**Before the**

Federal Communications Commission

Washington, D.C. 20554

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| In the Matter New Life Community Temple of Faith, Inc. Application for a new FM Translator Station at Monroe, North Carolina;And 326 Other Applications for New FM Translator Stations[[1]](#footnote-3) | **)****)****)****)****)****)****)****)****)** | File No. BNPFT-20180418AHOFacility ID No. 202978 |

memorandum opinion and order

**Adopted: January 28, 2019 Released: January 29, 2019**

By the Commission: Commissioner Rosenworcel concurring.

# INTRODUCTION AND BACKGROUND

1. Common Frequency, Inc. (Common Frequency), and Prometheus Radio Project (Prometheus) (collectively “Objectors”) have filed Applications for Review (collectively “Applications”) of the Media Bureau’s (Bureau) July 13, 2018, *Reconsideration Decision* dismissing 327 of Objectors’ 328 Petitions for Reconsideration.[[2]](#footnote-4) The Petitions sought reconsideration of the Bureau’s June 8, 2018, *Objection Decision* dismissing, and alternatively denying, Objectors’ informal objections (Objections) to 994 pending translator applications.[[3]](#footnote-5) Objectors seek review of the *Reconsideration Decision* as to the 327 Petitions dismissed by the Bureau.[[4]](#footnote-6) We agree with the Bureau that Objectors lacked standing to seek reconsideration for the 327 Petitions, and on that basis we deny the Applications.[[5]](#footnote-7)
2. Objectors and CIMA filed identical Objections against 994 FM translator applications that Objectors represented were “all pending translator applications” as of the date the Objections were filed on May 16, 2018.[[6]](#footnote-8) Objectors and CIMA argued that the FM translator applications did not ensure filing opportunities for low-power FM (LPFM) stations, pursuant to Section 5 of the Local Community Radio Act of 2010.[[7]](#footnote-9) The Bureau dismissed all 994 Objections: (i) Objections to translator applications that had previously been granted or dismissed were dismissed pursuant to Section 73.3587 of the Commission’s rules;[[8]](#footnote-10) (ii) Objections to applications for modification of FM translators were dismissed because they were not “new FM translator stations” under the LCRA; and (iii) all the Objections were dismissed for failing to allege properly supported facts that, if true, would establish a substantial and material question of fact that grant of the application would be inconsistent with the public interest.[[9]](#footnote-11) Alternatively, the Bureau denied the Objections on various substantive grounds.[[10]](#footnote-12)
3. Objectors and CIMA then filed the Petitions as to 328 of the applications to which they objected, all of which were applications for new FM translator station construction permits.[[11]](#footnote-13) The Bureau dismissed 327 of the Petitions for lack of standing, finding that a petition for reconsideration may only be filed either by (i) a party to the proceeding or (ii) any other person whose interests are adversely affected by any action taken by the Commission or by the designated authority.[[12]](#footnote-14) The Bureau found that Objectors’ and CIMA’s participation in the proceeding as an informal objector did not confer standing as a “party to the proceeding” to file a later petition for reconsideration,[[13]](#footnote-15) under Section 1.106(b) of the rules.[[14]](#footnote-16) The Bureau further found that as to all but one of the applications, Objectors failed to “state with particularity the manner in which [their] interests [would be] adversely affected” by grant of those applications.[[15]](#footnote-17) Because Objectors were neither parties to the proceeding nor demonstrated that they would be adversely affected by grant of 327 of the applications, they therefore lacked standing, and thus the Bureau dismissed the Petitions as to those 327 applications.[[16]](#footnote-18) Objectors timely filed the Applications.

# DISCUSSION

1. Upon review of the Applications and the entire record, we conclude that Objectors have failed to demonstrate that the Bureau erred. We find that the Bureau properly dismissed the Petitions for lack of standing.
2. Objectors claim that there are three ways to establish standing under Section 405(a).[[17]](#footnote-19) They argue that Section 405(a) of the Communications Act permits the filing of a petition for reconsideration if the petitioner falls under one of three categories: (1) the petitioner is “any party”; (2) the petitioner is “any other person aggrieved”; or (3) the petitioner is a person “whose interests are adversely affected.”[[18]](#footnote-20) Objectors argue that the Commission’s rules omit one of these elements, the “person aggrieved” element.[[19]](#footnote-21) Objectors contend that because the Bureau did not make a specific finding as to whether they were “other person[s] aggrieved,” and because they contend that they were so aggrieved, the *Reconsideration Decision* must be overturned.[[20]](#footnote-22) Objectors do not provide an interpretation of the statutory term “aggrieved” or discuss how it might differ from the phrase “adversely affected.”
3. Section 405(a) reads, in pertinent part:

After an order, decision, report, or action has been made or taken in any proceeding by the Commission, or by any designated authority within the Commission pursuant to a delegation under section 5(c)(1), any party thereto, or any other person aggrieved or whose interests are adversely affected thereby, may petition for reconsideration only to the authority making or taking the order, decision, report, or action . . . .[[21]](#footnote-23)

The Commission implemented Section 405(a) through Section 1.106(b)(1) of the rules,[[22]](#footnote-24) which states that “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.”[[23]](#footnote-25)

1. The Commission has consistently interpreted Section 405(a) as comprising only two classes of petitioner who may claim standing to file a petition for reconsideration: (1) “any party”; or (2) “any other person aggrieved or whose interests are adversely affected.”[[24]](#footnote-26) Although Section 1.106(b)(1) does not mirror the operative language of the statute and does not include the term “aggrieved,” the Commission applies the rule as having the same meaning as the statutory provision, giving force to both terms – “aggrieved” and “adversely affected.”[[25]](#footnote-27)
2. Objectors have not satisfied the prerequisites established by Commission case law interpreting section 405(a). To establish standing, a petitioner must allege facts sufficient to show that the Commission's action on the application would cause it to suffer a direct injury, establish that the injury can be traced to the challenged action, and demonstrate that the injury would be prevented or redressed by the requested relief.[[26]](#footnote-28) For these purposes, an injury must be both “concrete and particularized” and “actual or imminent, not conjectural or hypothetical.”[[27]](#footnote-29) There must be more than an “objectively reasonable likelihood” of threatened injury; such injury must be “certainly impending.”[[28]](#footnote-30) In the broadcast regulatory context, standing is generally obtained in one of three ways: (1) as a competitor in the market suffering signal interference; (2) as a competitor in the market suffering economic harm; or (3) as a resident of the station's service area or a regular listener of the station.[[29]](#footnote-31) An organization may meet these standards in its own right or may demonstrate that one or more of its members meets these requirements.[[30]](#footnote-32) The Objectors do not claim to be competitors, residents of a translator service area, or listeners of any translator station at issue or any LPFM station, nor do they claim to be membership associations representing one or more individuals who satisfy the prerequisites for standing.[[31]](#footnote-33) Rather, Objectors describe themselves as “volunteers” and “advocates” of LPFM stations who have suffered “stakeholder aggrievement.”[[32]](#footnote-34) Their claimed injury is conjectural and general, relating to possible industry-wide effects of the Commission’s alleged non-enforcement of statutory standards, and is not imminent, concrete, or specific to the challenged applications.[[33]](#footnote-35) Further, they do not show how grant of any particular application will cause the alleged harms (such as precluding new or modified LPFM service or authorization of translator service that is not needed by the community).
3. While Objectors contend that the Bureau did not make a specific finding as to whether they were “other person[s] aggrieved,” Objectors have not made a sufficient factual showing to claim standing as “aggrieved.” Objectors cite *Pacific Broadcasting Corp*.[[34]](#footnote-36) as an example of a case in which the Commission considered whether a petitioner was a “person aggrieved.” There, while noting that petitioner Guam Media did not demonstrate that it was a party in interest, the Commission found that Guam Media’s principals showed that they were residents of and registered voters in Guam and members of the viewing and listening public (in effect “consumers” of the station signals), and the Commission accordingly granted them standing as “persons aggrieved” under Section 405(a) of the Act.[[35]](#footnote-37) As discussed above, however, Objectors do not demonstrate that they made any specific factual showings that they were aggrieved or adversely affected as to any of the FM translator applications that are before us here.[[36]](#footnote-38) Thus, Objectors failed to plead with particularity the facts supporting their claim of standing, as did the principals of Guam Media in *Pacific Broadcasting*, and therefore establish no grounds for review of the *Reconsideration Decision*.
4. In an analogous context, the Commission has traditionally disfavored the filing of so-called “blanket” petitions to deny,[[37]](#footnote-39) and has dismissed identical petitions to deny or informal objections that were filed against two,[[38]](#footnote-40) 22,[[39]](#footnote-41) and 47 applications,[[40]](#footnote-42) when those petitions or objections did not meet the specificity requirements of Section 309(d)(1) of the Act.[[41]](#footnote-43)

We believe that so-called “blanket” petitions—i.e., where singular petitioners file challenges containing identical language and allegations against a plurality of licensees, as here—“should not be submitted unless and until it is reasonably clear that the objections raised are directly and substantially applicable to each and every one of the applications it is directed against.” (quoting *Koteen*). . . . Without so labelling the instant challenge, we are concerned that spurious petitions may result in serious delays and burdens not only to renewal applicants but also to the administrative process, in derogation of the public interest. Such filings would approach abuse of the Commission’s processes, and we strongly caution potential petitioners to heed our language in the *Koteen* case, *supra*.[[42]](#footnote-44)

1. The same rationale supports the Bureau’s dismissal of the non-party petitions for reconsideration before us, which contain identical language concerning multiple licenses and fail to plead specific facts demonstrating that grant of any individual application would cause a concrete and imminent injury to Objectors. Once an application has been filed and is being considered by the Bureau, petitions for reconsideration, like petitions to deny or informal objections, must be limited to individualized, specific allegations that grant of the application would harm the public interest and that the persons seeking relief would be injured by adverse Commission action, that the alleged injury would be caused by such action, and that favorable action would redress the alleged injury.[[43]](#footnote-45) Objectors have not met this burden, and this failure was the basis of the Bureau’s finding, in the *Reconsideration Decision*, that Objectors lacked standing. We find the Bureau’s assessment was correct. Because of our determination that Objectors lacked the requisite standing to seek reconsideration, we need not review other issues raised in the Applications.[[44]](#footnote-46)

# CONCLUSION / ORDERING CLAUSE

1. For the foregoing reasons, we concur in the Media Bureau’s dismissal of 327 of Objectors’ 328 Petitions for Reconsideration of the *Objection Decision*. Accordingly, **IT IS ORDERED** that Objectors’ 327 Applications for Review **ARE DENIED**.

 FEDERAL COMMUNICATIONS COMMISSION

 Marlene H. Dortch

 Secretary

**APPENDIX**

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| **Applicant Name** | **File Number** | **Facility ID** | **City and State** |
| Citicasters Licenses, Inc., as Debtor in Possession | BNPFT-20180507ABU | 202548 | Denver, CO |
| Castay Media, Inc. | BNPFT-20180502ABD | 202516 | New Iberia, LA |
| Good Karma Broadcasting, LLC | BNPFT-20180507ABX | 202849 | Waukesha, WI |
| Alaska Educational Radio Systems, Inc. | BNPFT-20151215AGW | 156815 | Seward, AK |
| Northeast Colorado Broadcasting, LLC | BNPFT-20180504ABG | 202847 | Yuma, CO |
| Forever South Licenses, LLC | BNPFT-20180427ABD | 202438 | Milan, TN |
| WATR Inc. | BNPFT-20180426AAO | 203226 | Waterbury, CT |
| Marshfield Broadcasting Co., Inc. | BNPFT-20180430ABI | 202403 | Weymouth, MA |
| York Professional Baseball Club, LLC | BNPFT-20180502AAH | 202184 | York, PA |
| FM Radio Licenses, LLC | BNPFT-20180427AAW | 202435 | Altoona, PA |
| FM Radio Licenses, LLC | BNPFT-20180427AAX | 202434 | Altoona, PA |
| FM Radio Licenses, LLC | BNPFT-20180427AAU | 202436 | Gettysburg, PA |
| FM Radio Licenses, LLC | BNPFT-20180427AAY | 202433 | State College, PA |
| AMFM Radio Licenses, LLC, as Debtor in Possession | BNPFT-20180507AAS | 202129 | Sacramento, CA |
| AMFM Radio Licenses, LLC, as Debtor in Possession | BNPFT-20180509AAQ | 202578 | Brunswick, GA |
| AMFM Radio Licenses, LLC, as Debtor in Possession | BNPFT-20180507ABW | 202575 | Sioux City, IA |
| Hometown Broadcasting, LLC | BNPFT-20180419ACJ | 202393 | Ripon, WI |
| Cumulus Licensing LLC | BNPFT-20180426AAU | 202668 | Amarillo, TX |
| Cumulus Licensing LLC | BNPFT-20180426ABD | 202670 | Ann Arbor, MI |
| Cumulus Licensing LLC | BNPFT-20180426AAZ | 202671 | Athens, AL |
| Radio License Holding CBC, LLC | BNPFT-20180507ACZ | 202738 | Baton Rouge, LA |
| Cumulus Licensing LLC | BNPFT-20180426ABB | 202762 | Bridgeport, CT |
| Cumulus Licensing LLC | BNPFT-20180426AAW | 202757 | Canyon, TX |
| Radio License Holding CBC, LLC | BNPFT-20180503ABT | 202772 | Charleston, SC |
| Radio License Holding CBC, LLC | BNPFT-20180502ABZ | 202708 | Chattanooga, TN |
| Radio License Holding CBC, LLC | BNPFT-20180503ABV | 202727 | Des Moines, IA |
| Cumulus Licensing LLC | BNPFT-20180426AAX | 202672 | Fayetteville, AR |
| Radio License Holding CBC, LLC | BNPFT-20180503ABZ | 202730 | Kingsport, TN |
| Cumulus Licensing LLC | BNPFT-20180426AAP | 202675 | Lake Charles, LA |
| Cumulus Licensing LLC | BNPFT-20180426ABJ | 202676 | Leland, NC |
| Cumulus Licensing LLC | BNPFT-20180426AAQ | 202783 | Macon, GA |
| Cumulus Licensing LLC | BNPFT-20180426AAR | 202681 | Manning, SC |
| Cumulus Licensing LLC | BNPFT-20180426ABE | 202986 | Montgomery, AL |
| Cumulus Licensing LLC | BNPFT-20180427ABJ | 202985 | Montgomery, AL |
| Radio License Holding CBC, LLC | BNPFT-20180503ABX | 202785 | New Castle, IN |
| Cumulus Licensing LLC | BNPFT-20180426ABK | 202703 | Pensacola, FL |
| Radio License Holding CBC, LLC | BNPFT-20180507ACY | 202739 | Port Allen, LA |
| Radio License Holding CBC, LLC | BNPFT-20180503ABS | 202786 | Syracuse, NY |
| Cumulus Licensing LLC | BNPFT-20180426ABH | 202784 | Topeka, KS |
| Maury County Boosters Corp. | BNPFT-20180503ACE | 202748 | Columbia, TN |
| G-Cap Communications, Inc. | BNPFT-20180508ABP | 202966 | Orange, TX |
| Caribbean Broadcasting Corporation | BNPFT-20180419ACT | 203172 | Arecibo, PR |
| Pottsville Broadcasting Company, Inc. | BNPFT-20180430AAW | 202135 | Pottsville, PA |
| Sanchez Broadcasting Corporation | BNPFT-20180501AAM | 202657 | Durham, NC |
| Salt of the Earth Broadcasting, Inc. | BNPFT-20180423AAB | 202824 | Longview, TX |
| Cortaro Broadcasting Corporation | BNPFT-20180418ABH | 203208 | Coolidge, AZ |
| Delta Radio Network, LLC | BNPFT-20171213AAG | 200479 | Greenville, MS |
| KASA Radio Hogar, Inc. | BNPFT-20180418ABE | 203210 | Marana, AZ |
| Blow Up, LLC | BNPFT-20180427ABC | 202606 | Honolulu, HI |
| 6 Johnson Road Licenses, Inc. | BNPFT-20180424ABG | 202877 | Beacon, NY |
| Farmworker Educational Radio Network, Inc. | BNPFT-20180508ACR | 202759 | Buckeye, AZ |
| 6 Johnson Road Licenses, Inc. | BNPFT-20180424ABH | 202878 | Peekskill, NY |
| Capstar TX, LLC, as Debtor in Possession | BNPFT-20180507ABM | 202301 | Albany, NY |
| Capstar TX, LLC, as Debtor in Possession | BNPFT-20180509AAL | 202555 | Baton Rouge, LA |
| Capstar TX, LLC, as Debtor in Possession | BNPFT-20180507ABN | 202551 | Fort Smith, AR |
| Capstar TX, LLC, as Debtor in Possession | BNPFT-20180507ABO | 202582 | Gadsden, AL |
| Capstar TX, LLC, as Debtor in Possession | BNPFT-20180507ABP | 202300 | Providence, RI |
| Capstar TX, LLC, as Debtor in Possession | BNPFT-20180507ABQ | 203151 | Rochester, NH |
| Capstar TX, LLC, as Debtor in Possession | BNPFT-20180507ABR | 202552 | Spokane, WA |
| Capstar TX, LLC, as Debtor in Possession | BNPFT-20180507ABS | 202553 | Stockton, CA |
| Carlos A. Duharte | BNPFT-20180430AAM | 202945 | Palo Alto, CA |
| 321 Corporation | BNPFT-20180502AAW | 202602 | Cocoa, FL |
| Gregory Communications License, Inc. | BNPFT-20180508ABU | 203039 | Elizabeth City, NC |
| Korean Gospel Broadcasting Network | BNPFT-20180420AAX | 202116 | Los Angeles, CA |
| Positive Alternative Radio, Inc. | BNPFT-20180507ACB | 202939 | Martinsville, VA |
| CC Licenses, LLC, as Debtor in Possession | BNPFT-20180507ABL | 202307 | Akron, OH |
| CC Licenses, LLC, as Debtor in Possession | BNPFT-20180507ABF | 202312 | Louisville, KY |
| CC Licenses, LLC, as Debtor in Possession | BNPFT-20180507AAU | 202302 | Memphis, TN |
| CC Licenses, LLC, as Debtor in Possession | BNPFT-20180507ABG | 202570 | New Haven, CT |
| CC Licenses, LLC, as Debtor in Possession | BNPFT-20180507ABJ | 202127 | Pueblo, CO |
| CC Licenses, LLC, as Debtor in Possession | BNPFT-20180507ABI | 202128 | Pueblo, CO |
| CC Licenses, LLC, as Debtor in Possession | BNPFT-20180507ABA | 202567 | Rochester, MN |
| CC Licenses, LLC, as Debtor in Possession  | BNPFT-20180507AAW | 202304 | San Antonio, TX |
| CC Licenses, LLC, as Debtor in Possession | BNPFT-20180507ABE | 202568 | Springfield, MA |
| Chesterman Communications of Jamestown, Inc. | BNPFT-20180418ABG | 202888 | Jamestown, ND |
| Mapleton License of Spokane, LLC | BNPFT-20180425AAW | 202782 | Spokane, WA |
| Claro Communications Ltd. | BNPFT-20180508AAL | 202667 | Alice, TX |
| Genesis Communications of Tampa Bay, Inc. | BNPFT-20180507ACH | 203291 | Brandon, FL |
| Rocking M Media, LLC | BNPFT-20180509ABQ | 203069 | Dodge City, KS |
| Southwind Broadcasting, LLC | BNPFT-20180508ABI | 202616 | Holcomb, KS |
| New Covenant Ministries, Inc. | BNPFT-20180509ACF | 202612 | Orange Park, FL |
| Rocking M Media, LLC | BNPFT-20180509ABS | 203068 | Pratt, KS |
| Claro Communications Ltd. | BNPFT-20180508AAO | 202669 | San Antonio, TX |
| Genesis Communications of Tampa Bay, Inc. | BNPFT-20180507ACE | 203286 | Tampa, FL |
| Genesis Communications I, Inc. | BNPFT-20180507ACM | 203288 | Titusville, FL |
| Southwind Broadcasting, LLC | BNPFT-20180508ABE | 202617 | Ulysses, KS |
| Citicasters Licenses, Inc., as Debtor in Possession | BNPFT-20180507ABV | 202549 | Lexington, KY |
| Citicasters Licenses, Inc., as Debtor in Possession | BNPFT-20180509AAU | 202584 | Punta Gorda, FL |
| Citicasters Licenses, Inc., as Debtor in Possession | BNPFT-20180509AAY | 202585 | Venice, FL |
| Clear Channel Broadcasting Licenses, Inc., as Debtor in Possession | BNPFT-20180507AAQ | 202574 | Harrisburg, PA |
| Clear Channel Broadcasting Licenses, Inc., as Debtor in Possession | BNPFT-20180507AAK | 202121 | New Orleans, LA |
| Clear Channel Broadcasting Licenses, Inc., as Debtor in Possession | BNPFT-20180507AAM | 202571 | Oklahoma City, OK |
| Clear Channel Broadcasting Licenses, Inc., as Debtor in Possession | BNPFT-20180507AAL | 202573 | Tulsa, OK |
| Mark Media, Inc. | BNPFT-20180509AAI | 202451 | Burnsville, NC |
| Crescent Media Group LLC | BNPFT-20180508AAX | 203184 | Greensboro, NC |
| Crescent Media Group LLC | BNPFT-20180508AAU | 203181 | Mebane, NC |
| First State Communications, Inc. | BNPFT-20180420AAQ | 203205 | Smithfield, NC |
| Crescent Media Group LLC | BNPFT-20180508AAS | 203185 | Winston-Salem, NC |
| Radio Advantage One, LLC | BNPFT-20180426AAS | 202895 | Painesville, OH |
| La Favorita Radio Network, Inc. | BNPFT-20180418AIF | 202799 | Delano, CA |
| KERM, Inc. | BNPFT-20180503ACA | 203008 | Huntsville, AR |
| WVNW, Inc. | BNPFT-20180503ACD | 203231 | Lewistown, PA |
| N C Communications, LLC | BNPFT-20180424ABF | 202855 | Little Rock, AR |
| Pentecostal Temple Development Corporation | BNPFT-20180509ACO | 202742 | McKeesport, PA |
| Big Thicket Broadcasting Company of Wyoming, Inc. | BNPFT-20180418AIG | 202359 | Rock Springs, WY |
| Lawson of Tuscaloosa, Inc. | BNPFT-20180321AAA | 201517 | Tuscaloosa, AL |
| Pacific Radio Group, Inc. | BNPFT-20180509ABP | 202651 | Wailuku, HI |
| OMG FCC Licenses LLC | BNPFT-20180424AAI | 203229 | Astoria, OR |
| WDNC-AM, LLC | BNPFT-20180314AAN | 200547 | Durham, NC |
| Vox AM/FM, LLC | BNPFT-20180419ACX | 202406 | Colchester, VT |
| The Montana Radio Company, LLC | BNPFT-20180507ADD | 202933 | East Helena, MT |
| Hoosier AM/FM, LLC | BNPFT-20180419ADA | 202405 | Kokomo, IN |
| Hoosier AM/FM, LLC | BNPFT-20180419ACZ | 202404 | Marion, IN |
| Real Life Broadcasting | BNPFT-20180508AAF | 203145 | Burlington, NJ |
| Alaska Broadcast Communications, Inc. | BNPFT-20180508AAN | 202193 | Juneau, AK |
| Juneau Alaska Communications, LLC | BNPFT-20180508ABY | 202194 | Juneau, AK |
| Alaska Broadcast Communications, Inc. | BNPFT-20180508AAK | 202240 | Ketchikan-Bear Valle, AK |
| KFRE Radio, Inc. | BNPFT-20180427AAN | 202886 | Lubbock, TX |
| Riverfront Broadcast of Iowa, LLC | BNPFT-20180508ACT | 202361 | Boone, IA |
| Bryan Broadcasting License Corporation | BNPFT-20180425AAB | 202365 | College Station, TX |
| Bryan Broadcasting License Corporation | BNPFT-20180425AAC | 202366 | College Station, TX |
| Mid-West Management, Inc. | BNPFT-20180426AAL | 202846 | Eau Claire, WI |
| Riverfront Broadcast of Iowa, LLC | BNPFT-20180508ACS | 202362 | Emmetsburg, IA |
| M&M Broadcasting, Inc. | BNPFT-20180419ACA | 203232 | Granger, IA |
| Snyder Broadcasting Company | BNPFT-20180425AAH | 202989 | Idaho Falls, ID |
| Riverfront Broadcasting of Keokuk, Inc. | BNPFT-20180508ACW | 202360 | Keokuk, IA |
| Family Radio, Inc. | BNPFT-20180502AAJ | 202363 | Lacrosse, WI |
| Sun Valley Radio, Inc. | BNPFT-20180425AAG | 202565 | Logan, UT |
| WSJM, Inc. | BNPFT-20180507ADI | 203163 | South Bend, IN |
| Long Nine, Inc. | BNPFT-20180502AAK | 202958 | Springfield, IL |
| Team Radio, L.L.C. | BNPFT-20180426AAI | 202367 | Stillwater, OK |
| DCB License Sub LLC | BNPFT-20180419ACP | 202619 | Lamesa, TX |
| RCA Broadcasting, LLC | BNPFT-20180507AAV | 202806 | Longview, TX |
| CPT & T Radio Station, Inc. | BNPFT-20180425AAU | 202690 | Millington, TN |
| WNQM, Inc. | BNPFT-20180425AAS | 202678 | Nashville, TN |
| CPT & T Radio Station, Inc. | BNPFT-20180425AAR | 202684 | West Memphis, AR |
| Truth Broadcasting Corporation | BNPFT-20180420AAH | 202844 | Davidson, NC |
| Truth Broadcasting Corporation | BNPFT-20180420AAF | 202843 | Freeport, UT |
| Truth Broadcasting Corporation | BNPFT-20180420AAJ | 202845 | High Point, NC |
| Western Wyoming Radio, Inc. | BNPFT-20180423ABK | 202531 | Afton, WY |
| Rob Ingstad Licenses, LLC | BNPFT-20180420AAG | 202142 | Fairbanks, AK |
| Iowa City Broadcasting Company, Inc. | BNPFT-20180419ACF | 202150 | Glencoe, MN |
| James River Broadcasting Company | BNPFT-20180419AAO | 202152 | Mobridge, SD |
| Iowa City Broadcasting Company, Inc. | BNPFT-20180419ACB | 202148 | Montevideo, MN |
| Sioux Valley Broadcasting Company | BNPFT-20180420ABR | 202155 | Oakes, ND |
| Artistic Media Partners, Inc. | BNPFT-20180419ACK | 203224 | South Bend, IN |
| Bustos Media Holdings, LLC | BNPFT-20180418ABI | 202942 | Auburn, WA |
| Bustos Media Holdings, LLC | BNPFT-20180427ABZ | 202944 | Beaverton, OR |
| Bustos Media Holdings, LLC | BNPFT-20180427ABY | 202943 | Beaverton, OR |
| Real Presence Radio | BNPFT-20180503AAD | 202081 | Bemidji, MN |
| Holy Family Communications | BNPFT-20180507ACC | 202250 | Chili, NY |
| Bustos Media Holdings, LLC | BNPFT-20180418ABJ | 202941 | Dallas, TX |
| Real Presence Radio | BNPFT-20180502ABI | 202080 | Fargo, ND |
| Punjabi American Media, LLC | BNPFT-20180502ABP | 202953 | Fresno, CA |
| Redemption Strategies Broadcasting, LLC | BNPFT-20180502AAV | 203048 | Greenville, SC |
| Steckline Communications, Inc. | BNPFT-20180430AAL | 202811 | Liberal, KS |
| El Sembrador Ministries | BNPFT-20180418AHZ | 203234 | Moreno Valley, CA |
| Silver State Broadcasting LLC | BNPFT-20180502ACM | 203222 | Winchester, NV |
| Americom Limited Partnership | BNPFT-20180420ABN | 202050 | Carson City, NV |
| Route 6 Broadcasting Area Partnership | BNPFT-20180423ACB | 202535 | Corry, PA |
| Fuchs Radio, LLC | BNPFT-20180509ACR | 203180 | Hobart, OK |
| Lifetalk Radio, Inc. | BNPFT-20180501AAL | 202798 | Los Lunas, NM |
| Threshold Communications | BNPFT-20180420AAU | 203058 | Manteca, CA |
| Winchester Radio Broadcasters, LLC | BNPFT-20180501ABU | 202519 | Front Royal, VA |
| WAGY, Inc. | BNPFT-20180423AAZ | 202870 | Forest City, NC |
| Tri-State Radio, Inc. | BNPFT-20180508ABV | 203203 | Hixson, TN |
| Eagle Communications, Inc. | BNPFT-20180503ABB | 202778 | Junction City, KS |
| Eagle Communications, Inc. | BNPFT-20180503AAZ | 202777 | North Platte, NE |
| Davis Broadcasting of Atlanta, L.L.C. | BNPFT-20180507AAT | 203141 | Canton, GA |
| Radio Borinquen, Incorporated | BNPFT-20180504AAL | 202952 | Barceloneta-Manati, PR |
| Vic Canales Media Group, LLC | BNPFT-20180508AAI | 203263 | North Palm Beach, FL |
| Radio Tropical, Inc. | BNPFT-20180423AAQ | 203078 | Tampa, FL |
| Marvina Enterprises, Inc. | BNPFT-20180509AAB | 202801 | Wauchula, FL |
| Cumberland Broadcasting Company | BNPFT-20180501AAO | 202628 | Cumberland, MD |
| Bison Media, Inc. | BNPFT-20180418ADB | 202810 | Dallas, TX |
| Salem Communication Holding Corporation | BNPFT-20180508ACJ | 203238 | Medford, MA |
| Community Broadcasting, Inc. | BNPFT-20180424ABC | 202780 | Patillas, PR |
| SIGA Broadcasting Corporation | BNPFT-20180423AAR | 202468 | Cleburne, TX |
| Tri-County Broadcasting, Inc. | BNPFT-20180509ACG | 202611 | Sauk Rapids, MN |
| Dome Broadcasting, Inc. | BNPFT-20180418ADG | 201992 | Lancaster, NY |
| George M. Arroyo | BNPFT-20180418AIH | 203074 | West Palm Beach, FL |
| Eureka Broadcasting Co., Inc. | BNPFT-20180420AAK | 202483 | Eureka, CA |
| Edward H. Poppe, Jr. and Frances W. Poppe | BNPFT-20180425AAQ | 202906 | Hagata, GU |
| Spottswood Partners II, Ltd. | BNPFT-20180418AFG | 202213 | Key West, FL |
| KSRM, Inc. | BNPFT-20180418AFS | 202927 | Soldotna, AK |
| Church of the Word | BNPFT-20180418ADT | 202458 | Farmington Hills, MI |
| Alpha Media Licensee LLC | BNPFT-20180509AAC | 202766 | Frankenmuth, MI |
| Alpha Media Licensee LLC | BNPFT-20180509AAP | 202758 | Springfield, OH |
| Alpha Media Licensee LLC | BNPFT-20180509ABL | 202760 | West Palm Beach, FL |
| R. P. Broadcasting, Inc. | BNPFT-20180503AAP | 202592 | Bemidji, MN |
| Paskvan Media, Inc. | BNPFT-20180503ABK | 202807 | Bemidji, MN |
| Faith and Power Communications, Inc. | BNPFT-20171206ABY | 200312 | Laredo, TX |
| Herbert M. Hoppe | BNPFT-20180509ACT | 202589 | Sauk Rapids, MN |
| Townsquare Media Monmouth-Ocean License, LLC | BNPFT-20180430ABO | 202321 | Asbury Park, NJ |
| Townsquare Media Binghamton License, LLC | BNPFT-20180502AAM | 202323 | Binghamton, NY |
| Actualidad licensee 1020AM, LLC | BNPFT-20180424AAN | 202422 | Boynton Beach, FL |
| CCR-Butte IV, LLC | BNPFT-20180504ABE | 202957 | Butte, MT |
| Townsquare Media Casper License, LLC | BNPFT-20180430ABP | 202345 | Casper, WY |
| Townsquare Media Quad Cities License, LLC | BNPFT-20180430ABT | 202259 | Davenport, IA |
| Townsquare Media Missoula License, LLC | BNPFT-20180502AAO | 202318 | East Missoula, MT |
| CCR-Great Falls IV, LLC | BNPFT-20180504ABF | 202967 | Great Falls, MT |
| Townsquare Media of Lafayette, LLC | BNPFT-20180501AAP | 202286 | Lafayette, LA |
| Townsquare Media Monmouth-Ocean License, LLC | BNPFT-20180508ABH | 202322 | Lakewood Township, NJ |
| Actualidad licensee 1040AM, LLC | BNPFT-20180423AAO | 202424 | Miami, FL |
| CCR-Montrose IV, LLC | BNPFT-20180508ABB | 202972 | Montrose, CO |
| Townsquare Media Cheyenne License, LLC | BNPFT-20180430ABS | 202347 | Orchard Valley, WY |
| Bethune-Cookman University | BNPFT-20180508AAM | 202358 | Ormond Beach, FL |
| Townsquare Media Shreveport License, LLC | BNPFT-20180502AAL | 202287 | Shreveport, LA |
| CCR-Sierra Vista IV, LLC | BNPFT-20180504ABC | 203178 | Sierra Vista, AZ |
| CCR-St. George IV, LLC | BNPFT-20180507AAO | 203171 | St. George, UT |
| CCR-St. George IV, LLC | BNPFT-20180507AAI | 203176 | St. George, UT |
| Townsquare Media Twin Falls License, LLC | BNPFT-20180501AAQ | 202265 | Twin Falls, ID |
| CCR-Wescoast IV, LLC | BNPFT-20180508AAT | 203007 | Wenatchee, WA |
| CCR-Williston IV, LLC | BNPFT-20180508AAW | 203015 | Williston, ND |
| Blizzard Broadcasting LLC | BNPFT-20180418AAI | 202853 | Craig, CO |
| Wolf Radio, Inc. | BNPFT-20180427AAC | 202588 | Liverpool, NY |
| KMB Broadcasting, Inc. | BNPFT-20180502ABM | 203228 | Escanaba, MI |
| Hilltop Communications, LLC | BNPFT-20180509AAK | 202926 | Eldersburg, MD |
| Peninsula Communications Inc | BNPFT-20180508ADF | 203189 | Kenai-Soldotna, AK |
| Peninsula Communications Inc | BNPFT-20180508ADH | 203220 | Kenai-Soldotna, AK |
| Peninsula Communications Inc | BNPFT-20180508ADI | 203204 | Ninilchik, AK |
| Mentor Partners, Inc. | BNPFT-20180508ABW | 202949 | Big Rapids, MI |
| Atlanta Radio Korea, Inc. | BNPFT-20180508ACM | 202880 | Atlanta, GA |
| Mortenson Broadcasting Company of Texas, Inc. | BNPFT-20180423ABH | 202298 | Fort Worth, TX |
| WLBE 790, Inc. | BNPFT-20180503AAK | 202621 | Leesburg-Eustis, FL |
| Iglesia Pentecostal Vispera Del Fin | BNPFT-20180418ABC | 202411 | Lacey, WA |
| SEK Media, LLC | BNPFT-20180426AAA | 203059 | Coffeyville, KS |
| Reign Enterprizes, LLC | BNPFT-20180424AAS | 203241 | Covington, KY |
| Elyria-Lorain Broadcasting CO. | BNPFT-20180418ADE | 202991 | Elyria, OH |
| Urban Radio Licenses, LLC | BNPFT-20180502ABL | 202188 | Florence, AL |
| Service Media, Inc. | BNPFT-20180501AAB | 202954 | Laurinburg, NC |
| Birach Broadcasting Corporation | BNPFT-20180501AAI | 202559 | Pocomoke City, MD |
| Levine/Schwab Partnership DBA Schwab Multimedia, LLC | BNPFT-20180507AAH | 203012 | San Fernando, CA |
| Sound Ideas Media, LLC | BNPFT-20180420AAW | 202203 | Beaver Falls, PA |
| Bristol County Broadcasting, Inc. | BNPFT-20180501AAW | 202219 | Fall River, MA |
| Nevada County Broadcasters, Inc. | BNPFT-20180508ABC | 202864 | Grass Valley, CA |
| Kaspar Broadcasting Co, Inc | BNPFT-20180419ACU | 202063 | Lebanon, IN |
| NRG License Sub, LLC | BNPFT-20180507ACF | 203159 | Fort Atkinson, WI |
| Raven License Sub, LLC | BNPFT-20180507ACI | 203254 | Minocqua, WI |
| NRG License Sub, LLC | BNPFT-20180507ACG | 203211 | Waterloo, IA |
| Kimtron, Inc. | BNPFT-20180418ABO | 202175 | Buffalo, NY |
| KROL Communications Inc. | BNPFT-20180418AHG | 202094 | St. Louis, MI |
| Seehafer Broadcasting Corp | BNPFT-20180425AAE | 202720 | Wisconsin Rapids, WI |
| KZIA, Inc. | BNPFT-20180423ABB | 202139 | Cedar Rapids, IA |
| Bocock Communications, LLC | BNPFT-20180424ACB | 202863 | Hampton, SC |
| NJ Broadcasting, LLC | BNPFT-20180418AFR | 202126 | Edison, NJ |
| Nebraska Rural Radio Association | BNPFT-20180418AFL | 202055 | Grand Island, NE |
| Glades Media Company LLP | BNPFT-20180503AAC | 202719 | La Belle, FL |
| Cohan Radio Group, Inc. | BNPFT-20180503AAB | 202656 | Lake Placid, FL |
| Family Life Broadcasting System | BNPFT-20180418ADM | 202057 | Casa Grande, AZ |
| Coastal Broadcasting of Larose, Inc. | BNPFT-20180418ADH | 202316 | Golden Meadow, LA |
| Stephens Media Group Watertown, LLC | BNPFT-20180418ABS | 202046 | Watertown, NY |
| Delta Media Corporation | BNPFT-20180424ABA | 202534 | Lafayette, LA |
| Bott Communications, Inc. | BNPFT-20180502AAE | 202879 | Reeds Spring, MO |
| TCB Holdings, Inc. | BNPFT-20180420AAD | 202269 | Fostoria, OH |
| Seattle FCC License Sub, LLC | BNPFT-20180418AHQ | 202276 | Bellevue, WA |
| Seattle FCC License Sub, LLC | BNPFT-20180418AHU | 202277 | Bellevue, WA |
| Geos Communications | BNPFT-20180509AAF | 202934 | Montrose, PA |
| Lamke Broadcasting | BNPFT-20180418ABB | 202486 | Grand Rapids, MN |
| Dakota Communications, Ltd. | BNPFT-20180419ACH | 202409 | Huron, SD |
| Empire Broadcasting Corporation | BNPFT-20180425AAY | 203188 | Saratoga Springs, NY |
| Calvary Evangelistic Mission, Inc | BNPFT-20180430ABF | 202857 | Juana Diaz, PR |
| Hometown Broadcasting of Austin, Inc. | BNPFT-20180501AAE | 202969 | Austin, MN |
| Leon Hunt | BNPFT-20180502AAS | 203166 | Crockett, TX |
| Leon Hunt | BNPFT-20180502AAR | 203164 | Springhill, LA |
| Great Lakes Radio – Detroit, LLC | BNPFT-20180502AAP | 202153 | Detroit, MI |
| Immaculate Heart Media, Inc. | BNPFT-20180509ACY | 202818 | Cloverdale, IL |
| Alexandra Communications, Inc. | BNPFT-20180503AAY | 202635 | Dayton, WA |
| Immaculate Heart Media, Inc. | BNPFT-20180509ACW | 202816 | Green Bay, WI |
| Immaculate Heart Media, Inc. | BNPFT-20180509ADH | 202826 | Lake Forest, IL |
| Immaculate Heart Media, Inc. | BNPFT-20180509ADK | 202819 | Minnetonka, MN |
| Immaculate Heart Media, Inc. | BNPFT-20180509AAJ | 202829 | Naples, FL |
| Immaculate Heart Media, Inc. | BNPFT-20180509AAH | 202817 | Naples, FL |
| Immaculate Heart Media, Inc. | BNPFT-20180507ADJ | 202827 | Pewaukee, WI |
| Immaculate Heart Media, Inc. | BNPFT-20180509ADF | 202821 | Punta Gorda, FL |
| Immaculate Heart Media, Inc. | BNPFT-20180507ADL | 202836 | Rocklin, CA |
| Immaculate Heart Media, Inc. | BNPFT-20180507ADK | 202815 | Round Rock, TX |
| Alexandra Communications, Inc. | BNPFT-20180420ABD | 202038 | Tillamook, OR |
| Villages Communications, Inc. | BNPFT-20180501AAN | 202524 | Wildwood, FL |
| Immaculate Heart Media, Inc. | BNPFT-20180509ADL | 202831 | Wilmington, DE |
| Hunt Broadcasting LLC | BNPFT-20180509AAW | 203061 | Boulder, CO |
| Music Ministries, Inc. | BNPFT-20180424ABD | 202444 | Evansville, IN |
| WRNJ Radio, Inc. | BNPFT-20180502ABG | 202425 | Glen Gardner, NJ |
| Sinclair Telecable, Inc. | BNPFT-20180424AAY | 203167 | Hampton, VA |
| Commonwealth Radio, L.L.C. | BNPFT-20180507ADB | 203149 | Norfolk, VA |
| Sacred Heart University, Incorporated | BNPFT-20180501ABN | 202426 | Norwalk, CT |
| Word Power, Inc. | BNPFT-20180430AAZ | 202979 | Terre Haute, IN |
| Christian Broadcasting System, Ltd. | BNPFT-20180418AFX | 203144 | Florence, KY |
| Michael A. Sleezer DBA CMS Broadcasting Company | BNPFT-20180420ABB | 202473 | Gloversville, NY |
| Progressive Broadcasting System, Inc. | BNPFT-20180420AAY | 202932 | Goshen, IN |
| Packer Radio Greenville, Inc. | BNPFT-20180426AAN | 202466 | Greenville, MI |
| Mt. Rushmore Broadcasting, Inc. | BNPFT-20180504AAE | 202299 | Hot Spring, SD |
| Packer Radio WION, LLC | BNPFT-20180425AAL | 202467 | Ionia, MI |
| Willamette Broadcasting Co., Inc. | BNPFT-20180507ABY | 202474 | Keizer, OR |
| Victoria Radioworks, LLC | BNPFT-20180508AAV | 202874 | Port Lavaca, TX |
| Family Stations, Inc. | BNPFT-20180427ABN | 203025 | San Francisco, CA |
| Bicoastal Media Licenses VI, LLC | BNPFT-20180427AAK | 202154 | Ashland, OR |
| Bicoastal Media Licenses VI, LLC | BNPFT-20180430AAV | 202510 | Centralia, WA |
| Atlantic Coast Radio, LLC | BNPFT-20180423ABW | 202216 | Freeport, ME |
| One Ten Broadcast Group, Inc. | BNPFT-20180507AAA | 202724 | Shawnee, OK |
| Bicoastal Media Licenses, LLC | BNPFT-20180502ACC | 202506 | Ukiah, CA |
| Clear Communications, Inc. | BNPFT-20180502ABQ | 202064 | Vineland, NJ |
| Pirate Media Group, LLC | BNPFT-20180508ACA | 202560 | Washington, NC |
| Cotton Broadcasting | BNPFT-20180426AAK | 202658 | Corpus Christi, TX |
| Sarkes Tarzian, Inc. | BNPFT-20180508ACV | 202440 | Bloomington, IN |
| Family Stations, Inc. | BNPFT-20180502AAU | 202971 | New York, NY |
| New Albany Broadcasting Co., Inc. | BNPFT-20180507ACQ | 203138 | Louisville, KY |
| Pacific Coast Media LLC | BNPFT-20180419ACS | 202793 | San Luis Obispo, CA |
| Bristol Broadcasting Company, Inc. | BNPFT-20180430AAJ | 202928 | Charleston, WV |
| Bristol Broadcasting Company, Inc. | BNPFT-20180507AAG | 202802 | Mayfield, KY |
| Galaxy Utica Licensee LLC | BNPFT-20180418AHD | 202809 | Utica, NY |
| Red Wolf Broadcasting Corporation | BNPFT-20180503AAM | 202640 | Hartford, CT |
| Red Wolf Broadcasting Corporation | BNPFT-20180503AAL | 202641 | Meriden, CT |
| EDB VV License LLC | BNPFT-20180504AAG | 202931 | Yuma, AZ |
| Sanpete County Broadcasting Co. | BNPFT-20180508ABM | 202920 | Joseph, UT |
| Sanpete County Broadcasting Co. | BNPFT-20180508ABN | 202921 | Marysvale, UT |
| BDJ Radio Enterprises, LLC | BNPFT-20180501AAX | 202918 | St. Louis, MO |
| Flinn Broadcasting Corporation | BNPFT-20180502AAQ | 202962 | Memphis, TN |
| MM&K of Alva Inc | BNPFT-20180508ABD | 203242 | Alva, OK |
| KTRS-AM License, L.L.C. | BNPFT-20180501ABJ | 202685 | St. Louis, MO |
| Catholic Community Radio, Inc. | BNPFT-20180508ACK | 202726 | New Orleans, LA |
| Salt & Light Radio, Inc. | BNPFT-20180508ABZ | 202071 | Twin Falls, ID |
| Borinquen Broadcasting Co., Inc. | BNPFT-20180509ACZ | 203269 | Humacao, PR |
| Kona Coast Radio, LLC | BNPFT-20180418AAE | 202892 | Draper, UT |
| Cedar Cove Broadcasting, Inc. | BNPFT-20180418AAA | 202643 | Paradise Valley, AZ |
| Waynco Radio, Inc | BNPFT-20180501ABT | 202421 | Sodus, NY |

1. The applicant names, file numbers, and facility ID numbers of the other 326 applications against which Applications for Review were filed are listed in the Appendix. [↑](#footnote-ref-3)
2. *Center for International Media Action; Common Frequency, Inc.; Prometheus Radio Project*, Letter Decision, DA 18-729 (MB July 13, 2018) (*Reconsideration Decision*). Center for International Media Action (CIMA) joined with Objectors in filing the Petitions, as well as the initial informal objections in this proceeding, but did not join in filing the Applications. The 327 petitions for reconsideration dismissed by the Bureau will be referred to collectively as “Petitions.” [↑](#footnote-ref-4)
3. *Center for International Media Action; Common Frequency, Inc.; Prometheus Radio Project*, Letter Decision, DA 18-597 (MB June 8, 2018) (*Objection Decision*). [↑](#footnote-ref-5)
4. Objectors opted not to seek reconsideration of 666 of the applications to which they originally filed informal objections. These 666 applications were for modification of existing translator stations or were filed for purposes other than a construction permit for a new FM translator station. [↑](#footnote-ref-6)
5. The *Reconsideration Decision* did not make any finding with regard to the 328th Petition concerning the application of Mega-Philadelphia LLC for a new FM translator construction permit at Camden, New Jersey, File No. BNPFT-20180508ABL (Camden Application), and that Petition is not the subject of this decision on review. [↑](#footnote-ref-7)
6. Objections at 1. [↑](#footnote-ref-8)
7. Pub. L. 111-371, 124 Stat. 4072 (2011) (LCRA). *See* Objections at 8-13. [↑](#footnote-ref-9)
8. 47 CFR § 73.3587 (“Before FCC action on any application . . . any person may file informal objections to the grant”). [↑](#footnote-ref-10)
9. *Objection Decision* at 2-3. *See* *WWOR-TV, Inc.*, Memorandum Opinion and Order, 6 FCC Rcd 193, 197 n.10 (1990) (Commission dismissed improperly filed petitions to deny but considered pleadings instead as informal objections; because objections sought to dismiss or deny an application, however, Commission reviewed pleadings to determine whether they “alleged properly supported specific facts that, if true, would establish a substantial and material question of fact that a grant of the application would be inconsistent with the public interest.”). *See also* 47 U.S.C. § 309(d)(1) (a petition to deny “shall contain specific allegations of fact sufficient to show that the petitioner is a party in interest and that a grant of the application would be prima facie inconsistent with subsection (a) (or subsection (k) in the case of renewal of any broadcast station license). 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.”). [↑](#footnote-ref-11)
10. *Id*. at 3-6. [↑](#footnote-ref-12)
11. The Petitions were timely filed on July 9, 2018. 47 U.S.C. § 405(a), 47 CFR § 1.106(f). [↑](#footnote-ref-13)
12. *Reconsideration Decision* at 2, citing 47 CFR § 1.106(b)(1). [↑](#footnote-ref-14)
13. *Reconsideration Decision* at 2, citing *Regionet Wireless License, LLC*, Memorandum Opinion and Order, 17 FCC Rcd 21269, 21271 n.23 (2002), and *Dennis J. Kelly, Esq., et al.*, Letter Decision, 32 FCC Rcd 6880, 6883 (MB 2017). [↑](#footnote-ref-15)
14. 47 CFR § 1.106(b). *See* *Reconsideration Decision* at 2. [↑](#footnote-ref-16)
15. 47 CFR § 1.106(b). The Bureau found Prometheus had made a sufficient showing of standing as a person who could be adversely affected by grant of the Camden Application, *supra* note 5, because Prometheus’s signatory stated that he was a listener of an LPFM station that would be affected by grant of that application. See discussion at paragraph 8 and note 27, *infra*. [↑](#footnote-ref-17)
16. The Bureau stated that it would rule at a later date on the merits of Prometheus’s petition against the Camden Application. *Reconsideration Decision* at 3. [↑](#footnote-ref-18)
17. Application at 3-8. [↑](#footnote-ref-19)
18. 47 U.S.C. § 405(a) (Section 405(a)). [↑](#footnote-ref-20)
19. Application at 3-5. [↑](#footnote-ref-21)
20. *Id*. [↑](#footnote-ref-22)
21. 47 U.S.C. § 405(a). [↑](#footnote-ref-23)
22. 47 CFR § 1.106(b)(1) (Section 1.106(b)(1)). [↑](#footnote-ref-24)
23. *Id*. [↑](#footnote-ref-25)
24. *See Ala. Educ. Television Comm*., Memorandum Opinion and Order, 33 F.C.C.2d 495, 500, para. 13 (1972) (“Section 405 of the Communications Act of 1934, as amended, [47 U.S.C. 405](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000546&cite=47USCAS405&originatingDoc=I467947d82c2f11dbb0d3b726c66cf290&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), as implemented by Section 1.106 of the Commission’s rules, 47 CFR 1.106, permits the filing of a petition for reconsideration by (1) any party to the proceeding and (2) any other person aggrieved or whose interests are adversely affected by the Commission’s action.”). *See also WIS-TV Corp., et al.*, Memorandum Opinion and Order, 17 F.C.C. 641, 643, para. 5 (1953) (“Spartan has made no showing whatever ‘of injury which would permit it to come before us as a “person aggrieved or whose interests are adversely affected.”’”), quoting *Kan. State Coll. of Agric. & Applied Sci*., Memorandum Opinion and Order, 8 R.R. 261, 262, para. 4 (1952). [↑](#footnote-ref-26)
25. *See, e.g., Applications of Charter Communications., Time Warner Cable Inc., and Advanced/Newhouse Partnership for Consent to Assign or Transfer Control of Licenses and Authorizations*, Memorandum Opinion and Order, FCC 18-127, at 1, paras. 3-4 (Sept. 10, 2018) (*Charter*); *Application of AT&T Mobility Spectrum LLC and FiberTower Corporation for Consent to Transfer Control of 39 GHz Licenses*, Memorandum Opinion and Order, FCC 18-86, at 4, para. 6 (July 2, 2018) (*AT&T Mobility Spectrum Order*); *Daniel R. Goodman*, Memorandum Opinion and Order, 13 FCC Rcd 21944, 21961-62, para. 29 (1988). [↑](#footnote-ref-27)
26. *Charter* at 1, para. 4. [↑](#footnote-ref-28)
27. *Id.* (quoting *AT&T Mobility Spectrum Order*, FCC 18-86, at 4, para. 6). [↑](#footnote-ref-29)
28. *Id; AT&T Mobility Spectrum Order*, FCC 18-86, at 4, para. 6. [↑](#footnote-ref-30)
29. *Chapin Enterprises, LLC*, Memorandum Opinion and Order, 29 FCC Rcd 4250, 4252 (2014); CHET-5 Broadcasting, L.P., Memorandum Opinion and Order, 14 FCC Rcd 13041, 13042 (1999) (“[W]e will accord party-in-interest status to a petitioner who demonstrates either residence in the station's service area or that the petitioner listens to or views the station regularly, and that such listening or viewing is not the result of transient contacts with the station”); Office of Communications of the United Church of Christ v. FCC, 359 F.2d 994, 1000-1006 (D.C. Cir. 1966) (expanding standing from traditional categories of electrical interference or economic injury to station listeners). [↑](#footnote-ref-31)
30. *AT&T Mobility Spectrum Order*, FCC 18-86, at 4, para. 6; *Friends of the Earth, Inc.*, Memorandum Opinion and Order, 18 FCC Rcd 23622, 23622-23, paras. 2-3 (2003). [↑](#footnote-ref-32)
31. As noted above, *supra* note [5], Prometheus has submitted the statement of an individual, Paul Bame, who states that he is a regular listener of an LPFM station that would be affected by one of the translator applications against which Prometheus filed an Informal Objection. That application is not before us here.  Objector Common Frequency attempted to establish standing for the first time in the Petition for Reconsideration, attaching the statement of Todd Urick, Common Frequency’s signatory on the Informal Objections and Petitions, that he resides within the proposed service area of the Rocklin, California, translator application.  Petition for Reconsideration at 17. Section 1.106(c) of the rules states that a petition for reconsideration that relies on new facts or arguments may be granted only if those facts or arguments relate to events that have occurred, or circumstances that have changed, since the last opportunity to present such matters, or when the petition relies on facts or arguments unknown to the petitioner until after his last opportunity to present those facts or arguments.  47 CFR § 1.106(c)(1) (referencing 47 CFR § 1.106(b)(2)). Although Section 1.106(c)(2) allows the Commission or designated authority to consider such facts or arguments if it determines that doing so is required in the public interest, Petitioners do not provide any reason for their failure to submit the Urick statement earlier or claim that the public interest requires consideration of this untimely submission. Moreover, Petitioners do not contest the Bureau’s finding that Mr. Urick failed to explain why he could not participate earlier in the proceeding, *Reconsideration Decision* at 2-3, nor do they state whether Mr. Urick holds any official position with Common Frequency or explain the nature of his connection with the organization. Thus, we agree with the Bureau’s conclusion that Mr. Urick’s statement does not establish that the Petitioners have standing with respect to the Rocklin application or any other application. [↑](#footnote-ref-33)
32. Application at 5-6 (“Petitioners [are] nonprofit advocates of many operating LPFM stations across the United States” that “participate in ongoing assistance without remuneration” . . . and “are in essence volunteers associated with each station. . . . Petitioners have invested large sums of grant money and private funding to assure the sustainability of LPFM across the country. . . .[F]ailure to address the Reconsideration represents a loss to all of the volunteer stakeholders associated with the struggle to ensure LPFM solvency . . . .”). Objectors have not cited any case law establishing a so-called “stakeholder aggrievement” category of persons entitled to standing. Moreover, courts have held that a “mere interest” in a problem is not sufficient to render an organization aggrieved or adversely affected. *See Sierra Club v. Morton*, 405 U.S. 727, 739 (1972) (holding that “a mere ‘interest in a problem,’ no matter how longstanding the interest and no matter how qualified the organization is in evaluating the problem, is not sufficient by itself to render the organization ‘adversely affected’ or ‘aggrieved’ within the meaning of the APA.”). [↑](#footnote-ref-34)
33. *See Nevada Radio-Television Inc.*, Memorandum Opinion and Order, 40 FCC 2d 444, 445, para. 2 (1973) (stating that Section 405(a) of the Communications Act “confers standing to seek reconsideration upon persons who are aggrieved or whose interests are adversely affected by a Commission action, not upon those who *may be* aggrieved or whose interest *may be* adversely affected upon the happening of some contingent event in the future”). [↑](#footnote-ref-35)
34. 68 F.C.C.2d 845 (1978) (*Pacific Broadcasting*). [↑](#footnote-ref-36)
35. *Id*. at 848. [↑](#footnote-ref-37)
36. *Reconsideration Decision* at 2-3. [↑](#footnote-ref-38)
37. *See*, *e.g.*, *Bernard Koteen, Esq.*, Letter, 14 F.C.C.2d 383, 383 (1968) (*Koteen*). [↑](#footnote-ref-39)
38. *Harrea Broadcasters, Inc.*, Memorandum Opinion and Order, 52 F.C.C.2d 998 (1975) (*Harrea*). [↑](#footnote-ref-40)
39. *License Renewal Applications of Certain Broadcast Stations Licensed for and Serving the Metropolitan Los Angeles, California, Area*, Memorandum Opinion and Order, 68 F.C.C.2d 75, 77, para. 7 (1978). [↑](#footnote-ref-41)
40. *License Renewal Applications of Certain Broadcast Stations Licensed to Communities in Maryland, Virginia, West Virginia, and the District of Columbia*, Memorandum Opinion and Order, 9 FCC Rcd 2143 (1994). [↑](#footnote-ref-42)
41. 47 U.S.C. § 309(d)(1). [↑](#footnote-ref-43)
42. *Harrea*, *supra* note 31, 52 F.C.C.2d at 1002, para. 15. [↑](#footnote-ref-44)
43. 47 U.S.C. § 309(d)(1). [↑](#footnote-ref-45)
44. *See* Applications at 9-12 (claiming Bureau’s failure to address arguments regarding compliance with the LCRA in the *Reconsideration Order* was in error). [↑](#footnote-ref-46)