



**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

February 3, 2011

DA 11-205

AA United Cab Company
Jimmy W. Lail, Sr.
1704 Burke Rd.
Shelby, NC 28152

RE: Industrial/Business Pool Station KIA206, Shelby, North Carolina

Dear Mr. Lail:

This letter relates to an application to cancel the authorization for the above-referenced station licensed to AA United Cab Company (AA). For the reasons set forth below, we will grant the application, and cancel the license.

On August 23, 2010, an application to cancel the license for Station KIA206 was filed on behalf of AA by J.W. Lail, who is listed as the contact in the license information in our database.¹ On September 16, 2010, you filed a request for special temporary authority (STA) for AA to operate the station formerly authorized under Call Sign KIA206.² In your STA request, you stated that J.W. Lail no longer owned AA, and lacked authority to request cancellation of the license for Station KIA206.

By letter dated September 23, 2010, we requested, pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ that you provide copies of any evidence documenting the date that J.W. Lail no longer owned AA or otherwise ceased to be authorized to act on behalf of the company. Your response, received October 25, 2010, consisted of tax records that did not address the ownership or management structure of the company.

Section 1.917(a) of the Commission's Rules specifies who may sign FCC applications.⁴ Applications must be signed (1) by the applicant, if the applicant is an individual; (2) by one of the partners if the applicant is a partnership; (3) by an officer, director, or duly authorized employee, if the applicant is a corporation; (4) by a member who is an officer, if the applicant is an unincorporated

¹ See FCC File No. 0004361662. The cancellation request was granted on August 24, 2010, then reinstated to pending status on September 23, 2010.

² FCC File No. 0004386277. The STA was granted on September 17, 2010 under Call Sign WQML813. It will expire on March 16, 2011.

³ 47 U.S.C. § 308(b).

⁴ 47 C.F.R. § 1.917(a).

association; or (5) by the trustee if the applicant is an amateur radio service club.

As noted above, our licensing records indicate that J.W. Lail is authorized to sign applications on behalf of AA. Your response to our request for information is insufficient to show that J.W. Lail did not have the authority to cancel the license.⁵ Therefore, based on the record before us, we will grant the application for license cancellation, and cancel the license for Station KIA206.

If you wish to obtain a valid authorization for this station, you must file a new, properly coordinated application. If you have any questions or need further information on this matter, you may contact the Mobility Division licensing staff at (202) 418-0620.

Accordingly, IT IS ORDERED that, pursuant to Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r), application FCC File No. 0004361662 SHALL BE PROCESSED in accordance with this action and the Commission's Rules.

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

cc: AA United Cab Company
220 S. Washington St.
Shelby, NC 28150
Attn: J.W. Lail

⁵ See Richard Duran, *Letter*, 22 FCC Rcd 567, 567-68 (WTB MD 2007) (denying petition for reconsideration because company did not demonstrate that officer was not authorized to sign the license cancellation application).