filing Counter – TW – A325
445 12th Street SW
Washington, DC 20554

FILED/ACCEPTED

MAR - 9 2010

Federal Communications Commission
Office of the Secretary

Dear Ms. Dortsch:

Bustos Media of Utah License, LLC ("Bustos"), the licensee of KDUT(FM), Facility ID. No. 88272, Randolph, Utah; KDUT-FM1, Facility ID No. 122076, Bountiful, Utah; KDUT-FM2, Facility ID No. 122078, Salt Lake City, Utah; KDUT-FM3, Facility ID No. 123370, Ogden, Utah; and KDUT-FM5, Facility ID No. 131424, Provo, Utah, by its attorneys, and pursuant to Section 73.1510 of the Commission's rules, requests an experimental authorization. In support, Bustos submits the following:

Bustos seeks an experimental authorization to allow it to utilize certain of the boosters associated with KDUT to originate limited programming. In this regard, Bustos intends to utilize KDUT-FM2, KDUT-FM3 and KDUT-FM5. Specifically, Bustos intends to simultaneously broadcast on each of the aforementioned boosters different non-commercial announcements targeted to discreet audiences. Bustos intends to target the broadcasts to appeal to specific diverse audiences which are encompassed within the boosters' service areas. Each of the boosters in question will concurrently broadcast a different non-commercial message.

Methodology

The broadcasts shall be conducted over a thirty (30) day period. Broadcasts will be done between the hours of 9:00 a.m. and 3:00 p.m. and 7:00 p.m. and 11:00 p.m. It is anticipated that no more than four (4) non-commercial announcements shall be broadcast on each of the boosters in a given hour. The announcements will be directed to the specific needs and interests of the communities served by the respective booster in question.

The broadcasts shall be done at the direction and under the control of Bustos. Bustos is utilizing the services of GEO Spots, LLC ("GEO") to assist it in this endeavor. In this regard, the placement of the announcements shall be done using a master control device.¹ GEO will be employing proprietary technology (patent pending) which will allow different announcements to be placed on each of the boosters in a synchronized time sequence.

Technical Operations/Interference

During the broadcasts, no changes to the authorized facilities are contemplated. Thus, the stations (the boosters and the primary station) will broadcast consistent with their authorizations.

Reynolds Technical Associated ("Reynolds") was retained to determine the interference by the boosters to any other facilities (i.e. either co-channel, 1st, 2nd or 3rd adjacent). The maps which were prepared by Reynolds are attached in Exhibit A. These maps demonstrate that the interference is identical to that allowed by the Commission in granting the various booster licenses.

Public Interest Considerations

Each of the boosters serve a variety of communities. Exhibit B lists the communities and their respective populations which are encompassed within the service contour of KDUT-FM3 (the Ogden booster); Exhibit C provides the same information with respect to KDUT-FM2 (the Salt Lake City booster); and Exhibit D provides the same information with respect to KDUT-FM5 (the Provo booster).

Exhibit E, utilizing 2000 Census data, provides the demographic breakdown for the area encompassed by each of the boosters. While there are certain similarities between the service areas of the boosters, there are also some significant differences. For example, the Salt Lake City booster serves a significantly larger Hispanic population than either Ogden or Provo. Similarly, the Asian population is greatest in the area served by the Salt Lake City booster but there are few Asians in the area served by the Provo booster. It is submitted that an announcement concerning an event affecting the Asian community (e.g. in the form of a PSA) would have little interest to those residents encompassed within the Provo booster. Bustos intends to broadcast some of the announcements in several foreign languages.

It is also submitted that, independent of ethnicity, the needs of these communities are also different. For example, information relevant to the Salt Lake City schools would not necessarily be relevant to those residents of Provo or Ogden. Separate announcements to each of the communities would clearly be in the public interest.

The instant request is consistent with the Commission's recent focus on the future of information needs of communities. See FCC Launches Examination of the Future of Media and Information Needs of Communities in the Digital Age, DA 10-100, released January 21, 2010.

¹GEO has an application pending for a patent for the master control device and associated software that will control the boosters by automated means.

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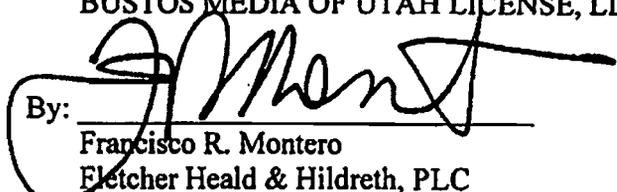
Bustos shall, within thirty (30) days of termination of the experimental authorization, submit a report of the results of the experimental operation. See 73.1510(d). That report shall specifically address the extent any interference presented by the simultaneous operation of the boosters when different broadcasts are being concurrently done.

It is submitted that good cause exists for issuance of the experimental authorization as the instant request satisfies all of the criteria enumerated in Section 73.1510 of the Commission's rules.

Bustos certifies that neither it nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.

Respectfully submitted,

BUSTOS MEDIA OF UTAH LICENSE, LLC

By: 

Francisco R. Montero
Fletcher Heald & Hildreth, PLC
Its Counsel

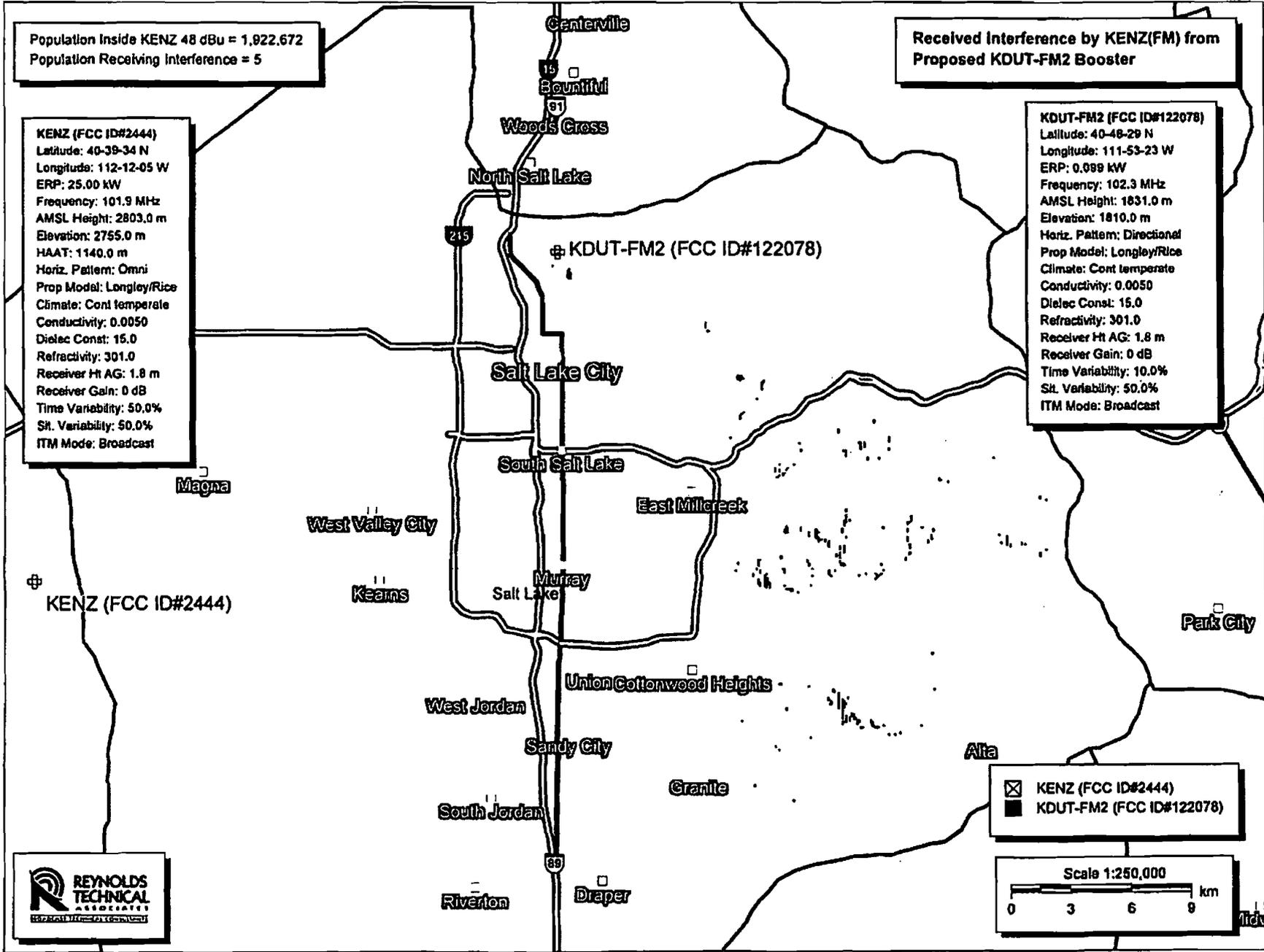
EXHIBIT A

Population Inside KENZ 48 dBu = 1,922,672
 Population Receiving Interference = 5

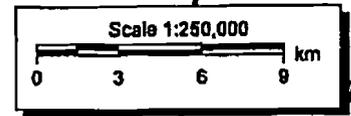
Received interference by KENZ(FM) from
 Proposed KDUT-FM2 Booster

KENZ (FCC ID#2444)
 Latitude: 40-39-34 N
 Longitude: 112-12-05 W
 ERP: 25.00 kW
 Frequency: 101.9 MHz
 AMSL Height: 2803.0 m
 Elevation: 2755.0 m
 HAAT: 1140.0 m
 Horiz. Pattern: Omni
 Prop Model: Longley/Rice
 Climate: Cont temperate
 Conductivity: 0.0050
 Dielec Const: 15.0
 Refractivity: 301.0
 Receiver Ht AG: 1.8 m
 Receiver Gain: 0 dB
 Time Variability: 50.0%
 St. Variability: 50.0%
 ITM Mode: Broadcast

KDUT-FM2 (FCC ID#122078)
 Latitude: 40-48-29 N
 Longitude: 111-53-23 W
 ERP: 0.099 kW
 Frequency: 102.3 MHz
 AMSL Height: 1831.0 m
 Elevation: 1810.0 m
 Horiz. Pattern: Directional
 Prop Model: Longley/Rice
 Climate: Cont temperate
 Conductivity: 0.0050
 Dielec Const: 15.0
 Refractivity: 301.0
 Receiver Ht AG: 1.8 m
 Receiver Gain: 0 dB
 Time Variability: 10.0%
 St. Variability: 50.0%
 ITM Mode: Broadcast



☒ KENZ (FCC ID#2444)
 ■ KDUT-FM2 (FCC ID#122078)



Population inside KENZ 48 dBu = 1,922,672
 Population Receiving Interference = 16,135

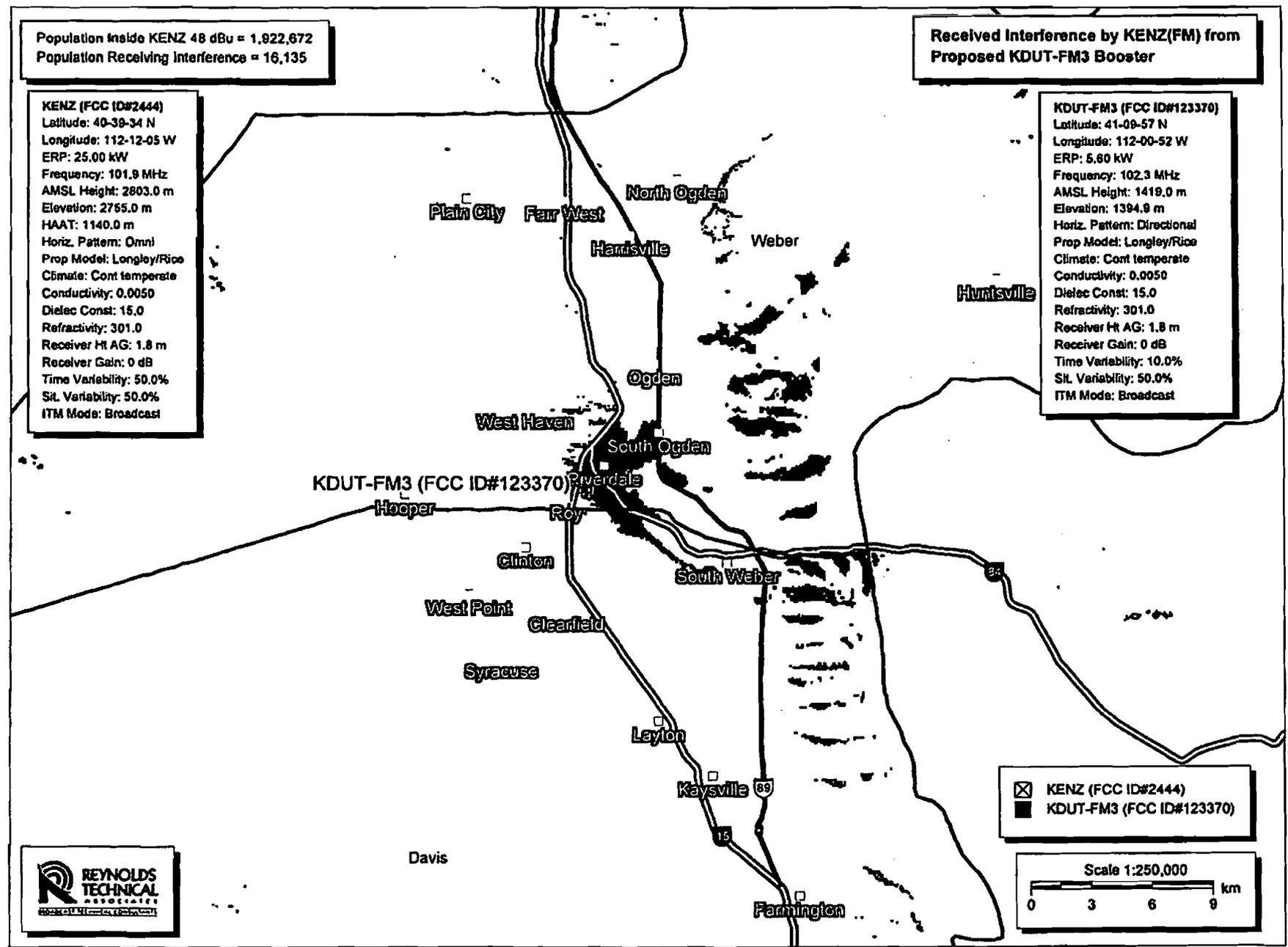
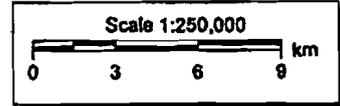
KENZ (FCC ID#2444)
 Latitude: 40-39-34 N
 Longitude: 112-12-05 W
 ERP: 25.00 kW
 Frequency: 101.9 MHz
 AMSL Height: 2803.0 m
 Elevation: 2755.0 m
 HAAT: 1140.0 m
 Horiz. Pattern: Omni
 Prop Model: Longley/Rice
 Climate: Cont temperate
 Conductivity: 0.0050
 Dielec Const: 15.0
 Refractivity: 301.0
 Receiver Ht AG: 1.8 m
 Receiver Gain: 0 dB
 Time Variability: 50.0%
 Sit. Variability: 50.0%
 ITM Mode: Broadcast

Received Interference by KENZ(FM) from
 Proposed KDUT-FM3 Booster

KDUT-FM3 (FCC ID#123370)
 Latitude: 41-09-57 N
 Longitude: 112-00-52 W
 ERP: 5.60 kW
 Frequency: 102.3 MHz
 AMSL Height: 1419.0 m
 Elevation: 1394.9 m
 Horiz. Pattern: Directional
 Prop Model: Longley/Rice
 Climate: Cont temperate
 Conductivity: 0.0050
 Dielec Const: 15.0
 Refractivity: 301.0
 Receiver Ht AG: 1.8 m
 Receiver Gain: 0 dB
 Time Variability: 10.0%
 Sit. Variability: 50.0%
 ITM Mode: Broadcast

KDUT-FM3 (FCC ID#123370)

⊗ KENZ (FCC ID#2444)
 ■ KDUT-FM3 (FCC ID#123370)



Population Inside KENZ 48 dBu = 1,922,672
Population Receiving Interference = 2,589

KENZ (FCC ID#2444)
Latitude: 40-39-34 N
Longitude: 112-12-05 W
ERP: 25.00 kW
Frequency: 101.9 MHz
AMSL Height: 2803.0 m
Elevation: 2755.0 m
HAAT: 1140.0 m
Horiz. Pattern: Omni
Prop Model: Longley/Rice
Climate: Cont temperate
Conductivity: 0.0050
Dielec Const: 15.0
Refractivity: 301.0
Receiver Ht AG: 1.8 m
Receiver Gain: 0 dB
Time Variability: 50.0%
St. Variability: 50.0%
ITM Mode: Broadcast

**Proposed Interference to KENZ(FM) from
Proposed KDUT-FM5 Booster**

KDUT-FM5 (FCC ID#131424)
Latitude: 40-18-00 N
Longitude: 111-38-38 W
ERP: 0.099 kW
Channel: 272
Frequency: 102.3 MHz
AMSL Height: 1638.0 m
Elevation: 1621.0 m
Horiz. Pattern: Directional
Prop Model: Longley/Rice
Climate: Cont temperate
Conductivity: 0.0050
Dielec Const: 15.0
Refractivity: 301.0
Receiver Ht AG: 1.8 m
Receiver Gain: 0 dB
Time Variability: 10.0%
St. Variability: 50.0%
ITM Mode: Broadcast

 KENZ (FCC ID#2444)
 KDUT-FM5 (FCC ID#131424)

Scale 1:250,000

