

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

In re Application of )
)
Lighthouse Ministries of Northwest Ohio ) Facility ID No. 131382
) NAL/Acct. No. MB-202141410021
For Renewal of License for ) FRN: 0006097810
Station WKJH-LP ) File No. 0000125074
Bryan, Ohio )

ORDER

Adopted: April 13, 2021

Released: April 13, 2021

By the Chief, Audio Division, Media Bureau:

I. INTRODUCTION

1. The Media Bureau (Bureau) has before it a request to cancel a Notice of Apparent Liability (NAL) issued to Lighthouse Ministries of Northwest Ohio (Licensee), licensee of Station WKJH-LP, Bryan, Ohio (Station), for apparently willfully violating section 73.3539 of the Commission’s rules (Rules) by failing to timely file a license renewal application for the Station, and willfully and repeatedly violated section 301 of the Communications Act of 1934, as amended, by engaging in unauthorized operation of the Station after its authorization had expired. As discussed below, we cancel the forfeiture and instead admonish Licensee for the violations.

II. BACKGROUND

2. Section 73.3539(a) of the Rules requires that applications for renewal of license for broadcast stations must be filed “not later than the first day of the fourth full calendar month prior to the expiration date of the license sought to be renewed.” An application for renewal of the Station’s license should have been filed by June 1, 2020, the first day of the fourth full calendar month prior to the Station’s license expiration date of October 1, 2020. Accordingly, on September 4, 2020, the staff, by Public Notice, notified the Licensee that the Station’s license would expire on October 1, 2020, if no renewal application was filed by midnight that day. Licensee did not file a renewal application, and the Bureau issued a Public Notice announcing the Station’s license had expired. On October 27, 2020, Licensee filed the Application and a Petition for Reconsideration requesting reinstatement of the Station’s license.

3. Accordingly, on March 8, 2021, we released the NAL, which proposed a forfeiture of three thousand dollars (\$3,500). The NAL gave the Licensee thirty days to pay the full amount of the

1 Lighthouse Ministries of Northwest Ohio, Memorandum Opinion and Order and Notice of Apparent Liability for Forfeiture, DA 21-275 (MB Mar. 8, 2021).

2 See 47 U.S.C. § 301.

3 47 CFR § 73.3539(a).

4 47 CFR §§ 73.1020, 73.3539(a).

5 See Radio License Expirations, Public Notice, 35 FCC Rcd 9455(MB 2020).

6 Broadcast Actions, Public Notice, Report No. 49839 (MB Oct. 7, 2020).

7 NAL at 2, para. 3.

proposed forfeiture or file a written statement seeking reduction or cancellation of the proposed forfeiture.<sup>8</sup>

4. On March 31, 2021, the Licensee submitted a written response in which it requested that we cancel the proposed forfeiture based on the Licensee's inability to pay it.<sup>9</sup> The Response included copies of Licensee's financial statements in support of this request.

### III. DISCUSSION

5. As noted in the *NAL*, the Commission will not consider reducing or canceling a forfeiture in response to claimed inability to pay unless the respondent submits: (1) federal tax returns for the most recent three-year period; (2) financial statements prepared according to generally accepted accounting practices; or (3) some other reliable and objective documentation that accurately reflects the respondent's current financial status.<sup>10</sup> We accept Licensee's showing—based on its financial statements—that payment of the proposed forfeiture would create a financial hardship. Accordingly, we will cancel the proposed forfeiture. However, we admonish Licensee for its willful violation of section 73.3539 of the Rules and section 301 of the Act.

### IV. ORDERING CLAUSES

6. Accordingly, **IT IS ORDERED** that, pursuant to section 504(b) of the Communications Act of 1934, as amended,<sup>11</sup> and sections 0.61, 0.283, and 1.80(f)(4) of the Commission's rules,<sup>12</sup> the Notice of Apparent Liability for a Forfeiture (NAL/Acct. No. MB-202141410021) issued to Lighthouse Ministries of Northwest Ohio **IS CANCELLED** and that Lighthouse Ministries of Northwest Ohio is instead **HEREBY ADMONISHED** for its violation of section 73.3539 of the Commission's rules and section 301 of the Communications Act of 1934, as amended.

7. **IT IS FURTHER ORDERED** that the application for renewal of license filed by Lighthouse Ministries of Northwest Ohio for Station WKJH-LP, Bryan, Ohio (File No. 0000125074) **IS GRANTED**.

8. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class and Certified Mail, Return Receipt Requested, to James D. Hollin, Lighthouse Ministries of Northwest Ohio, PO Box 43506, Bryan, OH 43506, and to Kimberly J. Hollin, Lighthouse Ministries of Northwest Ohio, 3433 CR 17, Bryan, OH 43506.

FEDERAL COMMUNICATIONS COMMISSION

Albert Shuldiner  
Chief, Audio Division  
Media Bureau

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<sup>8</sup> *Id.* at 3, para. 12.

<sup>9</sup> Response to Notice of Apparent Liability for Forfeiture of Lighthouse Ministries of Northwest Ohio (received Mar. 31, 2021) (Response).

<sup>10</sup> *See NAL* at 4, para. 16.

<sup>11</sup> 47 U.S.C. § 504(b).

<sup>12</sup> 47 CFR §§ 0.61, 0.283, 1.80(f)(4).