

Waiver Request

This application proposes a change of community from Geneva, IL, to Somonauk, IL.

Section 73.3526(b)(1) of the rules provides that an applicant for a change of community shall maintain its public inspection file at an accessible place *in the proposed community of license*. (emphasis supplied)

Section 73.3580 of the rules provides that an applicant for change of community must make a local public notice which must include, among other things, “[a] statement that a copy of the application, amendment(s), and related material are on file for public inspection at a stated address in the community in which the station is located or *is proposed to be located*.” (emphasis supplied)

The Commission is respectfully requested to waive the aforementioned rules and permit WSPY to direct the public to view a copy the application on the radio station website in lieu of maintaining and directing to the public to a paper copy of the application at a location accessible to the public in the proposed community of license.

In support thereof, the following is shown:

The United States is presently subject to a nationwide coronavirus pandemic which is well-documented in FCC releases, other federal, state and local government pronouncements and the news media. It is well understood that as a matter of public safety to curtail or prevent the spread of the potentially deadly virus, station WSPY, its employees and the residents of its proposed community of license are subject to Federal, State and Local guidelines and restrictions establishing citizen stay-at-home orders and denying unrestricted public access to what would normally be considered publicly accessible locations for purposes of Section 73.3526 and 73.2580 of the rules, e.g., government offices, libraries, community centers, public document registries. As of the date of this application, the Somonauk City Hall and public library are closed to general unrestricted public access. Further, Somonauk is a rural community and does not have as many options for publicly accessible documents as might exist in a more urban setting. It is unknown when WSPY and the general public may be able to regain routine access to publicly accessible locations to view a paper copy of the application in Somonauk, IL.

The Report and Order Amendment of Section 73.3580 of the Commission’s rules Regarding Public Notice of the Filing of Applications, FCC 20-65, released May 13, 2020, (“Report and Order revises Commission rules to, among other things, require that applicants provide public notice through online notices that link directly to the Commission-hosted online public inspection file or application databases.

In lieu of making a paper copy of the subject application available at a publicly accessible location, WSPY seeks a waiver of such rule permitting WSPY to direct the public to view the application on the station website.

WSPY has created a prominent link to the subject application on the homepage of the station website: <http://www.wspynews.com>, which will redirect the viewer to the text of the local public notice and a copy of the subject application.

WSPY will also publish the local public notice at least twice per week for two consecutive weeks in a newspaper serving Somonauk, IL, and a newspaper serving Geneva, IL.

It is respectfully submitted that under the circumstances outlined above, WSPY is serving the public interest as intended by the rules. Due to the pandemic restrictions, WSPY and the public are presently barred from locations which would normally be accessible to the public. It is unknown when those restrictions might be lifted or, if lifted, when the public may be willing to re-enter and circulate in public buildings. By publishing in a newspaper that the application may be accessed through the station website, WSPY will readily make the application available to interested parties. In revising Section 73.3580 of the rules, the Commission acknowledges the public interest in providing online access to the application in lieu of directing the public to a paper copy of the application.