

## **EXPLANATION OF REQUEST**

THE LICENSEE, BY THIS APPLICATION, SEEKS TO BRING NUNC PRO TUNC BOARD CHANGES, WHICH HAVE OCCURRED IN THE NORMAL COURSE OF THE NONPROFIT LICENSEE'S AFFAIRS, WHEN THEY REPRESENT A CHANGE IN VOTING POWER, OVER TIME, OF 50% OR MORE. UNDER NEW STATION MANAGEMENT, THE LICENSEE SUBMITS THIS APPLICATION IN AN EFFORT TO RECTIFY ISSUES WHICH LED TO THE DISMISSAL OF BTCL-20160517ABI IN 2019.

CHALLENGES AROSE IN 2019 FOLLOWING FORMER STATION MANAGEMENT'S FILING OF BTCL-20160517ABI. THE COMMISSION NOTIFIED STATION MANAGEMENT OF SEVERAL APPLICATION ERRORS IN LMS, AND IN RESPONSE, MANAGEMENT ATTEMPTED TO AMEND THE FILING. FOLLOWING SECOND NOTICE OF ERRORS FROM THE COMMISSION, MANAGEMENT ATTEMPTED AGAIN TO RECTIFY. AFTER FAILED ATTEMPTS TO REMEDY ERRORS IN THE TRANSFER, THE FILING WAS DISMISSED.

FORMER STATION MANAGEMENT EXPERIENCED DIFFICULTY AND CONFUSION FILING THE TRANSFER AND REMEDYING ERRORS VIA LMS, DESPITE TAKING DIRECTION FROM THE COMMISSION. IN NEW MANAGEMENT'S REVIEW AHEAD OF LICENSE RENEWAL, IT WAS DISCOVERED THAT THE DISMISSAL OF BTCL-20160517ABI WAS NEVER RESOLVED, LEADING TO INADVERTENT VIOLATION.

FOR THIS REASON, THE LICENSEE REQUESTS A NUNC PRO TUNC PRO FORMA TRANSFER OF CONTROL, WITH INTENT TO ACT PROACTIVELY AND COMPLY WITH REVISED RULE 47 C.F.R. SEC. 73.865. THE LICENSEE WISHES TO INFORM THE COMMISSION OF THE BOARD'S MOST RECENT ROUTINE CHANGES OVER TIME, AND OFFER THE COMMISSION AN OPPORTUNITY TO PASS UPON THE CURRENT BOARD. THE LICENSEE WILL CONTINUE TO UPDATE TRANSFERS AS NEEDED, AND WILL FILE A PRO FORMA TRANSFER OF CONTROL IN APRIL 2022 TO REFLECT MOST RECENT BOARD CHANGES OVER 50%.

LICENSEE ALSO CERTIFIES THAT IT STILL COMPLIES WITH RULE 47 C.F.R. SEC. 73.853 AND THAT THE ROUTINE BOARD MEMBER CHANGES DISCLOSED HEREIN DO NOT ARISE FROM ANY CONFLICT, TAKEOVER ATTEMPT OR CHANGE IN THE LICENSEE'S MISSION. THEY REPRESENT ROUTINE ROTATION OF BOARD MEMBERSHIP WITHOUT CHANGES IN ORGANIZATIONAL MISSION.