

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
WAY-FM MEDIA GROUP, INC.)	EB-09-IH-0500
)	Facility ID No. 89401
Licensee of Noncommercial Educational Station)	NAL Account No. 201032080014
KXWA(FM), Loveland, Colorado)	FRN No. 0004995288

ORDER

Adopted: April 23, 2010

Released: April 27, 2010

By the Chief, Enforcement Bureau:

1. In this Order, we adopt the attached Consent Decree entered into between the Enforcement Bureau (“Bureau”) and WAY-FM Media Group, Inc. (“Licensee”). The Consent Decree terminates an investigation by the Bureau against the Licensee for possible violations of Section 399B of the Communications Act of 1934, as amended,¹ and Section 73.503(d) of the Commission’s Rules² regarding the broadcast by the Licensee of underwriting acknowledgments over Station KXWA(FM), Loveland, Colorado (the “Station”).

2. The Bureau and the Licensee have negotiated the terms of the Consent Decree that resolve this matter. A copy of the Consent Decree is attached hereto and incorporated by reference.

3. After reviewing the terms of the Consent Decree and evaluating the facts before us, we find that the public interest would be served by adopting the Consent Decree and terminating the investigation.

4. In the absence of material new evidence relating to this matter, we conclude that our investigation raises no substantial or material questions of fact as to whether the Licensee possesses the basic qualifications, including those related to character, to hold or obtain any Commission license or authorization.

5. Accordingly, **IT IS ORDERED** that, pursuant to Section 4(i) of the Communications Act of 1934, as amended,³ and Sections 0.111 and 0.311 of the Commission’s Rules,⁴ the Consent Decree attached to this Order **IS ADOPTED**.

6. **IT IS FURTHER ORDERED** that the above-captioned investigation **IS TERMINATED**.

7. **IT IS FURTHER ORDERED** that the third-party complaint and allegations against the Station and/or the Licensee before the Enforcement Bureau related to the above-captioned investigation as of the date of this Consent Decree **IS DISMISSED**.

¹ See 47 U.S.C. § 399b.

² See 47 C.F.R. § 73.503(d).

³ See 47 U.S.C. § 154(i).

⁴ See 47 C.F.R. §§ 0.111, 0.311.

8. **IT IS FURTHER ORDERED** that a copy of this Order and Consent Decree shall be sent to WAY-FM Media Group, Inc., P.O. Box 64500, Colorado Springs, Colorado, 80962, and to its counsel, A. Wray Fitch, III, Gammon & Grange, P.C., 8280 Greensboro Drive, 7th Floor, McLean, Virginia 22102-3807, by first-class, certified mail, return receipt requested.

FEDERAL COMMUNICATIONS COMMISSION

P. Michele Ellison
Chief, Enforcement Bureau