

Character Issues

Nalini Kapur, Ravi Kapur, and Rishi Kapur (together, “Petitioners”) filed various pleadings with respect to an assignment application (File No. BALDTA-20130211ACT) (“Assignment Application”) and a renewal application (File No. BRDTA-20140731ANH) (“Renewal Application”) for KAXT-CD, San Francisco-San Jose, California (FIN 37689) in which they raised questions regarding the character qualifications of OTA Broadcasting (SFO), LLC (“OTA”). On July 11, 2014, the Video Division, Media Bureau, released a Memorandum Opinion and Order, DA 14-984, granting the Assignment Application. On March 26, 2015, the Video Division, Media Bureau released a Memorandum Opinion and Order, DA 15-375, affirming the grant of the Assignment Application and granting the Renewal Application. In its March 26, 2015 decision, the Video Division stated “. . . Based on a review of the record as a whole, we do not find that there exists a substantial and material question of fact concerning OTA’s character qualifications.” Out of an abundance of caution, OTA notes that the Video Division admonished OTA for its failure to disclose Petitioners’ character allegations in the Renewal Application, in violation of Section 1.17(a) of the FCC’s rules. On December 11, 2015, the Video Division released a Memorandum Opinion and Order, DA 15-1414, reaffirming the grant of the Assignment Application and Renewal Application. Currently, the bureau's findings are subject to a pending application for review.