



Federal Communications Commission
Washington, D.C. 20554

March 16, 2026

DA 26-242
In Reply Refer to:
1800B3-ARR
Released March 16, 2026

La Familia De Fe Corp.
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(sent by email)

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In re: LPFM MX Group 29

La Familia De Fe Corp
New LPFM, Miami, Florida
Facility ID No. 780589
Application File No. 0000231444

Doral Voice Corporation
New LPFM, Miami, Florida
Facility ID No. 788615
Application File No. 0000233072

Cristo Te Ama Ministry
New LPFM, Miami, Florida
Facility ID No. 785408
Application File No. 0000231715

Petition for Reconsideration

Dear Petitioner and Applicants:

We have before us a Petition for Reconsideration (Petition)¹ filed by Doral Voice Corporation (DVC) seeking reconsideration of the Media Bureau's (Bureau) decision² that dismissed DVC's application for a construction permit for a new low power FM (LPFM) station at Miami, Florida,³ and granted the application of La Familia De Fe Corp (LDFDC) for a construction permit for a new LPFM station at Miami, Florida.⁴ Also before us is an Opposition to the Petition, filed by LDFDC,⁵ and related responsive pleadings.⁶ For the reasons set forth below, we affirm the Bureau's dismissal of the DVC Application and grant of the LDFDC Application, dismiss the Petition in part as procedurally defective, and deny the Petition on the merits.⁷

Background. LDFDC, DVC, and CTAM filed their respective applications during the 2023 LPFM filing window.⁸ The Bureau identified these applications as LPFM MX Group 29.⁹ The Commission subsequently conducted a point system analysis and awarded LDFDC and DVC five points each and awarded CTAM four points.¹⁰ The Commission, therefore, identified LDFDC and DVC as the

¹ Pleading File No. 0000277157 (filed Aug. 25, 2025).

² *LPFM MX Group 29*, Letter Order, 40 FCC Rcd 5209 (MB 2025) (*MX Group 29 Letter*).

³ Application File No. 0000233072 (filed Dec. 15, 2023, and amended Dec. 30, 2024) (DVC Application and Amended DVC Application).

⁴ Application File No. 0000231444 (filed Dec. 6, 2023) (LDFDC Application).

⁵ Opposition to Petition, Pleading File No. 0000278030 (filed Sept. 8, 2025).

⁶ Request for Extension of Time, Pleading File No. 0000278374 (filed Sept. 15, 2025) (requesting a ten-day extension of time to file a reply to LDFDC's Opposition to the Petition); Opposition to Request for Extension of Time, Pleading File No. 0000278675 (filed Sept. 24, 2025). As of the date of this Letter Order, DVC has not filed a reply to LDFDC's Opposition. Accordingly, we dismiss these pleadings as moot.

⁷ We also affirm the Bureau's dismissal of the application for a construction permit for a new LPFM station at Miami, Florida, filed by Cristo Te Ama Ministry (CTAM). Application File No. 0000231715 (filed Dec. 6, 2023). Neither Petitioner nor CTAM dispute this dismissal.

⁸ *Media Bureau Announces Filing Procedures and Requirements for November 1 – November 8, 2023, Low Power FM Filing Window*, Public Notice, 38 FCC Rcd 6660 (MB 2023) (*Procedures Public Notice*). Based on a request from LPFM advocates, the Bureau subsequently delayed the window until December 6, 2023. *Media Bureau Announces Revised Dates for LPFM New Station Application Filing Window*, Public Notice, 38 FCC Rcd 9589 (MB 2023). The Bureau subsequently extended the close of the window until December 15, 2023. *Media Bureau Announces Extension of LPFM New Station Application Filing Window*, Public Notice, 38 FCC Rcd 11882 (MB 2023).

⁹ *Media Bureau Identifies Groups of Mutually Exclusive Applications Submitted in the December 2023 LPFM Filing Window*, Public Notice, 39 FCC Rcd 2355 (MB 2024). MX Group 29 initially included two other mutually exclusive applications, Application File Nos. 0000231450 and 0000233164, filed by For A Better Community Corp. (FAB) and King Jesus Haitian Inc. (KJH). Both FAB and KJH subsequently filed technical amendments to remove the mutual exclusivity with all other applications filed within MX Group 29, and thus became "singleton" applications.

¹⁰ LDFDC and DVC each received a point under the following criteria: (1) established community presence; (2) commitment to originate local programming; (3) commitment to maintain a main studio; (4) commitment to originate local programming and to maintain a main studio; and (5) diversity of ownership. CTAM did not receive the established community presence point.

tentative selectees of MX Group 29,¹¹ and directed the applicants to submit a voluntary time-sharing proposal in accordance with section 73.872(c) of the Commission's rules (Rules).¹²

DVC Application. In two informal objections and a petition to deny the DVC Application,¹³ REC Networks and LDFDC argued that because none of the DVC headquarters addresses listed in the DVC Application and filings with the Florida Secretary of State are located within ten miles of the proposed transmitter site, DVC failed to establish that it is local, and accordingly is not be eligible to hold an LPFM license.¹⁴ DVC did not respond to these allegations.

LDFDC Application. DVC filed a number of pleadings against the LDFDC Application¹⁵ and argued that: 1) LDFDC is an alter ego of La Familia FM Radio Broadcasting LLC, and the entities share a common president, Rodolfo S. Martinez (Martinez); 2) Martinez engaged in unauthorized operations in violation of section 301 of the Communications Act of 1934, as amended (Act), or radio "piracy," on 99.5 MHz for several years, and made on-air references to La Familia, lafamilafm.com, and lafamilia.org, and does not appear to be affiliated with WHIM-LP or WBUJ-LP, the stations that time-share on 99.5 MHz; and 3) Martinez appears to exercise control over station WHIM-LP operations and therefore may have failed to disclose this attributable interest in the LDFDC Application.¹⁶

MX Group 29 Letter Decision. On July 24, 2025, Bureau staff dismissed the DVC Application, finding that DVC failed to meet the localism requirements of section 73.853(b) of the Rules.¹⁷ Specifically, the Bureau found that although DVC claimed that it was local based on its headquarters, the various addresses DVC listed in annual reports filed before and after the DVC Application filing, in the original DVC Application, and in supporting documentation, are all located more than 10 miles from the proposed transmitter site, and therefore, DVC does not qualify as local.¹⁸

¹¹ *Commission Identifies Tentative Selectees in 93 Groups of Mutually Exclusive Applications Submitted in the December 2023 LPFM Window*, Public Notice, 39 FCC Rcd 12006 at Attach. A (2024) (*Tentative Selectee Public Notice*).

¹² *Tentative Selectee Public Notice*, 39 FCC Rcd at 12013 at 8.

¹³ Pleading File No. 0000256237 (filed Oct. 24, 2024) (REC Objection); Pleading File No. 0000258117 (filed Nov. 15, 2024) (LDFDC Petition); Pleading File No. 0000266890 (filed Feb. 19, 2025) (LDFDC Objection).

¹⁴ REC Objection at 5 and 10-12, Appendix D; LDFDC Petition at 1-4; LDFDC Objection at 2-5 and 7-35, Attachs. 1-10 and Exh. 11. REC Networks and LDFDC also alleged that DVC was not entitled to the established community presence, main studio, and main studio/local origination points. Because the Bureau dismissed the DVC Application, it did not consider these additional allegations, and dismissed them as moot.

¹⁵ Pleading File No. 0000258219 (filed Nov. 18, 2024) (DVC Petition to Deny), Pleading File Nos. 0000258765 and 0000261815 (filed Dec. 2, 2024, and Dec. 30, 2024) (DVC Opposition and DVC Opposition Supplement). LDFDC filed an Opposition and a separate Response to the DVC Petition. Pleading File No. 0000265510 (filed Jan. 29, 2025) (LDFDC Opposition) and Pleading File No. 0000267012 (filed Feb. 23, 2025) (LDFDC Response). DVC filed a Reply to these pleadings. Pleading File No. 0000266269 (filed Feb. 6, 2025) (DVC Reply). DVC also argued in the DVC Petition that LDFDC lacked reasonable site assurance and was not a valid nonprofit corporation at the time of filing. The Petition before us does not dispute the Bureau's findings that LDFDC demonstrated it had obtained reasonable site assurance and was a corporation recognized by the state of Florida at the time the LDFDC Application was filed. Accordingly, we need not address these arguments further.

¹⁶ DVC Petition to Deny at 2-5.

¹⁷ *MX Group 29 Letter*, 40 FCC Rcd at 5213-14 (citing 47 CFR § 73.853(b)).

¹⁸ *Id.* at 5214.

In the *MX Group 29 Letter* the Bureau also granted the LFDFC Application,¹⁹ rejecting DVC's claims that LFDFC's President, Martinez, engaged in unlicensed, or "pirate" broadcasting on frequency 99.5 MHz in violation of section 73.854 and that LFDFC or Martinez may have an undisclosed attributable interest in station WHIM-LP.²⁰ Specifically, the Bureau rejected DVC's claim of unauthorized broadcasting because: 1) Martinez explained that he was an announcer and on-air talent for station WHIM-LP on 99.5 MHz since 2019, and in declarations signed under penalty of perjury, both Martinez and the WHIM-LP President stated that Martinez has never broadcast unlicensed programming on the 99.5 MHz frequency; and 2) the title of Martinez's programming on 99.5 MHz includes the word "familia," and he therefore had reason to reference that term on air.²¹ The Bureau also rejected DVC's claim that LFDFC or Martinez has an undisclosed attributable interest because: 1) LFDFC certified that no party to the application has an attributable interest in any LPFM station; 2) both Martinez and the WHIM-LP President submitted declarations signed under penalty of perjury stating that Martinez does not have an attributable interest or ownership in WHIM-LP and does not control WHIM-LP policies or operations; and 3) Martinez explained that his similarly named commercial marketing business, "La Familia FM Radio Broadcasting LLC," is a separate entity unrelated to "La Familia De Fe Corp."²²

DVC Petition for Reconsideration and LFDFC Opposition. DVC now seeks reinstatement of its Amended DVC Application and reconsideration of grant of the LFDFC Application.²³ Specifically, DVC argues, for the first time, that it qualifies as local because: 1) the Florida Secretary of State filings only reflect the headquarters location, not field offices or studios, pursuant to section 73.853;²⁴ 2) a few months after the DVC Application was filed, DVC relocated its headquarters to 6796 SW 62nd Avenue in South Miami, Florida, which is within ten miles of the proposed transmitter site; 3) DVC listed this new headquarters in the Amended DVC Application, despite the fact that the annual reports filed with the Florida Secretary of State continued to reflect its old headquarters address of 6700 NW 72nd Avenue, Miami, Florida;²⁵ and 4) DVC's headquarters amendment should be considered timely since the Bureau has previously reinstated application amendments concerning "legal information" filed after the close of the application filing window.²⁶

DVC also reiterates previously raised arguments that LFDFC or Martinez has engaged in unlicensed broadcasting and accordingly, LFDFC or Martinez may have an undisclosed attributable interest in station WHIM-LP. To support these claims, DVC again highlights a local court case, which

¹⁹ The Bureau treated the DVC Petition as an informal objection and denied it. Specifically, the Bureau held that the LFDFC Petition and DVC Petition were each procedurally deficient. *See* 47 U.S.C. § 309(d)(1) ("Such allegations of fact shall, except for those of which official notice may be taken, be supported by affidavit of a person or persons with personal knowledge thereof."); 47 CFR §§ 73.870(d), 73.3584 (procedures for filing petitions to deny). However, in the interest of a complete record, the Bureau treated both filings as informal objections pursuant to section 73.3587 of the Commission's rules, and considered the pleadings and all subsequent responsive filings. *See* 47 CFR § 73.3587 (explaining that the "limitations on pleadings and time for filing pleadings" are not applicable to informal objections).

²⁰ *MX Group 29 Letter*, 40 FCC Rcd at 5216-17.

²¹ *Id.* at 5216-17.

²² *Id.* at 5217.

²³ Petition at 1 and 4.

²⁴ *Id.* at 1.

²⁵ *Id.* at 2.

²⁶ *Id.* citing *Harry C. Martin*, Letter Order, 20 FCC Rcd 12357 (MB 2005) (*Martin*).

DVC argues: 1) establishes that Martinez is both a director of “La Familia de Fe Corp.” or LFDfC, and a principal of “La Familia FM Radio Broadcasting, LLC;”²⁷ and 2) details scheduled programming for commercial airtime that goes past the hours WHIM-LP broadcasts on 99.5 MHz, and contradicts the noncommercial nature of the stations’ authorizations.²⁸ DVC maintains that this evidence demonstrates that “La Familia” was fully in control of WHIM-LP, and accordingly the Bureau should issue an inquiry into LFDfC and related companies regarding potentially undisclosed attributable interests.²⁹ DVC also states that it has recordings and documentation demonstrating that LFDfC’s unlicensed broadcasts have not ceased, but does not submit any evidence to support this claim.³⁰

In its Opposition to the Petition, LFDfC argues that: 1) DVC lacks standing to assert new arguments regarding its local eligibility because it should have raised them previously, and because DVC is an “informal petitioner in this proceeding;”³¹ 2) the Bureau correctly found that DVC did not establish its local eligibility based on its headquarters, and the address listed in the Amended DVC Application is still not located within ten miles of the proposed transmitter site;³² and 3) DVC’s claims regarding unlicensed broadcasting and undisclosed attributable interests have to do with station WHIM-LP, which is not party to this proceeding, and otherwise repeat the same arguments the Bureau has already addressed.³³

Discussion. The Commission will consider a petition for reconsideration only when the petitioner shows either a material error in the Commission’s original determination, or raises additional facts not known or existing at the time of the petitioner’s last opportunity to present such matters.³⁴ Petitioner improperly raises new arguments for the first time on reconsideration, repeats a number of arguments already rejected by the Bureau, and has not demonstrated any legal error in the Bureau’s dismissal of the Application, nor has it cited any precedent that warrants reinstatement.

Procedural Issues. Any party to the proceeding, or any other person whose interests are adversely affected by any action taken by the Commission or by the designated authority, may file a petition requesting reconsideration of the action taken.³⁵ Despite the Bureau’s treatment of the DVC Petition as an informal objection,³⁶ as a mutually exclusive applicant in MX Group 29, DVC had standing

²⁷ *Id.* at 3. Petitioner also submits a copy of the Florida case in reference.

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ Opposition to Petition at 2.

³² *Id.* at 3.

³³ *Id.* at 4-5. LFDfC also argues that even if the DVC Application was reinstated, DVC would be ineligible to claim established community presence, main studio, and main studio/local organization points. However, since we affirm the Bureau’s previous finding that DVC failed to satisfy the local eligibility requirement and the DVC Application should be dismissed, we need not address these claims.

³⁴ See 47 CFR § 1.106(c), (d).

³⁵ *Id.* at 1.106(b)(1).

³⁶ See *supra* note 23.

to file a petition to deny and is a party to this proceeding.³⁷ Moreover, DVC is aggrieved by grant of the LDFDC Application and the dismissal of its own application.³⁸ Therefore, DVC has standing to file the Petition.

The Petition, however, is procedurally defective to the extent it relies on new arguments to support DVC's local eligibility claim.³⁹ A party may not "sit back and hope that a decision will be in its favor and, when it isn't, to parry with an offer of more evidence."⁴⁰ DVC should have raised the localism arguments in an opposition to the REC and LDFDC pleadings prior to release of the *MX Group 29 Letter*. Accordingly, we dismiss the DVC Petition in part as procedurally defective. On alternative and independent grounds, we deny the DVC Petition as meritless and repetitive and affirm the Bureau's initial findings for the reasons below.

DVC Application – Local Eligibility. We find that the Bureau correctly dismissed the DVC Application because DVC failed to satisfy the localism requirements of section 73.853(b) of the rules.⁴¹ Specifically, an LPFM applicant must qualify as a "local" entity *at the time that it files* its FCC Form 2100, Schedule 318 application (LPFM Application).⁴² To qualify as local, a nonprofit educational organization LPFM applicant within the top 50 urban markets, such as DVC,⁴³ must either: (1) be physically headquartered or have a campus within 10 miles of the transmitting antenna site proposed in its application; or (2) have 75% of its board members residing within 10 miles of the transmitting antenna site proposed in its application.⁴⁴

DVC claimed it was local based on the location of its headquarters, but it is undisputed that the headquarters addresses listed in the initial DVC Application are located *over* 10 miles from the

³⁷ See *The Trustees of Indiana University*, Memorandum Opinion and Order, 8 FCC Rcd 5555, 5557, para. 11 (1993) (mutually exclusive applicant in a proceeding has standing to file a petition to deny tentative selectee's application).

³⁸ 47 CFR § 1.106(b)(1).

³⁹ See 47 CFR § 1.106(c)(1) ("a petition for reconsideration will be entertained only if . . . The petition relies on facts or arguments which relate to events which have occurred or circumstances which have changed since the last opportunity to present such matters to the Commission; or . . . relies on facts or arguments unknown to petitioner until after his last opportunity to present them to the Commission, and he could not through the exercise of ordinary diligence have learned of the facts or arguments in question prior to such opportunity.").

⁴⁰ *Canyon Area Residents for the Environment*, Memorandum Opinion and Order, 14 FCC Rcd 8152, 8154 (1999) (quoting *Colorado Radio Corp. v. FCC*, 118 F.2d 24, 26 (D.C. Cir. 1941)).

⁴¹ 47 CFR § 73.853(b).

⁴² See Instructions for LPFM Application, Legal Certifications Section, Eligibility Certifications and Community-Based Criteria Certifications questions. See also LPFM Application, Legal Certifications Section, Eligibility Certifications and Community-Based Criteria Certifications questions (emphasis added).

⁴³ The 10 mile standard applies here because DVC's proposed community of license is in the Miami-Ft. Lauderdale-Hollywood radio market, which is a top 50 market. See The Nielsen Company (US) LLC, Radio Market Survey Population & Information, Spring 2024, at 1 (2024) https://www.nielsen.com/wp-content/uploads/sites/2/2024/04/Populations_Rankings.pdf.

⁴⁴ 47 CFR § 73.853(b). See also *Creation of a Low Power Radio Service*, Report and Order, 15 FCC Rcd 2205, 2219-20, para. 33 (2001) (localism requirement may be met by relying on either headquarters or board member residences).

transmitter site.⁴⁵ DVC now seeks reinstatement of the DVC Application because it amended its application after close of the LPFM filing window to reflect a new headquarters address that, DVC claims, is located within ten miles of the proposed transmitter site.

DVC amended its application more than one year after filing the original DVC Application, and well after the filing deadline.⁴⁶ DVC states in the Amended DVC Application that its headquarters changed in 2024,⁴⁷ and in the Petition that its headquarters changed “a few months after the [DVC] application was filed.”⁴⁸ While DVC claims that the new headquarters address, “6796 SW 62nd Avenue, South Miami, FL 33143,” is located within ten miles of the proposed transmitter site, DVC admits that this did not become the new headquarters until 2024, several months after DVC filed the DVC Application, and well after the application filing deadline.⁴⁹ Because DVC was not local *at the time of filing* the initial DVC Application, as required, we affirm the Bureau’s dismissal.⁵⁰

Finally, we also reject DVC’s claim that the Bureau has accepted similar amendments. The case DVC cites, *Martin*, is inapposite because there, the Bureau accepted an amendment with a revised educational purpose narrative to demonstrate that applicants met exemptions to the ownership restriction pursuant to section 73.858(b) of the Rules, not the basic eligibility requirement to be local at the time of filing.⁵¹ Further, the Bureau did not question in *Martin* whether the applicants were eligible for the exemption at the time of filing, but instead whether they submitted sufficient evidence to support the claim.⁵²

LFDFC Application – Unlicensed Broadcasting and Undisclosed Attributable Interests. We find that the Bureau properly granted the LFDFC Application because DVC failed to establish that LFDFC or its president, Martinez, engaged in unlicensed broadcasting,⁵³ or that Martinez failed to disclose an

⁴⁵ *MX Group 29 Letter*, 40 FCC Rcd at 5214. The Bureau has dismissed several applications for new LPFM stations where the applicants were not local at the time their applications were filed. *See, e.g., Latino Public Radio*, 39 FCC Rcd 7164, 7166-67 (MB 2024); *LPFM MX Group 12*, Letter Order, 40 FCC Rcd 5014, 5016-18 (MB 2025).

⁴⁶ DVC Application at Legal Certifications Section, Legal Certifications Section, Community-Based Criteria Certifications questions and Amended DVC Application at Applicant Information Section.

⁴⁷ Amended DVC Application at Applicant Information Section and Attach. “Amendment.pdf”.

⁴⁸ Petition at 2.

⁴⁹ We also note that LFDFC argues that the amended headquarters address is still not within ten miles of the proposed transmitter site. However, the actual distance is moot because this was not the headquarters at the time of filing.

⁵⁰ *See* 47 CFR § 73.853(b) (“Only local organizations will be permitted to submit applications and to hold authorizations in the LPFM service. For the purposes of this paragraph, an organization will be deemed local if it can *certify, at the time of application*, that it meets the [localism] criteria listed below and if it continues to satisfy the criteria at all times thereafter.”) (emphasis added).

⁵¹ *Martin*, 20 FCC Rcd at 12360.

⁵² *Id.*

⁵³ The Commission must “prohibit any applicant from obtaining a low power FM license if the applicant has engaged in any manner in the unlicensed operation of any station in violation of Section 301 [of the Act].” *See* Pub. L. No. 106-553, 114 Stat. 2762 (2000) (Appropriations Act), amended by Pub. L. No. 111-371, 124 Stat. 4072 (2011). *See also* 47 CFR § 73.854 (implementing the Appropriations Act); *Ruggiero v. FCC*, 278 F.3d 1323 (D.C. Cir. 2002), *rev'd en banc*, 317 F.3d 239 (D.C. Cir. 2003). The Commission implements this mandate by requiring an LPFM applicant to certify under penalty of perjury that neither the applicant, nor any party to the application, has engaged in any manner in unlicensed operation of any station. *See Creation of a Low Power Radio Service*, Second

attributable interest in WHIM-LP.⁵⁴ In its Petition, DVC reiterates these allegations, and requests that the Bureau reexamine a Florida circuit court case, which DVC submitted earlier in this proceeding.⁵⁵ DVC again argues that this Florida court case demonstrates Martinez's company, La Familia FM Radio Broadcasting, LLC, scheduled unauthorized programming for commercial airtime on noncommercial station WHIM-LP and that Martinez has a controlling interest in WHIM-LP, which he failed to disclose.⁵⁶ We disagree. A review of the court case demonstrates only that Martinez's company, La Familia FM Radio Broadcasting LLC, produced programming for WHIM-LP, a fact not in dispute.

As stated in the *MX Group 29 Letter*, in declarations signed under penalty of perjury, both Martinez and the WHIM-LP President state that Martinez has never broadcast unlicensed programming on the 99.5 MHz frequency, and explained that Martinez was hired as an on-air personality on station WHIM-LP, and produced programming for the station including a program titled "Hola Familia."⁵⁷ In light of this explanation, Martinez would have legitimate reason to broadcast on 99.5 MHz for WHIM-LP, and because the program name included the term "familia," it would have been referenced on air.⁵⁸ While DVC again asserts that it has recordings and further evidence to support these claims, it has not submitted these recordings nor any evidence to conclusively establish that Martinez or LFDFC ever engaged in the unlicensed operation of a broadcast station.⁵⁹

We also affirm the Bureau's rejection of DVC's claim that LFDFC or its President, Martinez, may have an undisclosed attributable interest in station WHIM-LP. LFDFC certified in its application that it held no attributable interests in any other station, Martinez submitted previously in the record, in response to DVC pleadings against the LFDFC Application, a declaration, signed under penalty of perjury, stating that he has no controlling or ownership interest in station WHIM-LP, and Martinez further explained that DVC's allegation likely stems from his interest in a separate commercial marketing business by which he produces programming and advertising for other stations, which is wholly unrelated to LFDFC.⁶⁰ The President of WHIM-LP also confirmed in a declaration signed under penalty of perjury that Martinez's company, "La Familia FM Radio Broadcasting, LLC," is hired to produce "interviews and underwriting announcements for broadcast on WHIM-LP" but "does not control the operations of Station WHIM-LP, or establish the policies or operations."⁶¹ In light of this explanation, and absent any evidence that LFDFC or Martinez exercise any control over WHIM-LP, we affirm the Bureau's initial finding that

Report and Order, 16 FCC Rcd 8026, 8030, para. 11 (2001) (*Second Report and Order*); 47 CFR § 73.854; FCC Schedule 318, Legal Certifications Section, Unlicensed Operations question.

⁵⁴ *MX Group 29 Letter*, 40 FCC Rcd at 5216-17.

⁵⁵ DVC Opposition Supplement at 9-17, Exh. 02; DVC Reply at 6-8. In the cited court case, La Familia FM Radio Broadcasting, LLC sued defendant for breach of contract after the parties entered into an agreement whereby defendant purchased twelve months of airtime on 99.5 MHz, and defendant ceased payment after one month.

⁵⁶ Petition at 2-3.

⁵⁷ *MX Group 29 Letter*, 40 FCC Rcd at 5216.

⁵⁸ *Id.*

⁵⁹ *Id.* at 5216-17.

⁶⁰ See also LFDFC Opposition at 18-20, Attach. 5, Declaration of Rodolfo S. Martinez, and LFDFC Response at 23-26, Attach. 7, Declaration of Reinaldo W. Medina and Attach. 8, Declaration of Rodolfo S. Martinez.

⁶¹ *Id.* See also LFDFC Response at 23-24, Attach. 7, Declaration of Reinaldo W. Medina.

these claims are speculative.⁶²

Accordingly, we affirm the Bureau's dismissal of the DVC Application and grant of the LDFDC Application.

Conclusion. For the reasons set forth above, **IT IS ORDERED** that the Petition for Reconsideration filed by Doral Voice Corporation on August 25, 2025 (Pleading File No. 0000277157), **IS DISMISSED IN PART AS PROCEDURALLY DEFECTIVE** and, in the alternative, **IS DENIED**.

Sincerely,

Albert Shuldiner
Chief, Audio Division
Media Bureau

⁶² We also reiterate that station WHIM-LP is not the subject of this proceeding, and DVC's referenced additional evidence would be more appropriately submitted in a complaint against station WHIM-LP, and should conclusively demonstrate the facts alleged.