

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

In the Matter of)	
)	
Application of SPB LLC)	CD Acct. No. MB-202641410001
)	FRN: 0017051509
For Renewal of Licensee for)	Facility ID No. 25238
Station WABG(AM), Greenwood, Mississippi)	File No. 0000106654
In the Matter of)	

ORDER ON RECONSIDERATION

Adopted: May 1, 2026

Released: May 1, 2026

By the Chief, Audio Division, Media Bureau:

1. By this Order on Reconsideration, we modify on our own motion a Memorandum Opinion and Order (*MO&O*) in the above-captioned proceeding adopting a consent decree (Consent Decree) entered into by the Media Bureau (Bureau) and SPB LLC (Licensee), licensee of station WABG(AM), Greenwood, Mississippi (Station).¹ In the *MO&O* the Bureau found that the public interest would be served by approving the Consent Decree and terminating all proceedings related to the Bureau's investigation of the Station's potential violations of the Communications Act of 1934, as amended (Act), and the Commission's rules (Rules)—including the Commission's online public inspection file (OPIF) rule²—in connection with Licensee's application for renewal of license for the Station (Application).³ Among other things, the Consent Decree provided that the Bureau agreed to grant the Application upon the following conditions having been met: 1) the voluntary contribution to the United States Treasury in the amount of one thousand dollars (\$1,000.00), referenced in paragraph 17 of the Consent Decree, has been fully and timely satisfied; and 2) there are no issues that would preclude the grant of the Application, other than the violations that were the subject of the Consent Decree.⁴ Licensee further agreed to adopt a compliance plan to ensure future compliance with the Act and the Rules, including the OPIF rule.⁵

2. Following the release of the *MO&O* and the Consent Decree on April 1, 2026, the Bureau learned that the Station continued to violate the OPIF rule. Specifically, the Bureau learned that—less than ten days after the Consent Decree was signed—the Station failed to upload to its OPIF⁶ by April 10, 2026, a quarterly issues and programs list for the full quarter of January 2026 through March 2026, in violation of the OPIF rule.⁷ Because this violation occurred after the release of the Consent Decree, it is a new violation and therefore not subject to the terms of the Consent Decree providing that the Bureau

¹ *SBP LLC*, Memorandum Opinion and Order, DA 26-136, 2026 WL 1013286 (MB-AD Apr. 1, 2026) (*MO&O*).

² 47 CFR § 73.3526.

³ *MO&O* at *4, para. 10.

⁴ *Id.* Attach., Consent Decree at para. 20 (Consent Decree).

⁵ Consent Decree at para. 13.

⁶ WABG(AM) Online Public Inspection File, <https://publicfiles.fcc.gov/am-profile/WABG?id=25238> (last visited Apr. 30, 2026).

⁷ 47 CFR § 73.3526(b)(2), (e)(12) (“The list for each calendar quarter is to be filed by the tenth day of the succeeding calendar quarter (e.g., January 10 for the quarter October—December, April 10 for the quarter January—March, etc.).”).

would grant the Application after full and timely satisfaction of the voluntary contribution required by the Consent Decree, notwithstanding the violations that were the subject of the Consent Decree.⁸ Accordingly, pursuant to the terms of the Consent Decree, section 309(k) of the Act, and section 1.113 of the Commission's rules,⁹ we find that it is appropriate for the Bureau to consider the Licensee's new violation of the OPIF rule in connection with our review of the Application, and we hereby modify the *MO&O* on our own motion.

3. In evaluating an application for license renewal, the Commission's decision is governed by section 309(k) of the Act.¹⁰ That section provides that if, upon consideration of the application and pleadings, we find that (1) the Station has served the public interest, convenience, and necessity; (2) there have been no serious violations of the Act or the Rules; and (3) there have been no other violations which, taken together, constitute a pattern of abuse, we are to grant the application.¹¹ However, if the Licensee fails to meet that standard, the Commission may deny the application—after notice and opportunity for a hearing under section 309(e) of the Act—or grant the application “on terms and conditions that are appropriate, including a renewal for a term less than the maximum otherwise permitted.”¹²

4. It is clear to us that the Licensee's conduct has fallen far short of the standard of compliance with the Act and the Rules that would warrant routine license renewal. After the Licensee apparently failed to prepare, file, and upload timely to the OPIF any issues and programs lists and subsequently agreed to implement a comprehensive compliance plan as set forth in the Consent Decree,¹³ the Licensee continued its pattern of noncompliance with the OPIF rule.¹⁴ Additionally, this violation occurred only *days* after Licensee entered into the Consent Decree to resolve those prior violations.

5. The OPIF's quarterly issues and programs lists are a significant and representative indication that a licensee is providing substantial service to meet the needs and interests of its community.¹⁵ In addition, the OPIF rule safeguards the public's ability to assess the Station's service and to meaningfully participate in the Station's renewal process, and ensures the Station's accessibility to and nexus with its community to serve and respond to community programming needs.¹⁶ As such, the OPIF's public information requirements are integral components of a licensee's obligation to serve the public interest and meet its community service obligations.

6. We believe that the Licensee's continued violation of sections 73.3526(e)(12) and 73.3526(b)(2) of the Rules¹⁷ are “serious” violations within the meaning of section 309(k)(1)(B) of the

⁸ Consent Decree at para. 20.

⁹ Consent Decree at paras. 10, 20; 47 U.S.C. § 309(k); 47 CFR § 1.113.

¹⁰ 47 U.S.C. § 309(k).

¹¹ *Id.* § 309(k)(1).

¹² *Id.* § 309(e), (k)(2), (k)(3).

¹³ *MO&O* at *3, paras. 7, 9; Consent Decree at paras. 5, 11-16.

¹⁴ 47 CFR § 73.3526(b)(2), (e)(12); WABG(AM) Online Public Inspection File, <https://publicfiles.fcc.gov/am-profile/WABG?id=25238> (last visited Apr. 30, 2026).

¹⁵ See *Formulation of Policies and Rules to Broadcast Renewal Applicants*, Third Further Notice of Inquiry and Notice of Proposed Rule Making, 4 FCC Rcd 6363, 6365, para. 17 (1989); *Hubbard's Advertising Agency, Inc.*, Memorandum Opinion and Order and Notice of Apparent Liability for Forfeiture, 34 FCC Rcd 8178, 2019 WL 4646008, at *3, para. 9 (MB-AD 2019) (*Hubbard's Advertising*).

¹⁶ See *Forfeiture Policy Statement and Amendment of Section 1.80(b) of the Rules to Incorporate the Forfeiture Guidelines*, Report and Order, 12 FCC Rcd 17087, 17104-05, para. 39 (1997).

¹⁷ 47 CFR § 73.3526(b)(2), (e)(12).

Act,¹⁸ as they deny both the public and the Commission the opportunity to review and comment on the Station's programming during the license term. The record here further indicates that these are willful and repeated violations, and when considered together, they constitute a pattern of abuse over a number of years—apparently more than a full license term—by the Licensee.¹⁹ Although we are concerned with Licensee's failure to create the required quarterly issues and programs lists, and to upload these lists into the OPIF, we find that the Licensee's continued violation of the OPIF rule does not rise to such a level that designation for evidentiary hearing on the issue of whether to deny the Application is warranted.²⁰

7. On the facts presented here, we conclude that a short-term license renewal is the appropriate sanction.²¹ We believe that this additional measure is necessary to ensure that the Licensee endeavors in the future to provide the broadcast service it is licensed to provide and comply with its obligations as a licensee. Accordingly, pursuant to section 309(k)(2) of the Act,²² we will grant the Station a short-term license renewal by separate action, provided that 1) the voluntary contribution referenced in paragraph 17 of the Consent Decree has been fully and timely satisfied; and 2) there are no issues that would preclude the grant of the Application. The new license term will be limited to a period of one year.²³ This limited renewal period will afford the Commission an opportunity to review the Station's compliance with the Act and the FCC's rules and to take whatever corrective actions, if any, that may be warranted at that time.

8. **ACCORDINGLY, IT IS ORDERED**, pursuant to sections 0.283 and 1.113 of the Commission's rules, 47 CFR §§ 0.283 and 1.113, that the Memorandum Opinion and Order, DA 26-136, **IS MODIFIED** as set forth in paragraph 7 above.

9. **IT IS FURTHER ORDERED** that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this Order **SHALL BE EFFECTIVE** upon release.

10. **IT IS FURTHER ORDERED** that the investigation by the Media Bureau of the matters noted above **IS TERMINATED**.

11. **IT IS FURTHER ORDERED** that, pursuant to 47 CFR § 73.3526(e)(10), a copy of this Order and as otherwise required all related investigatory materials **SHALL BE RETAINED** in the above-captioned Station's online public inspection file until grant of the next license renewal application.

¹⁸ See 47 U.S.C. § 309(k)(1)(B); 47 CFR § 73.3591(d) ("Renewal applications . . . will be governed by the criteria established in 47 U.S.C. § 309(k).").

¹⁹ See 47 U.S.C. § 309(k)(1)(c); Consent Decree at paras. 5, 11; WABG(AM) Online Public Inspection File, <https://publicfiles.fcc.gov/am-profile/WABG?id=25238> (last visited Apr. 30, 2026).

²⁰ We do not find, based on the current record, that the Licensee's operation of the Station has been "conducted in an exceedingly careless, inept and negligent manner and that Licensee is either incapable of correcting or unwilling to correct the operating deficiencies." *Heart of the Black Hills Stations*, Decision, 32 FCC 2d 196, 198, para. 6 (1971). Nor do we find on the record here that "the number, nature and extent" of the violations indicate that "the licensee cannot be relied upon to operate [the station] in the future in accordance with the requirements of its licenses and the Commission's Rules." *Id.* at 200, para. 10.

²¹ See, e.g., *Hubbard's Advertising* (granting short-term renewal where licensee apparently failed to upload quarterly issues and programs lists to the OPIF for at least two full license terms); *Rama Commc'ns, Inc.*, Memorandum Opinion and Order and Notice of Apparent Liability, 31 FCC Rcd 6939 (MB 2016) (short-term renewal granted for failing to prepare issues and programs lists during the license term).

²² See 47 U.S.C. § 309(k)(2).

²³ See *id.*

12. **IT IS FURTHER ORDERED** that copies of this Order and Consent Decree **SHALL BE SENT**, by First Class and Certified Mail, Return Receipt Requested, to: SPB LLC, c/o Bennie J. Wells, Studio B, 699 Matson Road, Columbus, MS 39705-9102.

FEDERAL COMMUNICATIONS COMMISSION

Albert Shuldiner
Chief, Audio Division
Media Bureau