

FCC Violations Exhibit

As set forth in more detail in the Purpose of Amendment Exhibit, and pursuant to a recent involuntary assignment granted by the Commission, the license of KRCK-FM, Mecca, California (FCC Facility ID No. 52808, “KRCK”) and related FM translators K238AK, Palm Desert, California (FCC Facility ID No. 147714, “K238AK”) and K251BX, Palm Desert, California (FCC Facility ID No. 150925, “K251BX”, and together with K238AK, the “FM Translators”), are now held by the Bankruptcy Estate of Major Market Radio, LLC (the “Bankruptcy Estate”), which is controlled by Michael W. Carmel, Esq., as the Chapter 11 Trustee (“Trustee”) appointed by the bankruptcy court. This renewal application was originally filed by a prior licensee of the Station, Major Market Radio, LLC (“Major Market”); which is now in bankruptcy, first as a “Debtor in Possession” (“Major Market DIP”), before appointment of the Trustee for the Bankruptcy Estate.

Major Market responded “No” in response to the “FCC Violations During the Preceding License Term” certification question in the “Renewal Certification” section of the application, which was and still is answered “No”. The previous exhibits uploaded to the Renewal Applications only stated that the issues related to prior licensee Major Market’s initial response were “complex” and promised a more responsive exhibit by amendment (which had not been submitted), so those original exhibits have been deleted as being no longer of use.

The Bankruptcy Estate is aware of Commission proceedings that may impact this certification, and therefore is providing this responsive exhibit. Specifically, on August 5, 2021 (a few days after the renewal applications were filed, but still within the prior license term), the Commission issued two Notices of Violations (“NOVs”) to prior licensee Major Market, which were related to the FM translators. See File Nos. EB-FIELDWR-21-00032486 (for K238AK) and EB-FIELDWR-20-00030511 (K251BX). Subsequently, the Commission issued a related letter of inquiry to Major Market that stated that it was based not only on the two NOVs issued related to the FM translators, but also to the Commission’s investigation of KRCK as well. The Bankruptcy Estate and Trustee have just begun gathering information related to the NOVs and inquiry letter, but intend to cooperate with the Commission’s timely resolution of any issues related to the FM Translators (and KRCK), the Commission’s investigation of same, and the pending renewal applications.

The Bankruptcy Estate also notes that the inquiry letter raises potential character questions related to the prior licensee Major Market and its principal, Edward R. Stolz, II (“Mr. Stolz”); however, since Mr. Stolz no longer controls the licensee of the Station or its license, the Bankruptcy Estate has not changed the response to the certification on “Character Issues” nor provided an exhibit (but would do so if the Commission advises that would be appropriate).