

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

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MB Docket No. 15-167
Table of Allotments,	)	RM-11751
FM Broadcast Stations.	)	
(Grant, Oklahoma)	)	
	)	

**ORDER**

**Adopted: February 25, 2016**

**Released: February 26, 2016**

By the Chief, Audio Division, Media Bureau:

1. The Audio Division has before it: (1) a Notice of Proposed Rule Making and Order to Show Cause issued in response to a Petition for Rule Making filed by Katherine Pyeatt (“Pyeatt”), proposing the allotment of FM Channel 286A at Grant, Oklahoma (“the Grant PRM”)<sup>1</sup>, (2) a Request for Approval of Withdrawal filed by Pyeatt; (3) Certifications Regarding Withdrawal filed by Liberman Broadcasting of Dallas License LLC (“Liberman”), licensee of Station KZMP-FM, Pilot Point, Texas, and by Southeastern Oklahoma Radio LLC (“SOR”), licensee of Station KTMC-FM, McAlester, Oklahoma; and (4) various related pleadings.<sup>2</sup> In order to properly evaluate these filings, we require further information as set forth below.

2. *Inquiries.* Pyeatt, SOR and Liberman have reached a settlement agreement for Pyeatt to withdraw her expression of interest for Channel 286A at Grant Oklahoma and Liberman to reimburse Pyeatt for her legitimate and prudent expenses in exchange of Pyeatt’s withdraw. Prior to take an action on the settlement, the Bureau must assess the expenses incurred in this proceeding for which Pyeatt seeks reimbursement. Accordingly, Pyeatt is directed to submit, within forty-five (45) days, truthful and complete responses to the following inquiries, with a copy served on each person or entity that is listed in this order.

- I) For each expense for which reimbursement is sought, produce true, correct, and complete copies of all billing and payment records.
- II) Provide a statement fully explaining the reason for requesting the withdrawal of her expression of interest for Channel 286A at Grant, Oklahoma.

<sup>1</sup> *Grant, Oklahoma*, Notice of Proposed Rulemaking and Order to Show Cause, 30 FCC Rcd 7233 (MB 2015) (“*Grant Notice and Order to Show Cause*”).

<sup>2</sup> Pyeatt filed a Comment on August 2015 and a Reply Comment on September 16, 2015. Liberman filed a Comment on August 31, 2015, a Response to the Order to Show Cause and a Reply Comment on September 15, 2015. SOR filed a Counterproposal on August 31, 2015.

3. We direct Pyeatt to support her letter response with an affidavit or declaration under penalty of perjury, signed and dated it. Failure to respond appropriately to this inquiry may constitute a violation of the Communications Act of 1934, as amended, and our Rules.<sup>3</sup>

4. Pyeatt shall direct her response to the attention of Nazifa Sawez., Audio Division, Media Bureau, Federal Communications Commission, Office of the Secretary, 445 12th Street, S.W., Room TW-A325, Washington, DC 20554. Additionally, copies must be served by U.S. Mail on the parties listed below:

Mark N. Lipp, Esq.  
Wiley Rein LLP  
1776 K Street N.W.  
Washington, DC 20006

Lee Anderson  
Southeastern Oklahoma Radio LLC  
P.O.Box 1068  
McAlester, Oklahoma 74501

5. We will defer action on this proceeding for forty-five (45) calendar days pending receipt of the requested response.

FEDERAL COMMUNICATIONS COMMISSION

Peter H. Doyle  
Chief, Audio Division  
Media Bureau

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<sup>3</sup> 47 U.S.C. § 151, *et. seq.*; *See, e.g., SBC Communications, Inc.*, Forfeiture Order, 17 FCC Rcd 7589 (2002) (\$100,000 forfeiture imposed for failure to submit a sworn response to an Enforcement Bureau letter of inquiry); *Globcom, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 18 FCC Rcd 19893, n. 36 (2003) (expressing concern and threatening sanctions for Globcom's "apparent" lack of cooperation with the investigation); *World Communications Satellite Systems, Inc.*, Forfeiture Order, 19 FCC Rcd 2718 (EB 2004) (issuing a \$10,000 forfeiture for failure to respond to a directive of the Enforcement Bureau to provide certain information and documents); *Donald W. Kaminski, Jr.*, Forfeiture Order, 18 FCC Rcd 26065 (EB 2003) (issuing a \$4,000 forfeiture for failure to respond to a written Commission inquiry).