

## **Comprehensive Renewal Exhibit**

### *Background and Statement Regarding Certifications*

The party in control of Hayden Hamilton Media Strategies, Inc. (the “Licensee”), L. Carrington Thompson, died suddenly on January 16, 2019. There is currently a pending application for assignment of the licenses of the station. *See* FCC File No. BAL-20190423AAC. As of April 15, 2019, the station is being operated pursuant to a pre-closing Time Brokerage Agreement.

Pursuant to the Commission’s grant of authority in FCC File No. BTCH-20190219ABD, Suzanne E. Gillespie-Thompson, Executor of the estate of Mr. Thompson, assumed control of the Licensee on March 21, 2019. The application for Commission consent was a short-form filing on FCC Form 316. Prior to that, Ms. Gillespie-Thompson was an officer of the Licensee, but she was otherwise not involved in the day-to-day operations of the station.

The Licensee became the owner of the station pursuant to the Commission’s grant of authority in FCC File No. BALH-20140602BAZ. The transaction closed October 1, 2014. Accordingly, the scope of the Licensee’s certifications and exhibits with respect to all items in the instant application is limited to the period October 1, 2014, to present.

### *Online Public Inspection File*

The Licensee became subject to the requirement to upload public inspection file documents in the FCC online public inspection file (“OPIF”) as of March 1, 2018. *See* 47 C.F.R. § 73.3526(b)(2)(i).

The Licensee failed to timely upload its issues/programs lists for Fourth Quarter 2018 and First Quarter 2019. The prior party in control of the Licensee, Mr. Thompson, died January 16, 2019, during the federal government shutdown when the OPIF was unavailable. As a small-market radio station owner, Mr. Thompson prepared and managed all the OPIF requirements prior to his death, including the preparation of issues/programs lists and their upload to the OPIF. He was not alive at the time the OPIF became available following the reopening of the federal government. The current party in control of the Licensee, Mr. Thompson’s widow, had previously not been involved with the station’s day-to-day operations, had no knowledge of the OPIF system, and was, at the time of the federal government’s reopening, attending to urgent priorities of the estate. She was unaware of the issues/programs list deadlines, but has since been advised of the requirements. Records concerning the Fourth Quarter 2018 and First Quarter 2019 issues/programs lists have been created in good faith based upon available information and uploaded to the OPIF.

As mentioned above, as of April 15, 2019, the Licensee entered into a pre-closing Time Brokerage Agreement pending Commission approval of the request for consent to assignment of the licenses for the station. The Licensee ordered and, after due inquiry, believes that pre-filing renewal announcements required pursuant to Section 73.3580 of the Commission's rules aired during the 7:00 a.m.-9:00 a.m. and/or 4:00 p.m.-6:00 p.m. time periods on April 1, 2019, and April 16, 2019. However, since the commencement of the Time Brokerage Agreement, whereby the station is now being operated by the proposed assignee, at all times subject to the control of the Licensee, the Licensee no longer has access to the station's former traffic system to confirm the broadcast times of the pre-filing renewal announcements on April 1, 2019, and April 16, 2019, nor does the proposed assignee/time broker have access to the Licensee's prior traffic system (the broker uses a different traffic system). The Licensee's certificate of broadcast of the pre-filing announcements therefore omits the time period of two pre-filing announcements; however, as stated above, the Licensee has a good faith basis to believe the announcements aired as required. Records of the announcements for May 1, 2019, and May 16, 2019, are available and located in the OPIF.

The Licensee, submits that the two late issues/programs list filings and omission of the time of broadcast for two pre-filing announcements described above are *de minimis* under the circumstances, particularly given the Licensee's overall history of compliance. *See, .e.g., Univision Atlanta LLC*, Letter Decision, 20 FCC Rcd 20102, DA 05-3231 (MB 2005) (granting renewal with admonishment where one issues/programs report was missing); *WFTV-TV Holdings, Inc.*, Notice of Apparent Liability for Forfeiture, 20 FCC Rcd 20178 (MB 2005), ¶ 10 (admonishment for failure to timely place two issues/programs lists in public inspection file); *Weber State University, Application for Renewal of License KWCR-FM, Ogden, Utah*, Memorandum Opinion and Order, DA 17-491 (MB 2017), ¶¶ 11-12 (no further action but admonishment for failure to air pre-filing announcements, and failure to air post-filing announcements at the appropriate times).

#### *Minimum Operating Schedule*

The Licensee has certified in the negative because during the preceding license term the station was silent for a period of more than 30 days. As explained in FCC File No. BLSTA-20141205AAH, the station suspended operations and went silent on October 24, 2014. The station resumed operations on December 18, 2014, and the Licensee, through counsel, informed the Commission of its resumption of operations at full, licensed power that same day.

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