

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

In the Matter of)	
)	NAL/Account No: MB-201441410009
Michael H. Glass)	FRN: 0003779345
Licensee of Station WMER(AM))	Facility I.D. No. 48542
Meridian, Mississippi)	File No.: BR-20120208ADO
)	

ORDER

Adopted: February 6, 2014**Released: February 6, 2014**

By the Chief, Media Bureau:

1. In this Order, we adopt the attached Consent Decree entered into between the Media Bureau (“Bureau”) of the Federal Communications Commission (“Commission”) and Michael H. Glass (“Licensee”), licensee of WMER(AM), Meridian, Mississippi (“Station”). The Consent Decree resolves issues arising from the Bureau’s review of the captioned license renewal application for the Station (“Application”).

2. In the Application, Licensee disclosed the existence of a Notice of Apparent Liability for Forfeiture (“NAL”) and a Forfeiture Order issued by the Enforcement Bureau on March 6, 2008, and June 2, 2008, respectively.¹ In the NAL, the Enforcement Bureau found Licensee apparently liable for a forfeiture of \$16,000 for failing to have an operational Emergency Alert System as required by Section 11.35 of the Commission’s rules (“Rules”),² failing to operate within authorized power limitations in violation of Section 73.1745(a) of the Rules,³ and failing to have a license for the Station’s Studio to Transmitter link in violation of Section 301 of the Communications Act of 1934, as amended.⁴ After Licensee demonstrated that the proposed forfeiture would pose a financial hardship, the Enforcement Bureau reduced the forfeiture amount to \$1,500.

3. During our review of the Application, we determined that Licensee had not remitted payment of the monetary forfeiture as directed by the Forfeiture Order and that, after the Office of the United States Attorneys declined to institute collection procedures based on the amount involved, the Commission had cancelled the unpaid forfeiture. The Bureau and the Licensee have negotiated a Consent Decree that provides that Licensee will institute and maintain, for three years, a Compliance Plan for the Station and make a \$1,500 voluntary contribution to the United States Treasury. A copy of the Consent Decree is attached and incorporated by reference.

¹ *Michael H. Glass*, Notice of Apparent Liability for Forfeiture (EB Mar. 6, 2008); *Michael H. Glass*, Forfeiture Order, 23 FCC Rcd 8495 (EB 2008)

² 47 C.F.R. § 11.35.

³ 47 C.F.R. § 73.1745(a).

⁴ 47 U.S.C. § 301.

4. After reviewing the terms of the Consent Decree and evaluating the facts before us, we find that the public interest would be served by its approval and by terminating the Bureau's investigation of the Licensee's violations of the Rules in connection with the Application. In addition, based on the record before us, we conclude that there are no substantial or material questions of fact as to whether the Licensee possesses the basic qualifications to hold a Commission license.⁵

5. Accordingly, **IT IS ORDERED** that, pursuant to Sections 4(i), 4(j), and 503(b) of the Communications Act of 1934, as amended,⁶ and Sections 0.111 and 0.311 of the Commission's Rules,⁷ the Consent Decree attached to this Order **IS ADOPTED**.

6. **IT IS FURTHER ORDERED** that a copy of this Order and Consent Decree shall be sent by both First Class mail and Certified Mail, Return Receipt Requested, to Licensee, Michael H. Glass, 315 A Street, Meridian, Mississippi 39301, and Licensee's counsel, John S. Neely, Esq., Miller and Neely, P.C., 6900 Wisconsin Avenue, Suite 704, Bethesda, MD 20815.

FEDERAL COMMUNICATIONS COMMISSION

William T. Lake
Chief, Media Bureau

⁵ Section 309(k)(1) of the Act states that the Commission shall grant a license renewal application "if it finds, with respect to that station, during the preceding term of its license—(a) the station has served the public interest, convenience, and necessity; (b) there have been no serious violations by the licensee of the Act or Commission rules and regulations; and (c) there have been no other violations by the licensee of the Act or Commission rules or regulations which, taken together, would constitute a pattern of abuse." 47 U.S.C. §309(k)(1). Section 309(k) of the Act states, however, that if the licensee fails to meet this three part standard, the Commission may deny the application—after notice and comment, and opportunity for hearing under Section 309(e) of the Act—"or grant the application on terms and conditions as are appropriate...." 47 U.S.C. §§ 309(k)(2) and 309(k)(3).

⁶ 47 U.S.C. §§ 154(i), 154(j), 503(b).

⁷ 47 C.F.R. §§ 0.111, 0.311.