**Before the**

Federal Communications Commission

Washington, D.C. 20554

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| In the Matter of  Bernard Ohio, LLC, Assignor  Educational Media Foundation, Assignee  Application for Assignment of License for:  WYLR(FM), Hubbard, Ohio  Bernard Ohio, LLC  Applications for Renewal of Licenses for:  WVKO(AM), Columbus, Ohio  WVKO-FM, Johnstown, Ohio  WASN(AM), Youngstown, Ohio  WYLR(FM), Hubbard, Ohio  WGFT(AM), Campbell, Ohio  Application to Modify License for:  WYLR(FM), Hubbard, Ohio | **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)** | File No. BALH-20120612AAP  Facility ID No. 63498  File No. BR-20120529AHE  Facility ID No. 22341  File No. BRH-20120529AHG  Facility ID No. 58633  File No. BR-20120529AHH  Facility ID No. 72100  File No. BRH-20120529AHK  Facility ID No. 63498  File No. BR-20120529AHJ  Facility ID No. 74164  File No. BMLED-20120710AAS  Facility ID No. 63498 |
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Memorandum Opinion and order

**Adopted: April 16, 2014 Released: April 17, 2014**

By the Commission:

1. In this Memorandum Opinion and Order, we deny the Application for Review filed by Percy Squire (“Squire”) on May 16, 2013. Squire seeks review of an April 18, 2013, action by the Media Bureau (“Bureau”),[[1]](#footnote-2) which denied Squire’s Petition for Reconsideration of the January 11, 2013, letter decision granting the above-captioned applications (“Applications”) of Bernard Ohio, LLC (“Bernard”).[[2]](#footnote-3)
2. Squire’s arguments in the Application for Review are the same as those raised below. In both the *Letter Decision* and *Reconsideration Decision*, the Bureau thoroughly addressed Squire’s contentions regarding impermissible levels of foreign ownership and unauthorized control of the above-captioned stations (“Stations”). First, the Bureau found that Squire had failed to provide factual support for his argument that the percentage of capital stock of the licensee’s indirect owner “owned of record or voted by aliens” exceeded the 25 percent benchmark contained in Section 310(b)(4) of the Communications Act of 1934, as amended.[[3]](#footnote-4) Second, the Bureau held that Squire had failed to adduce any facts regarding the alleged unauthorized control of the Stations, because his argument was based on allegations involving a different licensee and different radio stations and therefore not relevant in assessing the Applications.[[4]](#footnote-5) Moreover, the Bureau noted that those allegations had been rejected with regard to that licensee and those stations.[[5]](#footnote-6)
3. Upon review of the Application for Review and the entire record, we conclude that Squire has not demonstrated that the Bureau erred. The Bureau, in the *Reconsideration Decision*, properly decided the matters raised, and we uphold its decision for the reasons stated therein.
4. ACCORDINGLY, IT IS ORDERED that, pursuant to Section 5(c)(5) of the Communications Act of 1934, as amended,[[6]](#footnote-7) and Section 1.115(g) of the Commission’s rules,[[7]](#footnote-8) the Application for Review IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch

Secretary

1. *Aaron P. Shainis, Esq.*, Letter, 28 FCC Rcd 5198 (MB 2013) (“*Reconsideration Decision*”). [↑](#footnote-ref-2)
2. *Aaron P. Shainis, Esq.*, Letter, 28 FCC Rcd 126 (MB 2013) (“*Letter Decision*”). [↑](#footnote-ref-3)
3. 47 U.S.C. § 310(b)(4). [↑](#footnote-ref-4)
4. *See* 47 U.S.C. § 309(k)(1) (stating that relevant findings must be made specifically “with respect to” the station seeking renewal). [↑](#footnote-ref-5)
5. *See Urban Radio I, LLC, Debtor-in-Possession*, Letter, Ref No. 1800B3-MFW at 5-6 (MB 2012), application for review pending; *see also DFW Radio License, LLC*, Memorandum Opinion and Order, 29 FCC Rcd 804, ¶ 32 (2014), appeal pending. [↑](#footnote-ref-6)
6. 47 U.S.C. § 155(c)(5). [↑](#footnote-ref-7)
7. 47 C.F.R. § 1.115(g). [↑](#footnote-ref-8)