

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

In the Matter of
97.5 Licensee TX, LLC
Licensee
Luz Maria Rygaard
Transferor
and
Lorena Margarita Pérez Toscano
Transferee
KBNA-FM, El Paso, Texas
KAMA(AM), El Paso, Texas
KQBU(AM), El Paso, Texas
MB Docket No. 26-19
FRN: 0026209908
Facility ID No. 67066
Facility ID No. 36948
Facility ID No. 67065
Application File Nos. 0000216454 et al.

ORDER TERMINATING HEARING PROCEEDING AND
CERTIFYING CASE TO THE COMMISSION

Adopted: February 25, 2026

Released: February 25, 2026

1. This hearing was initiated by the FCC’s Media Bureau on January 23, 2026, by Hearing Designation Order, Order to Show Cause Why an Order of Revocation Should Not Be Issued, and Notice of Opportunity for Hearing.1 The licensee of record of the above-captioned stations is 97.5 Licensee TX, LLC, a limited liability company whose sole member is 97.5 Holdings TX, Inc. The sole shareholder of 97.5 Holdings TX, Inc. is Luz Maria Rygaard.2 In 2023, Ms. Rygaard filed applications with the Commission to transfer control of 97.5 Holdings TX to Lorena Margarita Pérez Toscano. The Media Bureau determined in its review of the applications that substantial and material questions of fact exist regarding whether Ms. Rygaard and Ms. Toscano engaged in an unauthorized transfer of control as well as misrepresentations and/or lack of candor in their dealings with the Commission. As a result, the Media Bureau was unable to find that the proposed transfer was consistent with the public interest as required by the Communications Act and designated several issues for hearing, including whether Ms. Rygaard and Ms. Toscano possess the character qualifications necessary to hold Commission licenses.3

1 97.5 Licensee TX, LLC, Hearing Designation Order, Order to Show Cause Why an Order of Revocation Should Not Be Issued, and Notice of Opportunity for Hearing, MB Docket No. 26-19, DA 26-76, 2026 WL 242467 (MB Jan. 23, 2026) (97.5 Licensee TX HDO).

2 97.5 Licensee TX HDO at para. 8.

3 Id. at paras 2-4.

2. Pursuant to section 1.221(c) of the Commission's rules, 47 CFR § 1.221(c), the Media Bureau indicated that if the parties did not file, within 20 days, either a written appearance, a petition to dismiss without prejudice, or a petition to accept an untimely written appearance, the captioned transfer applications would be dismissed with prejudice for failure to prosecute.<sup>4</sup> The parties instead requested withdrawal of the applications on February 10, 2026.<sup>5</sup> To the extent that those applications remain pending, the Presiding Judge dismisses them with prejudice pursuant to section 1.221(c) of the Commission's rules.

3. In addition, because the *97.5 Licensee TX HDO* designated for hearing an issue regarding license revocation, Ms. Rygaard and 97.5 Licensee TX were directed, pursuant to section 1.91(c) of the Commission's rules, 47 CFR § 1.91(c), to file within 20 days a written appearance indicating an intent to appear at the hearing and present evidence on the specified issues, either in person or as represented by counsel.<sup>6</sup> Rather than enter an appearance, 97.5 Licensee TX, and by extension Ms. Rygaard, waived the right to a hearing and submitted a statement in response to the *97.5 Licensee HDO*, as permitted by section 1.92(b) of the Commission's rules, 47 CFR § 1.92(b).<sup>7</sup> That rule allows a respondent that waives its hearing rights to submit a written statement "denying or seeking to mitigate or justify the circumstances or conduct complained of."<sup>8</sup>

4. When a hearing is waived, section 1.92(c) of the Commission's rules, 47 CFR § 1.92(c), directs the presiding officer to issue an order reciting the events or circumstances constituting a waiver of the hearing, terminate the hearing, and certify the case to the Commission. The day after 97.5 Licensee TX filed its statement, counsel for the FCC's Enforcement Bureau indicated in an email to the Presiding Judge and counsel for 97.5 Licensee TX that the Bureau intended to seek leave to file a response. Counsel for 97.5 Licensee TX replied that the Commission's rules do not provide for a responsive pleading to a waiver statement filed under section 1.92(b). The Presiding Judge concluded in an email to all parties that a response from the Enforcement Bureau was warranted due to uncertainties of administrative procedure that the statement raised, and indicated that she would memorialize the email exchange in an order, which she now does.<sup>9</sup> The Enforcement Bureau filed its motion for leave to file and its response on February 19, 2026.<sup>10</sup>

5. The Presiding Judge agrees with both parties that this matter must be certified to the Commission in accord with section 1.92 of the Commission's rules. As such, while the Presiding Judge grants the Enforcement Bureau's request for leave to file a response to the waiver statement of 97.5

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<sup>4</sup> *Id.* at paras. 84 and 86.

<sup>5</sup> 97.5 Licensee TX, LLC, Withdrawal of Amendment to Transfer, File Nos. 0000216454 et al. (filed Feb. 10, 2026).

<sup>6</sup> *97.5 Licensee TX HDO* at para. 81.

<sup>7</sup> Written Statement of 97.5 Licensee TX, LLC Submitted Pursuant to 47 C.F.R. § 1.92(b) in Response to Hearing Designation Order, Order to Show Cause Why an Order of Revocation Should Not Be Issued, and Notice of Opportunity for Hearing, MB Docket No. 26-19 (filed Feb. 12, 2026).

<sup>8</sup> 47 CFR § 1.92(b).

<sup>9</sup> The Presiding Judge took this action pursuant to section 1.243 of the Commission's rules, 47 CFR § 1.243, which provides that from the time a presiding officer is designated until issuance of a decision or the transfer of the case to the Commission, she has the authority to "conduct such proceedings as will best conduce to the proper dispatch of business and the ends of justice."

<sup>10</sup> Enforcement Bureau's Motion for Leave to File Response to Written Statement of 97.5 Licensee TX, LLC and Luz Maria Rygaard, MB Docket No. 26-19 (filed Feb. 19, 2026); Enforcement Bureau's Response to Written Statement of 97.5 Licensee, TX, LLC and Luz Maria Rygaard, MB Docket No. 26-19 (filed Feb. 19, 2026).

Licensee TX, it is up to the Commission to determine whether to consider that statement along with additional information that it might request from the parties.<sup>11</sup>

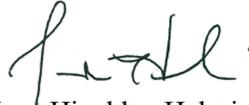
6. Accordingly, **IT IS ORDERED** that the Enforcement Bureau's Motion for Leave to File Response to Written Statement of 97.5 Licensee TX, LLC and Luz Maria Rygaard **IS GRANTED**.

7. **IT IS FURTHER ORDERED** that the applications for transfer of control that are specified in the caption of this order **ARE DISMISSED WITH PREJUDICE** to the extent that they remain pending.

8. **IT IS FURTHER ORDERED** that, due to the waiver of hearing in this proceeding by 97.5 Licensee TX, LLC, this hearing **IS TERMINATED** pursuant to section 1.92(c) of the Commission's rules, 47 CFR § 1.92(c).

9. **IT IS FURTHER ORDERED** that, due to waiver of the hearing in this proceeding by 97.5 Licensee TX, LLC, the issues designated for hearing by *97.5 Licensee TX, LLC*, Hearing Designation Order, Order to Show Cause Why an Order of Revocation Should Not Be Issued, and Notice of Opportunity for Hearing, MB Docket No. 26-19, DA 26-76, 2026 WL 242467 (MB Jan. 23, 2026), **ARE CERTIFIED TO THE COMMISSION** for resolution pursuant to section 1.92(c) of the Commission's rules, 47 CFR § 1.92(c).<sup>12</sup>

FEDERAL COMMUNICATIONS COMMISSION



Jane Hinckley Halprin  
Administrative Law Judge

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<sup>11</sup> See *Mission Cable TV, Inc.*, 56 F.C.C.2d 203 (1975) at n.8 (consideration by the Commission of response to statement made on waiver of hearing held consistent with section 1.92(d)).

<sup>12</sup> Courtesy copies of future submissions in this proceeding should be provided to the Commission's Office of General Counsel by email at [ALJHearingAppeals@fcc.gov](mailto:ALJHearingAppeals@fcc.gov).