

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

In the Matter of	)	MB Docket No. 14-82
	)	
Patrick Sullivan	)	FRN No. 0003749041, 0006119796,
(Assignor)	)	0006149843, 0017196064
	)	
And	)	Facility ID No. 146162
	)	
Lake Broadcasting, Inc.	)	File No. BALFT-20120523ABY
(Assignee)	)	
	)	
Application for Consent to Assignment of License	)	
of FM Translator Station W238CE, Montgomery,	)	
Alabama	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted: August 28, 2025**

**Released: August 28, 2025**

By the Deputy Associate General Counsel:

1. By this Memorandum Opinion and Order, we vacate as moot the initial decision in the above-captioned proceeding,<sup>1</sup> dismiss as moot exceptions filed by Patrick Sullivan and Lake Broadcasting, Inc. (Lake),<sup>2</sup> dismiss as moot the application for assignment of FM translator station W238CE, and terminate this proceeding. We take this action because Michael S. Rice, the president, director, and sole shareholder of Lake at all times relevant to this proceeding, and whose qualifications to be a Commission licensee are at issue, is deceased.

2. In 2014, the Media Bureau designated Mr. Sullivan (assignor) and Lake's (assignee) Application for Consent to Assignment of License of FM Translator Station W238CE, Montgomery, Alabama, for a hearing to determine: (a) the effects of Michael S. Rice's felony convictions on his qualifications and/or the qualifications of Lake to be a Commission licensee; (b) the effects of the misrepresentation and lack of candor by Mr. Rice's broadcast companies on his qualifications and/or the qualifications of Lake to be a Commission licensee; (c) whether, in view of the foregoing, Mr. Rice and/or Lake is qualified to be a Commission licensee; and (d) whether the license assignment application should be granted.<sup>3</sup>

3. Administrative Law Judge Jane Halprin (ALJ) denied the application, finding that the applicants had not demonstrated that Mr. Rice, Lake's then-president, director, and sole shareholder, was qualified to be a Commission licensee because they did not introduce any evidence on one of the two

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<sup>1</sup> *Patrick Sullivan (Assignor) and Lake Broadcasting, Inc. (Assignee), Application for Consent to Assignment of License of FM Translator Station W238CE, Montgomery, Alabama*, MB Docket No. 14-82, Initial Decision, FCC 19M-03 (ALJ May 30, 2019).

<sup>2</sup> Exceptions and Brief of Patrick Sullivan and Lake Broadcasting, Inc., MB Docket No. 14-82 (filed July 1, 2019).

<sup>3</sup> *Patrick Sullivan (Assignor) and Lake Broadcasting, Inc. (Assignee), Application for Consent to Assignment of License of FM Translator Station W238CE, Montgomery, Alabama*, MB Docket No. 14-82, Hearing Designation Order, 29 FCC Rcd 5421, 5429-30 (MB 2014).

character issues specified in the *Hearing Designation Order*.<sup>4</sup> The ALJ also noted that the circumstances surrounding Mr. Rice's withdrawal from the hearing proceeding raised the issue of "abuse of the Commission's processes" as an additional factor potentially bearing on his character.<sup>5</sup> Sullivan and Lake filed exceptions to the initial decision, which remain pending and ripe for disposition.<sup>6</sup>

4. On August 14, 2025, counsel for the estate of Mr. Rice informed the Commission that Mr. Rice was deceased.<sup>7</sup> Mr. Rice is no longer president, director, or agent for Lake.<sup>8</sup>

5. Due to these developments, we find that the matters pending before us are moot, and we exercise our delegated authority under 47 CFR § 0.251(c) to terminate this proceeding.<sup>9</sup>

6. Accordingly, it is **ORDERED** pursuant to 47 CFR § 0.251(c) that the Initial Decision, FCC 19M-03, **IS VACATED**; the exceptions to the Initial Decision, filed July 1, 2019, and responsive pleadings **ARE DISMISSED** as moot; the Application for Consent to Assignment of License of FM Translator Station W238CE, Montgomery, Alabama, **IS DISMISSED** as moot; and this proceeding **IS TERMINATED**.

7. **IT IS FURTHER ORDERED** that copies of this Order shall be emailed and sent by certified mail, return receipt requested, to: Patrick Sullivan (Assignor),<sup>10</sup> Aaron P. Shainis (counsel for Lake Broadcasting, Inc. (Assignee)),<sup>11</sup> and William Knowles-Kellett (Enforcement Bureau).

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<sup>4</sup> *Sullivan and Lake Initial Decision* at 4, 7, paras. 6, 10; *see also id.* at 5, para. 7 (holding that applicants "failed to introduce evidence on the separate issue of Mr. Rice's propensity to deal truthfully with the Commission in light of his and [Lake's] past misdeeds in that regard and, accordingly, did not satisfy its burden of proof on issue (b)"). The Initial Decision did not reach a conclusion regarding the other character issue specified in the *Hearing Designation Order*, which related to Mr. Rice's felony convictions.

<sup>5</sup> *Id.* at 6, para. 9.

<sup>6</sup> The Commission approved the assignment of the station license from Mr. Sullivan to a different individual in 2023.

<sup>7</sup> Letter from Peter A. Roth, The Law Office of Peter A. Roth, LLC, to Federal Communications Commission (Aug. 14, 2025) (on file in MB Docket No. 14-82).

<sup>8</sup> *See* Lake Broadcasting, Inc., Biennial Registration Report (Apr. 2, 2025), <https://bsd.sos.mo.gov/Common/CorrespondenceItemViewHandler.ashx?IsTIFF=true&filedDocumentid=138457226&version=3> (listing individuals other than Mr. Rice as Lake's corporate officers and directors); Lake Broadcasting, Inc., Statement of Change of Registered Agent (May 2, 2025), <https://bsd.sos.mo.gov/Common/CorrespondenceItemViewHandler.ashx?IsTIFF=true&filedDocumentid=138703708&version=4> (changing Lake's registered agent from Michael S. Rice to another individual).

<sup>9</sup> 47 CFR § 0.251(c) ("The General Counsel is delegated authority in adjudicatory hearing proceedings which are pending before the Commission en banc to act on all requests for relief, and to issue all appropriate orders, except those which involve final disposition on the merits of a previously specified issue concerning an applicant's basic qualifications or two or more applicants' comparative qualifications.").

<sup>10</sup> Our understanding is that Jerold L. Jacobs, counsel for Patrick Sullivan and Lake Broadcasting, Inc. in this matter, has retired. Given that the status of Mr. Sullivan's representation in this matter is not clear, copies of this order shall be emailed to Mr. Sullivan at [ogrocker45@protonmail.com](mailto:ogrocker45@protonmail.com) and mailed to 2057 Villas Dr., Warrenton, MO 63383, as this is the contact information associated with Mr. Sullivan with respect to his 2023 assignment of W238CE.

<sup>11</sup> We have been informed that Aaron P. Shainis, of Shainis & Peltzman Chartered, 1850 M. Street, N.W., Suite 240, Washington, D.C., 20036, [aaron@s-plaw.com](mailto:aaron@s-plaw.com), is now counsel for Lake Broadcasting, Inc.

8. **IT IS FURTHER ORDERED** that this Order **SHALL BE POSTED** in the Commission's Office of the Secretary.<sup>12</sup>

FEDERAL COMMUNICATIONS COMMISSION

Michael Janson  
Deputy Associate General Counsel

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<sup>12</sup> *See, generally*, 47 CFR § 1.47(a), (h) (providing for notice to carriers via posting in the Office of the Secretary).