

KPHW Online Public Inspection File

During the last license renewal period, SM-KPHW-FM, LLC (“Licensee”), licensee of KPHW, Kaneohe, Hawaii (Facility ID No. 27424) (“Station”), cannot certify full compliance with Station’s Online Public Inspection File (“OPIF”) requirements.

Section 73.3613 Contracts/Documents List. Licensee inadvertently failed to upload the contracts and documents required by Section 73.3613 of the Commission’s rules to Station’s OPIF. Upon discovering this oversight, Licensee immediately uploaded the required documents.

Issues/Programs Lists. Station failed to timely upload its quarterly Issues/Programs Lists Q1 2018 and Q1 2021. In both cases, the Issues/Programs lists were uploaded a week or less after the deadline. Without excusing the late uploads, Licensee submits that these minor oversights did not adversely impact the public interest. Upon discovery of its oversight, Station staff promptly uploaded the relevant lists.

Licensee fully appreciates its obligation to comply with the Commission’s rules and has taken steps to ensure Issues/Programs Lists are timely uploaded going forward. Licensee believes that Station’s overall record of compliance with the Commission’s rules regarding Issues/Programs Lists during the current license term demonstrates that Station has sufficient policies and procedures in place. Nonetheless, Licensee is committed to full compliance with the Commission’s rules and will reemphasize to Station staff the importance of following the policies and procedures related to OPIF maintenance.

Political File. Station failed to timely upload information related to several political ads it accepted in 2020. Licensee regrets this oversight. Licensee would note that it had fewer than five (5) late political file uploads.

In addition, earlier this year, a commonly owned station entered a consent decree related to political file issues during the same 2020 time period. The licensee of KSGF entered a consent decree regarding political file violations in February 2021. *See In re SM-KSGF-AM, LLC Licensee of Commercial Radio Station*, Order, DA 21-234 (Rel. Feb. 25, 2021). Licensee and KSGF’s licensee, SM-KSGF-AM, LLC, are commonly owned and share the same ultimate ownership.

Licensee appreciates its obligation to fully comply with the Commission’s rules. Licensee’s ultimate owners have implemented new policies and procedures across their commonly owned stations in response to the consent decree entered into by KSGF. Licensee is committed to full compliance with the Commission’s political file rules going forward, and it believes that the policies and procedures implemented in the wake of a commonly owned station entering a consent decree with the Commission will ensure that Licensee fulfills its compliance obligation.