

#10415



Federal Communications Commission
Washington, D.C. 20554
April 19, 2017

DA 17-372
Released: April 19, 2017

In Reply Refer To:
1800B3-TSN

Wifredo G. Blanco-Pi
Extension San Agustin
Calle 3 # 1210
San Juan, PR 00926-1837

RECIBIDO ABR24'17 am10:33

SECRETARIA SENADO DE P.R.

In re: WA2XPA, Arecibo, Puerto Rico
Facility ID No. 128696
File No. BR-20160920AAA

WI2XSO, Mayaguez, Puerto Rico
Facility ID No. 89243
File No. BR-20160329AAA

WI3XSO, Aguadilla, Puerto Rico
Facility ID No. 130173
File No. BR-20151014AAA

Petition for Reconsideration

Dear Mr. Blanco-Pi:

We have before us a timely filed November 23, 2016, "Urgent Petition to Reconsider" (Petition) three Letter Orders, each dated November 7, 2016, renewing the licenses of the above-listed Broadcast Experimental License stations (Stations) for a period of six months, prefatory to ordering their licenses to be canceled and the call signs deleted.¹ The Stations are AM synchronous boosters licensed to Wifredo Blanco-Pi (Blanco-Pi), and designed to test the operation of such boosters on the same channels as two of Blanco-Pi's full-power AM stations, WAPA(AM), San Juan, Puerto Rico (WAPA), and WISO(AM), Ponce, Puerto Rico (WISO). Before us also are three untimely filed Addenda to the Petition, four subsequent pleadings variously labeled Petitions or Requests seeking reversal of the Letter Orders, a January 17, 2017, letter from the Secretary of the Senate of the Commonwealth of Puerto Rico, and a November 28, 2016, letter from Blanco-Pi's son, Jorge G. Blanco-Galdo. We consider only the Petition, the November 28, 2016, letter, and the January 17, 2017, letter, as the remaining pleadings, while voluminous, are untimely filed, are not properly filed, and/or are unauthorized. As discussed below, we deny the Petition and dismiss the remaining untimely and/or unauthorized pleadings and other filings.

¹ Each of the Letter Orders was addressed to Wifredo G. Blanco-Pi, dated November 7, 2016, and bears the Ref. No. 1800B3-TSN. We shall refer to them collectively as Letter Orders, and individually by the call sign of the Station (e.g., WA2XPA Letter Order).

Background. Between 1999 and 2003, the Stations were first licensed to Blanco-Pi as Experimental Broadcast Stations,² pursuant to rules that at the time were set forth in Part 74 of the Commission's rules.³ Blanco-Pi sought to experiment with AM synchronous booster technology, to determine among other things whether such same-channel booster stations could operate alongside full-power AM broadcast stations without causing harmful interference. To that end, Blanco-Pi successfully sought modification of WAPA's main facility, reducing power to accommodate operation of WA2XPA.⁴

Blanco-Pi sought and received annual renewals for the Stations' licenses, albeit often without the required reports of his experimental progress.⁵ In 2009, he sought to add a third synchronous booster to the two he was already operating in conjunction with station WISO.⁶ After initially denying the application based on an erroneous interpretation of the rules,⁷ the staff denied reconsideration based on Blanco-Pi's failure to demonstrate any further experimental benefit of adding a third AM synchronous booster, at Guayama, Puerto Rico, to WISO and the two existing AM synchronous boosters.⁸ In seeking review, Blanco-Pi attempted, for the first time, to justify the addition of a new AM booster station on technical and experimental grounds; the Commission disregarded these new arguments pursuant to Section 1.115(c) of the rules.⁹ The Commission, however, considered and rejected Blanco-Pi's originally proffered justification for the additional booster, namely, that it would allow him to extend WISO's

² WI2XSO was originally licensed June 6, 1999, File No. BLEX-19981215AA; WI3XSO was originally licensed October 22, 2002, File No. BLEX-20020827ACL; and WA2XPA was originally licensed September 26, 2003, File No. BLEX-20030709ACI.

³ Rules for then-designated Experimental Broadcast Stations were set forth at 47 CFR §§ 74.101 – 74.184. These rules were streamlined and consolidated into the Commission's general experimental rules, and are now set forth at 47 CFR §§ 5.1 – 5.219. See *Promoting Expanded Opportunities for Radio Experimentation and Market Trials under Part 5 of the Commission's Rules and Streamlining Other Related Rules*, Report and Order, 28 FCC Rcd 758 (2013) (*Experimental Streamlining Order*). The Stations were originally permitted and licensed under Part 74 of the rules; the Commission in the *Experimental Streamlining Order* moved those rules into Part 5 with the other experimental station rules, and amended some of the rules pertaining to (now called) Broadcast Experimental Licenses. Those amendments included, as discussed *infra*, a rule stating that such licenses would be issued for a one-year period, renewable for an additional term not exceeding five years upon an adequate showing of need. 47 CFR § 5.71(c).

⁴ File No. BP-20021106AAQ.

⁵ See former 47 CFR § 74.113, current 47 CFR § 5.207.

⁶ File No. BPEX-20090706AHD.

⁷ *Wifredo G. Blanco-Pi*, Letter Decision, Ref. No. 1800B2-JBS (MB Nov. 18, 2009) (*Staff Decision*). The staff erroneously held that the proposed booster station's 0.5 mV/m contour could not exceed the predicted coverage contour of WISO. *Mr. Wifredo G. Blanco-Pi*, Letter Decision, Ref. No. 1800B3-SNC (MB July 27, 2011) (*Reconsideration Decision*), at 2. While the staff corrected this error, both Blanco-Pi and his son, Jorge Blanco-Galdo, now argue that this correction constitutes the Commission's endorsement of Blanco-Pi's use of the Stations to extend the signals of WAPA and WISO. Petition at 4-5; Letter to Mr. Peter Doyle, Chief of AM Branch (sic) from Eng. Jorge G. Blanco-Galdo, WAPA Radio (received Dec. 1, 2016) (Blanco-Galdo Letter) at 2. However, in the *Staff Decision* and the *Reconsideration Decision*, the staff was referring to experimental operations, which are not limited to the AM primary station's contour. As discussed in the text below, Blanco-Pi is now using the Stations as regular programming services with continuous broadcasting beyond the primary stations' contours. In short, authorized experimental operations may exceed the primary station's predicted coverage contour; unauthorized operations may not exceed that contour, and by definition may not be undertaken at all.

⁸ *Reconsideration Decision* at 3.

⁹ 47 CFR § 1.115(c). See *Wifredo G. Blanco-Pi*, Memorandum Opinion and Order, 31 FCC Rcd 4291, 4293, para. 5 and n.15 (2016) (*Guayama MO&O*).

program service to Guayama,¹⁰ more efficiently and inexpensively than he could by conventional means.¹¹ The proposed experimental booster station was to be used to “rebroadcast entirely WISO-AM programming [from] merely unattended transmitter sites.”¹²

The Commission rejected these justifications, holding that “expansion of existing program service, with no apparent experimental benefit, does not justify licensing a broadcast experimental radio station,” and further holding that “establishment of a new AM booster station merely to extend the service of an existing AM station impermissibly circumvents our commercial AM filing window and competitive bidding processes.”¹³ Blanco-Pi did not seek reconsideration or review of the *Guayama MO&O*.

Following the Commission’s decision in the *Guayama MO&O*, the staff determined that Blanco-Pi had successfully concluded his experimentation with AM synchronous boosters.¹⁴ Moreover, the staff noted that when the rules for Broadcast Experimental Licenses were consolidated with the other Experimental Radio Service rules in Part 5, the Commission limited the duration of a Broadcast Experimental License to one year, renewable for a term not to exceed five years.¹⁵ As each of the Stations had been licensed for over six years,¹⁶ and as Blanco-Pi had suggested that his experimentation had been successfully concluded, the staff renewed the Station licenses for six months, and ordered that at the end of that period the licenses would be canceled and the call signs deleted.¹⁷ The Petition and other filings followed.

Discussion. Procedural issues. The Petition was timely filed. It was, however, followed by three Addenda, received on December 15, 2016; December 23, 2016; and January 5, 2017. Section 1.106(f) of the rules states that a petition for reconsideration and any supplement thereto must be filed within 30 days of the date of public notice of the action for which reconsideration is requested.¹⁸ Additionally, no supplement or addition to the petition for reconsideration filed after the 30-day period will be considered except on leave granted upon a separate pleading for leave to file, which shall state the grounds therefor.¹⁹ Blanco-Pi has not requested leave to file untimely addenda to the Petition, and therefore they shall not be considered.

¹⁰ See, e.g., File No. BPEX-20090706AHD, at 17 (“The two [existing] AM stations in Guayama are dedicated to music programming. **A grant for the proposed AM synchronous booster would give Guayama its first all news station.**” (emphasis in original)); Blanco-Pi’s Petition for Reconsideration, filed Nov. 25, 2009, at 3 (“WISO has been broadcasting an ALL-NEWS format since 18 years ago. The Guayama people [have] been depending on difficult to tune signals from Ponce and/or San Juan to keep informed since the radio stations assigned to Guayama are dedicated to music formats.”).

¹¹ See, e.g., File No. BPEX-20090706AHD, at 16 (stating the purported technical impossibility of extending the WISO(AM) signal from Ponce to Guayama using WISO’s licensed site).

¹² *Id.* at 8.

¹³ *Guayama MO&O*, 31 FCC Rcd at 4293, para. 6, citing 47 U.S.C. § 309(j); 47 CFR §§ 1.2101-1.2114, 73.5000-73.5009.

¹⁴ See, e.g., WA2XPA Letter Order at 1 n.5.

¹⁵ See, e.g., WI2XSO Letter Order at 1 and n.4. See also *supra* note 3.

¹⁶ See *supra* note 2.

¹⁷ See, e.g., WI3XSO Letter Order at 1.

¹⁸ 47 CFR §1.106(f).

¹⁹ *Id.*

Blanco-Pi and others have filed various other documents in support of his retention of the Stations.²⁰ To the extent that they were filed by Blanco-Pi himself or by members of his family on WAPA Radio letterhead,²¹ we consider them to be supplements to the Petition and, as such, not to be considered under Section 1.106(f) of the rules, with the exception of the Blanco-Galdo Letter, which was timely filed. Additionally, the various “urgent requests” for action are unauthorized pleadings and will not be considered. Although there is no provision in the rules for untimely statements in support of a petition for reconsideration, we will consider the Torres Letter as an informal request for Commission action under Section 1.41 of the rules.²²

Substantive issues. Blanco-Pi’s arguments evidence basic misunderstandings regarding the rules, the conditions on the Stations’ experimental licenses, and the nature of the experimental service generally. These mis-interpretations of the law governing the Stations lead Blanco-Pi to the erroneous conclusion that he is entitled to permanent operation of the Stations.

For example, at several points in the Petition Blanco-Pi argues that the Commission never told him, when it first licensed the Stations, that they would be limited to five-year license terms.²³ This is because, at the time the Stations were first licensed, that limitation did not exist—it was introduced when the Commission adopted Section 5.71(c) of the rules,²⁴ which became effective May 29, 2013.²⁵ What Blanco-Pi did know, or should have known, was that the Stations were licensed only for one-year terms, for which he filed annual renewal applications. Moreover, the Station licenses all indicated that they were “[s]ubject to the provisions of the Communications Act of 1934, *subsequent acts* and treaties, and all regulations heretofore *or hereafter made* by this Commission.”²⁶ It is simply untenable for Blanco-Pi to insist that he is bound only by the rules that existed when the Stations were first licensed.

²⁰ These documents are as follows: Blanco-Galdo Letter; Petition for Grandfather Clause, received Dec. 12, 2016; Letter to Mr. Peter Doyle, Chief, Audio Division, from Manuel A. Torres Nieves, Secretary of the Senate, Commonwealth of Puerto Rico, with attached Resolution S.R. 1453 of the Senate of the Commonwealth of Puerto Rico (received Jan. 24, 2017) (Torres Letter); Urgent Request to Stop FCC Order to Shutdown (sic) AM Synchronous Boosters in Puerto Rico, received Jan. 30, 2017; Urgent Petition to Chairman Ajit Pai to Stop the Shutdown four (sic) AM synchronous boosters in Puerto Rico, received Jan. 30, 2017; Urgent Request to stop FCC action, received Mar. 30, 2017.

²¹ Blanco-Pi’s son, Jorge G. Blanco-Galdo, filed the Blanco-Galdo Letter within 30 days of public notice of the Letter Decisions, thus it may properly be considered a supplement to the Petition. The letter consists largely of the same arguments made by his father in the Petition, along with impassioned appeals to allow retention of the Stations. In particular, Blanco-Galdo details the considerable expense to which he and his father went in constructing the Stations. Blanco-Galdo Letter at 1-2. Although he repeats his father’s arguments that they were not told that the licenses were limited to five years, the fact remains, as discussed in the text, that Blanco-Pi was never promised either permanent operation of the experimental Stations, nor was he authorized at any time to use them to rebroadcast regular programming. *See* former 47 CFR § 74.182; current 47 CFR § 5.215. As such, Blanco-Pi and Blanco-Galdo were expected to invest resources in the Stations commensurate with the Stations’ experimental purpose.

²² 47 CFR § 1.41.

²³ Petition at 1-3.

²⁴ 47 CFR § 5.71(c). *See supra* note 3.

²⁵ 78 Fed. Reg. 25137 (Apr. 29, 2013).

²⁶ *See, e.g.*, WA2XPA license, File No. BLEX-20111026AIO (emphasis added).

Blanco-Pi's protestations that the Stations were not, in fact, licensed as experimental stations are equally unavailing.²⁷ Apart from the fact that, as noted above, he applied for annual license renewals, rather than having eight-year license terms,²⁸ each of the Stations' license and permit applications bore "EX" designations, signifying experimental authorizations. Blanco-Pi incorrectly asserts that the Stations were licensed pursuant to the Memorandum Opinion and Order in Mass Media Docket No. 87-6.²⁹ In fact, the Commission did not specifically authorize any stations in the *Synchronous MO&O*. Its actual language, however, is instructive: "Accordingly, we will generally continue to authorize *experimental authorizations* to those AM station licensees who wish to investigate further the potential benefits of synchronous operation, and will revisit this matter when the circumstances appear appropriate."³⁰ Thus, it is disingenuous for Blanco-Pi to attempt to argue that the Stations were not authorized as experimental stations.³¹

The distinction is crucial, because the record, including Blanco-Pi's Petition, the Torres Letter, the Blanco-Galdo Letter, and Blanco-Pi's earlier application for a third synchronous booster for WISO, makes plain that he is not presently operating the Stations within the parameters set forth for experimental authorizations, that is, solely in order to utilize "radio waves in experiments with a view to the development of science or technique."³² Rather, he is operating the Stations as regular full-time programming adjuncts to WAPA and WISO, including advertisements. As discussed above, the Commission held in the *Guayama MO&O* that such operations are not appropriate for stations with experimental authorizations.³³ In the Petition, Blanco-Pi makes it clear that he seeks to retain the Stations, not based on any further experimentation,³⁴ but rather on their value as full-time re-broadcasters of the programming carried on WAPA and WISO.³⁵ Based on the Commission's holding in the *Guayama*

²⁷ Petition at 2-3.

²⁸ See *infra* note 31.

²⁹ *Amendment of Part 73 to Authorize the Use of Multiple Synchronous Transmitters by AM Broadcast Stations*, Memorandum Opinion and Order, 4 FCC Rcd 591 (1989) (*Synchronous MO&O*).

³⁰ *Id.* at 593 (emphasis added).

³¹ Blanco-Pi, in fact, need look no further than the conditions in the Stations' licenses to see that they were authorized as experimental stations. See, e.g., WA2XPA license, File No. BLEX-20111026AIO, Condition 6 ("AM experimental facilities are licensed for a one year period only, therefore the licensee must file an acceptable license renewal application with the Commission on or before the license expiration date to avoid a possible automatic cancellation of the experimental license."), WI3XSO license, File No. BNPEX-20001114AAW ("Permit for a second AM experimental synchronous facility for WISO (AM) to operate simultaneously with existing WI2XSO experimental synchronous facility.").

³² 47 CFR § 5.5. See also former 47 CFR § 74.102: "A license for an experimental broadcast station will be issued for the purpose of carrying on research and experimentation for the development and advancement of new broadcast technology, equipment, systems or services which are more extensive or require other modes of transmission than can be accomplished by using a licensed broadcast station under an experimental authorization."

³³ *Guayama MO&O*, *supra* note 9.

³⁴ Nothing in this letter decision is meant to suggest that Blanco-Pi has not invested time, expertise, and resources into experimenting with and making operational his system of AM synchronous boosters. See Petition at 3. He has not, however, filed the reports of his progress required by the rules with his latest renewal applications (47 CFR § 5.207, former 47 CFR § 74.113), and has suggested that he has essentially perfected the AM synchronous booster system. See *Guayama MO&O*, 31 FCC Rcd at 4293 n.20. It is reasonable to conclude that the experiment has ended, and that there is no new knowledge to be gained from these particular experimental operations.

³⁵ See, e.g., Petition at 5 (noting that the Stations broadcast the presidential debates, press conferences, CNN programming, public meetings and hearings, especially to the northwest and west part of Puerto Rico). See also

MO&O, as well as Section 5.215 of the rules, operation of the Stations merely to expand the service of the existing full-power stations, with no apparent further experimental benefit, is not justified.³⁶

Moreover, considering the Stations as regular programming services rather than experimental stations would violate both the Communications Act and the rules. Blanco-Pi sought the Guayama booster primarily to extend WISO(AM)'s service into an area it previously could not reach. Similarly, he opposes the loss of the Stations because they extend WISO and WAPA's service to other parts of the island of Puerto Rico.³⁷ Blanco-Pi argues that he should be allowed to have a greater coverage area for the programming broadcast over his existing full-power stations, in part because he believes his programming to be superior to his competitors'.³⁸ However, no broadcaster can simply transform experimental stations into full-time program services, much less extend those services to other communities in order to program against its competitors.³⁹ As the Commission observed, "establishment of a new AM booster station merely to extend the service of an existing AM station impermissibly circumvents our commercial AM filing window and competitive bidding processes."⁴⁰ Those processes were set forth in the Balanced Budget Act of 1997, which expanded the Commission's auction authority under Section 309(j) of the Communications Act to include commercial broadcast applicants.⁴¹ The Commission's auction authority is now mandatory, not permissive, for all full power commercial radio and analog television stations, as well as secondary services, such as translators, that rebroadcast

Torres Letter, Attachment at 2 (Resolution of Senate of Puerto Rico noting that the Stations have "spread news and information continuously and uninterruptedly for the residents of the areas they serve").

³⁶ *Guayama MO&O*, 31 FCC Rcd at 4293, para. 6; 47 CFR § 5.215 (prohibiting use of experimental station to transmit regular program service unless specifically authorized, and prohibiting a licensee of an experimental station from making charges or asking for any payment, directly or indirectly, for the production or transmission of any programming or information used for experimental purposes). *See also* former 47 CFR § 74.182.

³⁷ Petition at 5 ("AM branch's (sic) decision to shut down our boosters will shutdown the excellent signal the northwest/west part of the island had to be informed.").

³⁸ *See id.* ("WA2XPA, WI2XSO, WI3XSO were rebroadcasting WAPA and WISO as the licenses specified. We are the only stations in Puerto Rico that have broadcasted (sic) consistently all of the President's addresses and press conferences entirely. The only one affiliated to CNN to have the people of Puerto Rico informed on national issues. We have been the only stations in Puerto Rico broadcasting in full the public meetings and/or hearings of the Congressionally appointed Fiscal Control Board that is dealing with Puerto Rico's bankruptcy."). *See also supra* note 10; Blanco-Galdo Letter at 4 ("How does shutting (sic) down the boosters of an all news/talk station serve the public interest? Since my father purchased WAPA we've had an all news/talk format obviously serving much better the public interest than broadcasting music.").

³⁹ We reject out of hand Blanco-Pi's argument that the Stations should remain on the air because of the nature of the programming they deliver: not only that the Stations broadcast news and information generally, but also that the Stations support statehood for Puerto Rico. Petition at 5. The Commission, as noted in the *Guayama MO&O*, does not base licensing decisions on program formats. *Guayama MO&O*, 31 FCC Rcd at 4293 n.16 (citing *Buckley Broadcasting Co. and KAMP, Inc.*, Memorandum Opinion and Order, 13 FCC Rcd 21119, 21123 para. 14 (1998); *Development of Policy Re: Changes in the Entertainment Formats of Broadcast Stations*, Memorandum Opinion and Order, 60 F.C.C.2d 858 (1976)).

⁴⁰ *Guayama MO&O*, 31 FCC Rcd at 4293, para. 6.

⁴¹ Specifically, our general auction authority set forth in 47 U.S.C. § 309(j)(1) provides that the Commission shall grant a license or construction permit to a qualified applicant through competitive bidding, if mutually exclusive applications are accepted for an initial license or construction permit. The only exceptions are for licenses for certain public safety noncommercial services, for certain digital television services, and for noncommercial educational or public broadcast stations.

commercial radio and television stations.⁴² The staff is not empowered to assign new AM program services without subjecting them to the Commission's filing window and auction processes.⁴³

The Commission has routinely declined to issue full service new station authorizations without providing an opportunity for the filing of competing applications.⁴⁴ Blanco-Pi thus cannot expect to transform the experimental Stations into full-time program services without allowing the filing of competing applications. Moreover, the fact that Blanco-Pi has initiated a rule making proceeding to authorize AM synchronous booster stations on a permanent basis does not insulate him from the requirement that new services must be subject to competition and, potentially, competitive bidding.⁴⁵ In fact, all of the Stations' authorizations contain language stating that "[t]he authority to construct the facilities described herein is expressly subject to the outcome of any future rulemaking regarding synchronous AM facilities. As a result, this permit [license], as well as subsequent program operation, may be terminated or modified without notice or right to hearing."⁴⁶

In summary, Blanco-Pi's arguments to the contrary, the Stations were issued Broadcast Experimental Licenses, and were subject not only to the rules pertaining to such stations in force at the time they were licensed (such as the prohibition against transmitting program services and programming for payment) but also to any subsequent changes to those rules (such as the Commission's recent amendment of the rules limiting renewal of an experimental license to five years). Those rules were designed to limit broadcast and other experimental stations to their fundamental purpose of research and experimentation, and also designed to "prevent entities from exploiting a broadcast experimental radio station for commercial purposes while functioning under the guise of an experimental station."⁴⁷ Because Blanco-Pi admits that the Stations are being used to broadcast full-time programming, with no discussion of any testing that remains to be accomplished, we affirm our decision that Blanco-Pi's experimental operations have concluded, and that therefore the Station licenses are to be canceled.⁴⁸

⁴² See 47 CFR § 73.5000(a) (specifying the broadcast services subject to competitive bidding).

⁴³ See *Ashbacker Radio Corp. v. FCC*, 326 U.S. 327 (1945), in which the Supreme Court held that the Commission may not grant one mutually exclusive application without holding the comparative hearing required by the Act.

⁴⁴ See, e.g., *Alexander Broadcasting, Inc.*, 21 FCC Rcd 9968 (2006) (*Alexander*), in which an applicant in an AM auction window sought a prohibited channel change to the expanded AM band, asking for waiver of the prohibition. Recognizing that other parties might also be interested in the particular expanded AM band spectrum at issue, and that a decision to prohibit competing application filings would be prejudicial to their interests, the Commission affirmed the staff's decision to provide an opportunity to allow the filing of competing applications.

⁴⁵ See *Applications for License and Authority to Operate in the 2155-2175MHz Band*, Order, 22 FCC Rcd 16563, 16569, para. 10 (2007). See also *Revitalization of the AM Radio Service*, First Report and Order, Further Notice of Proposed Rule Making, and Notice of Inquiry, 30 FCC Rcd 12145, 12153-54, para. 17 (2015) (setting forth procedures for window filing and auction of FM cross-service translators).

⁴⁶ Blanco-Pi appears to mis-read this conditional language in the Stations' authorizations, believing it to limit the Commission's power to revoke the Stations' licenses except pursuant to the outcome of a future rule making proceeding. Petition at 1-2. Rather, that language merely points out that, had the Commission established rules for AM synchronous boosters, the Stations would have been subject to those rules. As discussed in the text, the Commission has subsequently amended the rules relating to Broadcast Experimental Licenses, and Blanco-Pi is likewise subject to those rule changes.

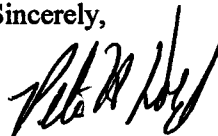
⁴⁷ *Guayama MO&O*, 31 FCC Rcd at 4292 (citing *1998 Biennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, Biennial Review Report, 15 FCC Rcd 11058, 11120-21 paras. 113-14 (2000)).

⁴⁸ In various e-mail communications to Commissioners and staff, Blanco-Pi has complained that there are other AM synchronous booster stations operating in other parts of the United States that have not been directed to discontinue operation, arguing that his Stations have been singled out. We have identified six possible operating AM

Conclusion. For the foregoing reasons, Blanco-Pi's Urgent Petition to Reconsider IS DENIED. The Letter to Mr. Peter Doyle, Chief, Audio Division, from Manuel A. Torres Nieves, Secretary of the Senate, Commonwealth of Puerto Rico (received Jan. 24, 2017), considered as a request for informal Commission action in support of the Petition, IS DENIED. The Addenda to the Petition received December 15, 2016, December 23, 2016, and January 5, 2016, ARE DISMISSED AS UNTIMELY. The Petition for Grandfather Clause, received Dec. 12, 2016; Urgent Request to Stop FCC Order to Shutdown AM Synchronous Boosters in Puerto Rico, received Jan. 30, 2017; Urgent Petition to Chairman Ajit Pai to Stop the Shutdown four AM synchronous boosters in Puerto Rico, received Jan. 30, 2017; and Urgent Request to stop FCC action, received Mar. 30, 2017, ARE DISMISSED AS UNAUTHORIZED and, to the extent they constitute supplements to the Petition, ARE DISMISSED AS UNTIMELY.

We note that Blanco-Pi has also submitted a Request to Reinstall WAPA-AM the Licensed Parameters Just Before the Installation of WA2XPA-AM due to FCC's decision to terminate the booster experiment, received March 16, 2017. This also is an unauthorized pleading. However, to the extent he remains interested in pursuing the restoration of WAPA's pre-experimental facilities, Blanco-Pi IS DIRECTED to file an FCC Form 301 Application to modify the facilities of WAPA(AM), San Juan, Puerto Rico, to return to its pre-experimental operation, for processing by the Audio Division.

Sincerely,



Peter H. Doyle
Chief, Audio Division
Media Bureau

cc: Hon. Manuel A. Torres Nieves

synchronous boosters other than the Stations and W12XAC, Ponce, Puerto Rico, which also received a short-term renewal prior to cancellation of its license. We are currently investigating which of those boosters is still operating, whereas Blanco-Pi has admitted he is operating the Stations at variance with the rules. We will, where appropriate, direct any AM synchronous booster stations operating beyond the permissible five-year period in 47 CFR § 5.71(c) or operating without valid authorizations to discontinue operations. However, the operation of other AM synchronous boosters is irrelevant to Blanco-Pi's non-conforming operation of the Stations.