

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

In the Matter of)
)
HISPANIC CHRISTIAN COMMUNITY) MB Docket No. 23-267
NETWORK, INC., aka HCCN) NAL/Acct. No. 202341420025
) FRNS: 0014120505; 0013410998
)
ANTONIO CESAR GUEL) NAL/Acct. No. 202341420026
Former President of HCCN) FRNS: 0006568448; 0023037682
)
and)
)
JENNIFER JUAREZ, aka Jenifer Juarez,) NAL/Acct. No. 202341420027
Licensee of Low Power Television Stations) FRN: 0024126237
Application for Renewal)
)
KHDE-LD, Denver, CO) Facility ID No. 189604
) LMS File No. 0000176579
)
)
KJTN-LP, Abilene, TX) Facility ID No. 127351
) CDBS File No. BRTTL-20160411AAZ and
) LMS File No. 0000192978
)
)
KZAB-LP, Abilene, TX) Facility ID No. 130088
) CDBS File No. BRTTL-20160412ABN and
) LMS File No. 0000192977
)
)
KZTE-LD, Fulton, AR) Facility ID No. 128037
) LMS File No. 0000132447
)
)
KTEQ-LP, Fulton, AR) Facility ID No. 130047
) LMS File No. 0000132448
)
)
WESL-LP, Jamestown, KY) Facility ID No. 128034
) LMS File No. 0000142902
)
)
KRPO-LD, Quartzite, AZ) Facility ID No. 128964
) LMS File No. 0000192826
)

ORDER RE MOTION TO ENLARGE

Issued: April 4, 2024

Released: April 4, 2024

- 1. On December 18, 2023, the FCC’s Enforcement Bureau filed a motion to enlarge the

issues in this proceeding.¹ The issues originally designated for consideration focused on the assignment and operation of the seven low-power television (LPTV) stations captioned above, which were licensed to Jennifer Juarez, niece of Antonio Cesar Guel, former President of Hispanic Christian Community Network (HCCN).² Mr. Guel admittedly continued to operate and control the stations after assigning them from HCCN to Ms. Juarez, and has acknowledged making a number of misrepresentations to the Commission.³ After Ms. Juarez waived her right to a hearing and submitted the licenses for cancellation, the Presiding Judge certified to the Commission those issues that were solely applicable to Ms. Juarez, leaving 12 issues for consideration regarding Mr. Guel and HCCN.⁴

The Enforcement Bureau's Motion to Enlarge

2. The Enforcement Bureau's motion to enlarge the issues stems from responses submitted by Mr. Guel in discovery regarding two other Commission licensees owned by members of his family -- Mekaddesh Group Corporation (Mekaddesh) and Hispanic Family Christian Network (HFCN). The Bureau submits that Mr. Guel has described his role in those two companies in the same way that he explained his work for the Juarez stations. Because Mr. Guel has admitted that he controlled the Juarez stations, the Bureau contends that Mr. Guel's discovery responses potentially indicate that he may have exercised unauthorized control over the Mekaddesh and HFCN stations as well.⁵ The Bureau also notes that Mr. Guel, who is not a U.S. citizen despite averring so on several Commission applications, along with his wife, funds the Guel Family Trust, which holds 100% of the voting and equity interests of Mekaddesh, and that Mr. Guel has served as the point of contact for HFCN.⁶ The Enforcement Bureau accordingly proposes enlarging the issues in this proceeding to include the following:

(i) To determine whether there has been a de facto transfer of control of stations licensed to Mekaddesh Group Corporation and/or Hispanic Family Christian Network, Inc. to Antonio Cesar Guel in violation of section 310(d) of the Communications Act of 1934, as amended (Act), and sections 73.1150(a), (b), and 73.3540 of the Commission's rules;

(ii) To determine whether Antonio Cesar Guel has exercised and continues to exercise de facto control over stations licensed to Mekaddesh Group Corporation and/or Hispanic Family Christian Network, Inc.; and

(iii) To determine whether Antonio Cesar Guel is (and/or has been, during the most recent license term) a real-party-in-interest to applications for broadcast stations licensed to Mekaddesh Group Corporation and/or Hispanic Family Christian

¹ Enforcement Bureau's Motion to Enlarge, MB Docket No. 23-267 (filed Dec. 18, 2023) (EB Motion to Enlarge).

² *Hispanic Christian Community Network, Antonio Cesar Guel, and Jennifer Juarez*, Order to Show Cause Why a Cease and Desist Order Should Not be Issued, Order to Show Cause Why an Order of Revocation Should not be Issued, Hearing Designation Order, Notice of Opportunity for Hearing, and Notice of Apparent Liability for Forfeiture, MB Docket No. 23-267, DA 23-678, 2023 WL 5197159 (MB Aug. 10, 2023) (*HCCN HDO*).

³ See Antonio Cesar Guel, Motion for Summary Decision, MB Docket No. 23-267 (filed Nov. 9, 2023).

⁴ *Hispanic Christian Community Network, Antonio Cesar Guel, and Jennifer Juarez*, Certification Order, MB Docket No. 23-267, FCC 23M-13, 2023 WL 6793901 (ALJ Oct. 10, 2023) (certification of Juarez issues to Commission); *Hispanic Christian Community Network, Antonio Cesar Guel, and Jennifer Juarez*, Summary of Initial Conference, MB Docket No. 23-267, FCC 23M-12, 2023 WL 6458476 (ALJ Oct. 2, 2023) (*Summary of Initial Conference*) (redesignation of issues).

⁵ EB Motion to Enlarge at paras. 6-7.

⁶ *Id.* at para. 8.

Network, Inc.⁷

The Enforcement Bureau also seeks to add Mekaddesh Group Corporation and Hispanic Family Christian Network as parties and proposes conforming amendments to the existing issues.⁸

3. Mr. Guel filed an Opposition to the motion to enlarge on January 8, 2024.⁹ He contends that the Bureau's allegation that he is in control of licenses held by Mekaddesh and HFCN is speculative and not supported by evidence.¹⁰ He points out that the Commission has acknowledged that when family members are in business together, there may be a heightened appearance of real-party-in-interest issues that does not exist in non-family situations.¹¹ He submits a number of documents, including a declaration from his daughter, Maria Guel, to show that she, and not Mr. Guel, is in control of Mekaddesh and HFCN.¹² He also asserts that it would be necessary to add Mekaddesh and HFCN to this proceeding in order to address the additional issues that the Bureau has proposed and to afford those parties due process. He claims, however, that the Bureau failed to seek to add them as parties.¹³

4. The Enforcement Bureau sought leave to file a Reply to the Guel Opposition, which attached an Acquisition Agreement filed with the Securities and Exchange Commission (SEC) indicating that Mekaddesh was acquired by JPX Global in 2023.¹⁴ The Bureau's Reply asserts that the document appears to indicate that Mr. Guel has an ownership interest in Mekaddesh and notes that two of the stations listed in the Acquisition Agreement as being Mekaddesh stations are actually licensed to HFCN.¹⁵ It also points out that it had sought in its Motion to Enlarge to make Mekaddesh and HFCN parties to this proceeding and that any arguments about due process afforded to those entities, which are currently not parties, are premature.¹⁶ Mr. Guel responds that the proposed transaction remains pending and that the Acquisition Agreement does not show that he has an ownership interest in Mekaddesh or HFCN.¹⁷

February 5 Order

5. On February 5, 2024, the Presiding Judge released an order granting the Bureau's Motion

⁷ *Id.* at para. 9.

⁸ *Id.* at paras. 10, 15.

⁹ Anthony Cesar Guel, Opposition to Motion to Enlarge Issues, MB Docket No. 23-267 (filed Jan. 8, 2024) (Guel Opposition to Motion to Enlarge).

¹⁰ Guel Opposition to Motion to Enlarge at 8-9.

¹¹ *Id.* at 5-6.

¹² *Id.* at Attachment 3 (Declaration of Maria C. Guel, Jan. 8, 2024). The other attachments are the December 2023 Ownership Reports (FCC Form 323) for HFCN (Attachment 1) and for Mekaddesh (Attachment 2), pictures of broadcast facilities (Attachment A), various correspondence from or to Maria Guel (Attachment 4), a Commission report of winning bids in an FM broadcast auction (Attachment 5), and a Commission consent to assignment of KZAM-FM to Mekaddesh (Attachment 6).

¹³ *Id.* at 10.

¹⁴ Enforcement Bureau's Reply to Guel's Opposition to Motion to Enlarge, MB Docket No. 23-267 (filed Jan. 10, 2024) (EB Reply) at Exhibit 1 (Acquisition Agreement Between JPX Global, Inc., and Mekaddesh Group Corporation); Enforcement Bureau's Motion for Leave to File a Reply, MB Docket No. 23-267 (filed Jan. 10, 2024).

¹⁵ EB Reply at paras. 8-10.

¹⁶ *Id.* at n.15.

¹⁷ Antonio Cesar Guel, Opposition to Enforcement Bureau's Motion for Leave to File a Reply, MB Docket No. 23-267 (filed Jan. 17, 2024) at 2-5.

for Leave to File a Reply and directing Mr. Guel to provide additional information regarding the transaction between JPX Global and Mekaddesh before ruling on the Enforcement Bureau's Motion to Enlarge.¹⁸ She pointed out that documents filed with the SEC, including a proposed initial stock offering, indicate that JPX Global acquired Mekaddesh and that Maria Guel has been President, CEO, and Director of JPX Global since April 2023. The documents also appear to show that Mr. Guel has an ownership interest in Mekaddesh. Because the information filed with the SEC conflicts in several respects with the information submitted thus far in this proceeding, and because no application has been filed with the FCC regarding the JPX/Mekaddesh transaction, the Presiding Judge directed Mr. Guel to provide an explanation.¹⁹

6. On February 13, 2024, Mr. Guel submitted two declarations in response to the *February 5 Order*, one from Mr. Guel himself and one from securities counsel Frank Igwealor.²⁰ In his declaration, Mr. Guel indicates that he and his daughter, Maria Guel, were approached in 2022 by Kuldip Singh, an individual to whom HFCN had sold an FM translator license, regarding whether they were interested in offering stock to the public. Mr. Guel recounts that Mr. Singh said that he would facilitate their stock offering but that he needed to be part of the company, whereupon Maria Guel sold Mr. Singh 25 percent of Mekaddesh. He notes that Maria Guel "decided to go with Mekaddesh Group Corporation to be the leading company in this with some of Hispanic Family Christian Network stations that would be transferred to it eventually as well."²¹ Mr. Guel states that Mr. Singh then sent them documents to sign and implies that they were pressured to sign quickly. They signed the documents and, according to Mr. Guel, "I myself assumed everything was fine until now that we encountered all [these] issues."²²

7. As was discussed in the *February 5 Order*, Mr. Igwealor previously provided a declaration in which he was identified as securities counsel, and documents filed with the SEC reveal that he has a financial interest in the JPX Global/Mekaddesh transaction and the associated stock offering, including controlling the company that sold JPX Global to the Mekaddesh Group and holding a \$475,000 convertible promissory note.²³ Mr. Igwealor's most recent declaration identifies him as the Managing Member and CEO of Alpharidge Capital LLC, which owns several companies whose stock is traded in the over the counter (OTC) market. He explains that Alpharidge sells these OTC companies to small businesses who, in turn, grow their original businesses by merging the OTC companies with their own. He states that he was approached by agents regarding a potential sale of one of Alpharidge's companies, JPX Global, to "a group of buyers namely Kuldip Singh, Antonio Cesar Guel, Jagandeep Kaur, and Maria Guel."²⁴ Mr. Igwealor submits that the intent was to combine the companies in a reverse merger process whereby control of JPX Global would be sold to "the quartet" of Kuldip Singh, Antonio Cesar Guel, Jagandeep Kaur, and Maria Guel, and then, in a separate transaction, JPX Global would acquire Mekaddesh. According to Mr. Igwealor, the first transaction, sale of JPX Global, occurred on March 9, 2023, whereby Alpharidge sold a controlling interest of 60 percent of JPX Global to "the quartet" in exchange for a \$475,000 convertible note. At the same time, Kuldip Singh was appointed Director and Maria Guel was appointed President of JPX Global. In April 2023, Mr. Igwealor drafted an Acquisition Agreement whereby JPX Global would acquire Mekaddesh; he avers that the agreement requires the

¹⁸ *Hispanic Christian Community Network, Antonio Cesar Guel, and Jennifer Juarez*, Order, MB Docket No. 23-267, FCC 24M-01, 2024 WL 488277 (ALJ Feb. 5, 2024) (*February 5 Order*).

¹⁹ *February 5 Order* at paras. 25-28.

²⁰ Antonio Cesar Guel, Response to Order, MB Docket No. 23-267 (filed Feb. 13, 2024) (Guel Response).

²¹ Guel Response at Attachment 1 (Declaration of Antonio Cesar Guel).

²² *Id.*

²³ *February 5 Order* at n.85.

²⁴ Guel Response at Attachment 2 (Declaration of Frank I. Igwealor).

approval of the Board of Directors of both companies prior to closing, which has not yet occurred. Despite identifying Mr. Guel as part of the “quartet” to which JPX was sold, Mr. Igwealor states that, “Antonio Cesar Guel is not and will not be an owner of JPEX or Mekaddesh, nor will be in a position to control either company, either directly or indirectly.”²⁵ He submits that the agreement through which Alpharidge sold control of JPX Global “did not contemplate or try to identify the ownership of [Mekaddesh].”²⁶

8. Further, Mr. Igwealor provides that JPX Global filed a Regulation A Circular with the SEC proposing to raise \$16 million by selling 4 billion shares of stock to the public. He states that the SEC qualified the filing on December 2, 2023, but that JPX Global has not commenced selling shares to the public because it is waiting for state approval. He admits that it was a mistake to affirm to the SEC that JPX Global had already acquired Mekaddesh, and indicates that a correction will be submitted to the SEC within 16 days. He also asserts that other than Maria Guel, no other officer of JPX Global is part of Mekaddesh.²⁷

9. In response, the Enforcement Bureau contends that not only did Mr. Guel not respond to the *February 5 Order* as directed by the Presiding Judge, but the declarations he produced raise additional questions about the relationship between JPX Global and Mekaddesh.²⁸ The Bureau points out that no Commission filings identify Mr. Singh as a 25 percent owner of Mekaddesh, and that Mr. Guel’s declaration directly contradicts previous statements made in this proceeding that Mekaddesh is 100 percent owned by the Guel Family Trust. Moreover, the Bureau submits that Mr. Guel does not identify the documents that Mr. Singh asked Mr. Guel and his daughter to sign. The Bureau argues that if Mr. Guel has no ownership interest in Mekaddesh, as he claims, it is not clear why he would be a signatory to those documents.²⁹ Further, the Bureau asserts, Mr. Guel has not described his association to either JPX Global or Mekaddesh as directed by the *February 5 Order* or fully explained why stations licensed to HFCN were identified as Mekaddesh stations in documents filed with the SEC.³⁰ Nor, it contends, has Mr. Guel explained the discrepancies identified in the *February 5 Order*.³¹

10. The Enforcement Bureau also asserts that Mr. Igwealor’s declaration is both at odds with information already provided in this proceeding and internally inconsistent. It notes that, while Maria Guel stated in an earlier declaration that the transaction between JPX Global and Mekaddesh has not yet closed because it has not yet received final approval from state and federal securities authorities, Mr. Igwealor indicates that the delay is because the boards of directors of the two companies have not yet approved the transaction. The Bureau further points out that Mr. Igwealor identifies Mr. Guel as one of the purchasers of JPX Global and one of the sellers of Mekaddesh, but in the same document declares that Mr. Guel is not an owner of JPX Global or Mekaddesh. In addition, the Bureau argues, Mr. Igwealor’s description of the transaction differs from his own previous statement filed by Mr. Guel on January 18 regarding when stock of JPX Global would be transferred to Mekaddesh principals.³²

²⁵ *Id.* “JPEX” and “JPX Global” refer to the same company.

²⁶ *Id.*

²⁷ *Id.*

²⁸ Enforcement Bureau’s Response to Mr. Guel’s Response to Order, FCC 24M-01, MB Docket No. 23-267 (filed Feb. 20, 2024) (EB Response to Guel Declarations).

²⁹ EB Response to Guel Declarations at paras. 9-10.

³⁰ *Id.* at paras. 14, 16.

³¹ *Id.* at paras. 19-24.

³² *Id.* at paras. 11-13.

11. In response to the Presiding Judge's concerns regarding the potential addition to this proceeding of parties, licenses, and applications, the Enforcement Bureau asserts that this hearing provides the most efficient means to address the extent of Mr. Guel's control over Mekaddesh and HFCN. It acknowledges statements in the *HCCN HDO* that suggest possible further investigation by the Media Bureau of the Guel family's broadcast holdings, but contends that there is no indication that such investigations are being actively pursued. The Bureau therefore submits that, given the unresolved contradictions identified by the Presiding Judge, and in light of the overlap between the issues already designated for hearing with matters regarding ownership and control of Mekaddesh and HFCN, enlarging this proceeding as it has requested is justified.³³

Discussion

12. In the *February 5 Order*, the Presiding Judge directed Mr. Guel to provide "a full and honest account of the history and status of the acquisition of Mekaddesh by JPX Global, including his role in the transaction, a description of his association to both companies, and an explanation of why HFCN licenses were identified as owned by Mekaddesh in documents filed with the SEC."³⁴ Mr. Guel was also ordered to explain the cited discrepancies between the SEC documents and the statements filed in this proceeding regarding the transaction between JPX Global and Mekaddesh.³⁵ In so doing, the Presiding Judge offered Mr. Guel a further opportunity to clarify the matter after his initial explanation of the transaction was inadequate. Instead, however, Mr. Guel's response to the *February 5 Order* introduces additional inconsistencies. Mr. Guel's declaration says nothing of his involvement with JPX Global; he refers to documents that he and his daughter signed but he does not identify those documents. When viewed in tandem with Mr. Igwealor's declaration, the implication is that the documents facilitated the transfer to them of a controlling interest in JPX Global, but without more information that cannot be substantiated. Moreover, as the Enforcement Bureau posits, if Mr. Guel has no ownership interest in Mekaddesh, as he has repeatedly argued, it is unclear in what capacity he would be a signatory to any documents regarding the transaction.³⁶ Mr. Igwealor's declaration introduces information that makes Mr. Guel's role in the companies even more ambiguous. While Mr. Igwealor identifies Mr. Guel as among the "quartet" of buyers for JPX Global, he also states that Mr. Guel "is not and will not be an owner of JPEX or Mekaddesh, nor will he be in a position to control either company, directly or indirectly."³⁷

13. Nor do either of the declarations that Mr. Guel submitted in response to the *February 5 Order* explain the discrepancies between the SEC documents and statements made thus far in this proceeding regarding the transaction. It is particularly alarming that Mr. Igwealor's declaration acknowledges that JPX Global made misrepresentations to the SEC. Referencing the Offering Circular filed with the SEC, Mr. Igwealor states that, "[t]he use of the sentence 'JPX Global Inc. acquired Mekaddesh Group Corporation in February 2023' was a mistake which has been communicated to JPEX reporting filers to make the necessary correction."³⁸ He asserts that "[a] correction would be included in a

³³ *Id.* at paras. 26-28.

³⁴ *February 5 Order* at para. 28.

³⁵ *Id.*

³⁶ See Guel Response at Attachment 1 (Declaration of Antonio Cesar Guel) ("he started to send us documents so that we could present them in the stock market . . . we signed the documents and sent them to him").

³⁷ Guel Response at Attachment 2 (Declaration of Frank I. Igwealor).

³⁸ *Id.* (referencing JPX Global, Inc., Regulation A Offering Circular (Form 1-A/A) (Sept. 27, 2023) (Offering Circular) at 22, available at https://www.sec.gov/Archives/edgar/data/1506814/000190359623000752/jpx_regaa.htm). The identity of the

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new filing by JPX Global within the next 16 days.”³⁹ Despite that very specific assurance, made on February 13, 2024, the company’s next SEC submission occurred on March 28, 2024. That filing was not an updated Offering Circular, but was instead an Annual Report covering 2023.⁴⁰ The 2023 Annual Report indicates that the transaction with Mekaddesh has not yet closed and removes references to Mr. Guel, both as a founder of Mekaddesh and as part of the group acquiring JPX Global, which appears to make that filing inconsistent with the Acquisition Agreement. As was pointed out in the *February 5 Order*, JPX Global previously described its business to the SEC as if the transaction has occurred and it is operating Mekaddesh.⁴¹ The SEC qualified the stock offering on September 29, 2023, presumably in reliance on that description, which is now contradicted by the 2023 Annual Report.⁴²

14. Mr. Guel’s declaration implies that he and his daughter were pressured to sign documents that they didn’t understand, and may be suggesting that Maria Guel did not realize that she is now CEO of JPX Global, which carries significant fiduciary responsibilities. We cannot know that for sure because Mr. Guel has not submitted an updated statement from Maria Guel that recounts her version of events. Her most recent declaration merely indicates that the contemplated reverse merger has not yet taken place and that “JPX ... has no involvement in the management or operation of Mekaddesh or its broadcast properties,” which directly contradicts earlier filings that JPX Global submitted to the SEC over her signature.⁴³ Even if Mr. Guel and his daughter were ill-informed about how the transaction would work, facts have come to light in this proceeding that, if true, demonstrate a disregard for the FCC’s rules and regulations. For instance, Mr. Guel indicates that Maria Guel sold Kuldip Singh 25 percent of Mekaddesh, yet nowhere in the Commission’s records is a transfer of 25 percent of Mekaddesh to Mr. Singh revealed. Mr. Guel’s declaration indicates that he and his daughter started discussions with Mr. Singh “in mid-year 2022” and that the transfer occurred shortly thereafter.⁴⁴ The ownership report filed by Mekaddesh in December 2023, which Mr. Guel has submitted in this proceeding to show that Maria Guel is in complete control of Mekaddesh, makes no mention of Mr. Singh.⁴⁵ In addition, the only

“JPX reporting filers” is not clear. In transmitting Mr. Igwealor’s first declaration, Mr. Guel identified him as securities counsel for JPX Global, and Mr. Igwealor’s name appears on the cover page of the Offering Circular. Maria Guel signed the Offering Circular as CEO of JPX Global. Therefore, Mr. Igwealor and Ms. Guel presumably would be responsible for making corrective filings with the SEC.

³⁹ *Id.*

⁴⁰ JPX Global, Inc., Annual Report for the fiscal year ended December 31, 2023 (Form 1-K) (March 28, 2024), available at https://www.sec.gov/Archives/edgar/data/1506814/000190359624000173/jpx_1k.htm.

⁴¹ *February 5 Order* at n.78 (citing Offering Circular at 8 (indicates under “Business Overview” that JPX Global is “a Nevada Corporation, which operates primarily through its subsidiary, Mekaddesh Group Corporation. Mekaddesh is a Dallas, Texas based operator of several TV and Radio Stations”), 21 (“Following the acquisition of Mekaddesh Group Corporation, the Company pivoted its business plan to that of Mekaddesh, Radio & Television Stations operations. The Company operates 100% through Mekaddesh Group Corporation which was formed to acquire TV and radio stations for Hispanic programming”)).

⁴² JPX Global, Inc., Notice of Qualification (Sept. 29, 2023), available at https://www.sec.gov/Archives/edgar/data/1506814/999999999423000332/xslQUALIFX01/primary_doc.xml. It is not clear why Mr. Igwealor’s declaration states that the SEC qualification occurred on December 2, 2023.

⁴³ Antonio Cesar Guel, Supplement to Opposition to Enforcement Bureau’s Motion for Leave to File a Reply at Attachment A (Declaration of Maria C. Guel) (filed Jan. 18, 2024).

⁴⁴ Guel Response at Attachment 1 (Declaration of Antonio Cesar Guel).

⁴⁵ Guel Opposition to Motion to Enlarge at Attachment 2 (Commercial Broadcast Station Biennial Ownership Report (FCC Form 323) dated Dec. 26, 2023). Although Mr. Igwealor’s most recent declaration identifies Mr. Singh as one of the “quartet” of buyers for JPX Global, and Mr. Singh is listed in SEC documents as Principal Financial Officer and Director of JPX Global, Mr. Igwealor declares that, “apart from Maria Guel, who was made

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explanation offered for why the Acquisition Agreement filed with the SEC identifies two HFCN stations as being owned by Mekaddesh is Mr. Guel's declaration that Maria Guel "decided to go with Mekaddesh Group Corporation to be the leading company in this with some of Hispanic Family Christian Network stations that would be transferred to it eventually as well."⁴⁶ FCC licenses are not fungible. None of HFCN's licenses may be transferred to Mekaddesh without prior FCC approval.⁴⁷ Similarly, none of HFCN's or Mekaddesh's licenses may be transferred to JPX Global without prior FCC approval.

15. It seems that with each filing in this proceeding, the control and operation of the Guel family's broadcast licenses becomes less clear. Mr. Guel has submitted information, including declarations made under penalty of perjury, attempting to show that Maria Guel controls Mekaddesh and HFCN. The Enforcement Bureau has brought to light the Acquisition Agreement signed by Mr. Guel and Maria Guel, as well as SEC filings, that appear to position Mr. Guel as an owner of Mekaddesh. JPX Global subsequently made a filing with the SEC that contradicts the Acquisition Agreement and its earlier filings, including those upon which the SEC apparently relied in qualifying JPX Global's stock offering. Mr. Guel admits to exercising de facto control over stations licensed to HCCN that have been surrendered, but denies that he exercises de facto control over stations licensed to HFCN and Mekaddesh despite using substantially similar language to describe his role in all three companies. He also recounts that he represented Mekaddesh along with Maria Guel in discussions regarding the JPX Global transaction. These ambiguities, when considered with the numerous FCC violations to which Mr. Guel has already admitted regarding HCCN and the Juarez licenses, suggest a pattern of obfuscation and noncompliance common to Mr. Guel's involvement with HCCN, HFCN, and Mekaddesh that warrants further exploration.

16. The document initiating this hearing, the *HCCN HDO*, indicated that Mr. Guel not only has apparently violated the Communications Act and the Commission's rules, but that he has "a propensity for filing false certifications and inaccurate, incomplete, and/or evasive information with the Commission."⁴⁸ It questioned "whether [he] can deal truthfully with the FCC, either directly or as a party/consultant to, or participant in, other applications," expressing concern that, "there is a substantial likelihood of his continued deceptive activities that bear upon the potential operation of any other station Guel may seek to acquire, either through the creation of fictitious entities or through 'consulting' services, particularly to entities held by family members."⁴⁹ Mr. Guel's responses to discovery and to the *February 5 Order* raise similar concerns regarding his candor and willingness to be completely truthful without obfuscation or evasiveness. Indeed, the *HCCN HDO* designated for consideration the issue of whether to impose on Mr. Guel a cease and desist order that would prevent him "from operating, controlling, managing or providing any assistance to any stations" or, to the extent that he "is allowed to assist any other licensee/permittee/applicant in any way with the operation or construction of any station, or to

President of JPEX prior to the acquisition agreement, no other JPEX officer is part of Mekaddesh." Guel Response at Attachment 2 (Declaration of Frank I. Igwealor). This is inconsistent with Mr. Igwealor's previous statement that "JPX and its principals or present officers, directors, or stockholders, have absolutely no control over Mekaddesh, its sister company Hispanic Family Christian Network, or any their [sic] radio and television properties." Antonio Cesar Guel, Supplement to Opposition to Enforcement Bureau's Motion for Leave to File a Reply at Attachment B (Declaration of Frank I. Igwealor) (filed Jan. 18, 2024).

⁴⁶ Guel Response at Attachment 1 (Declaration of Antonio Cesar Guel).

⁴⁷ The stations, both FM translators, are identified in the Acquisition Agreement as 106.5 FM (Dallas, TX) and 92.9 FM (Fort Worth, TX). See EB Reply at Exhibit 1 (Acquisition Agreement Between JPX Global, Inc., and Mekaddesh Group Corporation). The call signs are K293CM (Facility ID 150497) and K225BR (Facility ID 146564), respectively. Commission records indicate that those two stations remain licensed to HFCN.

⁴⁸ *HCCN HDO* at para. 112.

⁴⁹ *Id.*

provide any assistance or input in any way in preparing or filing any application with the Commission,” whether he “shall be ordered to cease and desist from doing so without also providing a copy of any order issued in this proceeding that finds Hispanic Christian Community Network, Inc. or Antonio Cesar Guel lacks the character to be a Commission licensee in any and all filings with the Commission in which it/he participates in any way.”⁵⁰

17. The record of this proceeding thus far also reveals conduct of individuals and licensees other than Mr. Guel, including but not limited to Maria Guel, that may provide evidence of unauthorized transfers of control of FCC licenses, lack of candor with the Commission, and other violations of the Communications Act and the Commission’s rules. In weighing whether to consider the additional issues requested by the Enforcement Bureau, the Presiding Judge finds the Media Bureau’s approach in the *HCCN HDO* instructive. The Media Bureau mentioned Mr. Guel’s connections to other Guel family businesses, including HCFN and Mekaddesh, and the involvement of other Guel family members – including Maria Guel and Cesar Guel, Mr. Guel’s son – in possible FCC violations.⁵¹ Despite that, the Media Bureau designated for hearing only issues associated with HCCN and the above-captioned licenses that HCCN assigned to Jennifer Juarez. At the same time, as already discussed in the *February 5 Order*, the Media Bureau suggested that it is investigating other Guel family licenses. Concerns regarding misrepresentations made in documents filed with the SEC also might bear investigation by that agency. The Presiding Judge has carefully considered these additional facts and circumstances and concludes that declining to enlarge the issues as requested by the Enforcement Bureau is consistent with the Media Bureau’s approach in the *HCCN HDO* and avoids potentially interfering with any related investigations the Media Bureau may be conducting. Further, given the scope of possible inquiry and the number of parties in addition to Mr. Guel and HCCN that the record suggests might have engaged in violations, the Presiding Judge finds that it would not be efficient to refocus this proceeding by enlarging the issues.⁵²

18. While some of the discovery and filings submitted in this hearing might inform collateral proceedings involving other Guel family members and licenses, such information is also material to evaluating Mr. Guel’s candor during this proceeding, including the veracity of his declarations and possible testimony. This information similarly is material to evaluating the veracity of declarations by others that Mr. Guel has submitted, along with the possible testimony of those declarants. The Presiding Judge intends to permit limited additional discovery regarding other Guel family business activities to the extent that discovery is aimed at evaluating the veracity of Mr. Guel’s filings in this proceeding. Consistent with the Commission’s rules, that discovery must be reasonably calculated to lead to admissible evidence regarding the issues that remain in this proceeding; this is not an invitation to engage in broad discovery that is arguably not relevant.⁵³ The Presiding Judge has authority to issue subpoenas requiring the provision of documents, testimony, and other information from Mekaddesh, HFCN, and others, and will exercise that authority as she deems necessary and appropriate for these purposes.⁵⁴

⁵⁰ *Id.* at paras. 113-114.

⁵¹ *See, e.g., Id.* at para. 86 and n.246 (notes overlapping addresses for HCCN, HFCN, Mekaddesh, and Mr. Guel’s consulting business, and that Mr. Guel has identified himself as the General Manager of Mekaddesh); n.231 (raises possibility that Mr. Guel and Maria Guel colluded to work a fraud on the Commission); para. 106 (alleges that Cesar Guel made false certifications to the Commission).

⁵² Nothing compels the Presiding Judge to grant a motion to enlarge issues. 47 CFR § 1.229(e). She is authorized to conduct this proceeding in a manner “as will best conduce to the proper dispatch of business and the ends of justice.” 47 CFR § 1.243(n).

⁵³ 47 CFR § 1.311(b).

⁵⁴ 47 CFR § 1.243(b).

Ordering Clauses

19. Accordingly, **IT IS ORDERED** that the Enforcement Bureau's Motion to Enlarge in MB Docket No. 23-267, filed on December 18, 2023, **IS DENIED**.

20. **IT IS FURTHER ORDERED** that, on or before **April 15, 2024**, the Enforcement Bureau and Antonio Cesar Guel **SHALL FILE**, either individually or in concert, a proposed revised schedule for the conduct of this proceeding. The previous schedule adopted in October 2023 **IS SUSPENDED**.⁵⁵

FEDERAL COMMUNICATIONS COMMISSION



Jane Hinckley Halprin
Administrative Law Judge

⁵⁵ See *Summary of Initial Conference* at para. 8.