

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of	)	
	)	
<b>COMMUNITY NEWS, LLC</b>	)	Acct. No. 200132080017
	)	File No. EB-00-IH-0433, GS
Licensee of Land Mobile Station WZW861	)	

**MEMORANDUM OPINION AND ORDER**

Adopted: February 2, 2001

Released: February 5, 2001

By the Chief, Enforcement Bureau:

1. By this *Memorandum Opinion and Order* we adopt the attached Consent Decree in which Community News, LLC agrees to make a voluntary contribution to the United States Treasury. We find, for the reasons discussed below, that the Consent Decree provides for an appropriate resolution of the Bureau’s investigation into Community News, LLC’s compliance with Section 310(d) of the Communications Act of 1934, as amended,<sup>1</sup> and conclude that adoption of the Consent Decree is in the public interest.

2. Community News, LLC is a Massachusetts-based communications company. On March 31, 1995, Community Newspapers Company, Inc. purchased 14 Boston-area newspapers, including the *Metrowest Daily News* (formerly, the *Middlesex News*), from Harte-Hanks Communications, Inc. As a result of the transaction, Community Newspapers, Inc. acquired control of land mobile station WZW861 used by the *Metrowest Daily News* to communicate with newspaper delivery trucks and delivery personnel. Pursuant to Section 310(d) of the Act, the parties were required to obtain Commission consent to the substantial transfer of control of the station prior to consummating the transaction. They failed to do so. Thereafter, on December 31, 1999, Community Newspapers Company, Inc. transferred all of its assets to Community News, LLC in connection with a reorganization. Although the reorganization effectuated a *pro forma* transfer of control of the WZW861 license, the parties did not request Commission consent prior to consummating the transaction, contrary to the requirements of Section 310(d) of the Act.

3. On or about November 15, 2000, Community News, LLC discovered the two unauthorized transactions in connection with its due diligence review in preparation for a sale of substantially all of the assets of Community News, LLC to Herald Media, Inc. Thereafter, Community News, LLC applied for and was granted Special Temporary Authority to operate the station. Community News, LLC also has filed appropriate applications which, when granted, will result ultimately in the assignment of the WZW861 license to Herald Media, Inc. Following the assignment to Herald Media, Inc., Community News, LLC will no longer hold any Commission authorizations.

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<sup>1</sup> 47 U.S.C. § 310(d).

4. The Bureau has reached an agreement with Community News, LLC that will resolve this investigation. The terms and conditions of the agreement are contained in the attached executed Consent Decree. Among other things, the Consent Decree contemplates that Community News, LLC will make a voluntary contribution to the United States Treasury in the amount of \$7,500.<sup>2</sup>

5. We have reviewed the Consent Decree and evaluated the circumstances underlying the investigation. We believe that the public interest would be served by adopting the Consent Decree and terminating this investigatory proceeding.

6. ACCORDINGLY, IT IS ORDERED that, pursuant to delegated authority, the Consent Decree attached hereto IS ADOPTED.

7. IT IS FURTHER ORDERED, that the above-captioned investigatory proceeding IS TERMINATED.

**FEDERAL COMMUNICATIONS COMMISSION**

David H. Solomon  
Chief, Enforcement Bureau

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<sup>2</sup> Payment may be made by mailing a check or similar instrument, payable to the order of the Federal Communications Commission, to the Forfeiture Collection Section, Finance Branch, Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note the Acct. No. referenced above.