

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

In the Matter of Application of)	
)	
ALLIANCE COMMUNICATIONS GROUP)	FCC File No. 0006025233
)	
For Assignment of License for Station WQCA755,)	
Mt. Lukens, California)	

ORDER

Adopted: January 5, 2015

Released: January 5, 2015

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau:

1. *Introduction.* On January 6, 2014, Mobile Relay Associates (MRA) filed a petition to deny¹ the above-captioned application² of Alliance Communications Group (Alliance) to assign the license for Industrial/Business Pool Station WQCA755, Mt. Lukens, California, and requested cancellation of the license on the grounds that the authorization has automatically canceled. For the reasons set forth below, we grant the petition, and will modify the Commission's licensing records to reflect the cancellation of the license and dismiss the application.

2. *Background.* On November 21, 2013, Alliance filed an application to assign the license for Station WQCA755 to Acumen Communications (Acumen). MRA argued, *inter alia*, that the Station WQCA755 has not been operational at the licensed location for more than a year, and that the license cancelled automatically for permanent discontinuance of operation.³ Specifically, MRA, a co-channel licensee, asserted that it monitored various frequencies spectrally overlapping with frequencies licensed to MRA, including frequency 151.5800 MHz, since 2008 without detecting any transmission from Alliance.⁴ It also stated that Alliance lost access to the facility when its site lease expired on January 4, 2013 and the landlord did not renew it.⁵

3. On October 22, 2014, the Wireless Telecommunications Bureau's Mobility Division (Division), acting pursuant to Section 308(b) of the Communications Act of 1934, as amended,⁶ requested that Alliance provide specified information concerning the operational status of Station WQCA755.⁷ The Division stated that if Alliance failed to respond within thirty days, the Division could conclude that the authorization for Station WQCA755 had terminated due to permanent discontinuance of operation.⁸ No

¹ Petition to Dismiss or Deny, or Informal Objection (filed Nov. 21, 2013) (Request).

² See FCC File No. 0006025233.

³ See Request at 1-5.

⁴ See *id.* at 2.

⁵ See *id.* at 4-5.

⁶ 47 U.S.C. § 308(b).

⁷ Letter dated Oct. 22, 2014, from Scot Stone, Deputy Chief, Wireless Telecommunications Bureau, to Alliance Communications Group (Division Letter).

⁸ *Id.* at 2.

response was received.

4. *Discussion.* Section 90.157 of the Commission's Rules provides that a license for a private land mobile radio station cancels automatically upon discontinuance of operation for a period of one year or more.⁹ The information provided in the MRA Request is persuasive evidence supporting MRA's claim that Station WQCA755 is not in operation and that its authorization cancelled automatically due to a permanent discontinuance of service.¹⁰ In addition, Alliance's failure to respond to the Division Letter presumptively indicates that the station is not operational.¹¹ Therefore, we will update the Commission's Universal Licensing System to reflect the cancellation of the license for Station WQCA755.

5. Accordingly, IT IS ORDERED that, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 90.157 of the Commission's Rules, 47 C.F.R. § 90.157, the Petition to Dismiss or Deny, or Informal Objection filed by Mobile Relay Associates on November 21, 2013 IS GRANTED, and the Commission's licensing records SHALL BE MODIFIED to reflect the cancellation of the license for Station WQCA755.

6. IT IS FURTHER ORDERED that, pursuant to Sections 4(i) and 309 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 309, and Section 1.948 of the Commission's Rules, 47 C.F.R. § 1.948, that application FCC File No. 0006025233, filed on November 21, 2014, SHALL BE DISMISSED AS MOOT.

7. 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

⁹ See 47 C.F.R. § 90.157(a).

¹⁰ See generally National Ready Mixed Concrete Co., *Memorandum Opinion and Order*, 23 FCC Rcd 5250 (2008).

¹¹ See, e.g., Milton H. Pintell, *Order on Reconsideration*, 20 FCC Rcd 19315, 19316 ¶ 5 (WTB PSCID 2005).