

FCC Violations During The Preceding License term

On May 13, 2013, an application (BTC-20130513AAH et seq.) was filed proposing a transfer of control of the radio licensee corporation from Norma J. Littick to her son, Henry Littick, in furtherance of Mrs Littick's estate planning. Another application was also filed transferring control of a commonly owned television partnership, licensee of WHIZ-TV, Zanesville, Ohio.

Five months after the filing of the applications, it was discovered that due to a miscommunication between Henry Littick, local counsel, and communications counsel, the steps necessary to effectuate the transfers had been taken in December 2012. Thus, the transfers had been prematurely consummated prior to the filing of the long form transfer of control applications.

The parties promptly contacted the Audio Division and Video Division staffs and reported the premature transfers and amended the applications to note that the ownership changes had occurred prematurely and to include an explanation as to how this occurred. The parties explained that the premature completion of the ownership changes between mother and son were the result of an honest mistake on the part of Henry Littick as to what was required by the Commission for the ownership changes. He mistakenly believed that the changes only had to be reported on an Ownership Report

The parties ultimately entered into a Consent Decree with the Media Bureau which included a provision for the payment of a voluntary contribution by the licensees of Twenty-Two Thousand Dollars (\$22,000.00).

The Consent decree included a Compliance plan requiring training programs for station employees to ensure compliance with the Commission's Rules and included holding a refresher program once every 12 months. Licensees have carried out the training program requirements.

An Order was released by the Bureau on May 16, 2014 (DA 14-449) which adopted the Consent decree and stated that "The Consent Decree resolves issues arising from an admitted unauthorized transfer of control". The Order states "We conclude that the matters referenced above raise no substantial or material questions of fact as to whether the Parties possess the basic qualifications, including those related to character, to hold a Commission license".