

Nature of Application

There is no agreement as such relating to the subject “assignment” to Main Street Broadcasting Co., Inc. This application is being filed (a) in order that the qualifications of the trustees of the King Nelson Family Trust may be passed upon in the context of a long form application, and (b) to correct an error whereby a prior Form 316 application relating to this station was classified as an application for assignment of license.

As to (a), there can be no doubt as to the qualifications of the current trustees, which are recounted in the assignee’s portion of the instant application.

As to (b), a review of the text of the Form 316 application filed in 2013 (FCC File No. BALH-20131226ABK) makes clear that the application sought approval for an involuntary *transfer* of control of the licensee corporation rather than for an assignment of the license out of the corporation.

Specifically, that was a *pro forma* transfer of control resulting from the death of Robert O. King, the trustee of the Trust that owned 97% of the corporation. As stated in Exhibit 6 to that application, as amended:

This application reflects the involuntary transfer of control of Main Street Broadcasting Co., Inc., occasioned by the regrettable death of Robert O. King, settlor and formerly trustee of the King Nelson Family Trust. In item 2 of this Section, the box for 'involuntary assignment of license' was accidentally checked, even though it was intended that the application be described as one for an involuntary transfer of control. The purpose of this amendment is to correct that error. Unfortunately, apparently CDBS does not allow a user to change the response to item 2. The applicant hereby requests that the staff manually override the entry of 'Assignment of License' to correct the characterization of the application as set forth herein.

Sadly, it was not possible even for the staff to change the nature of the CDBS entry in that respect due to a system design flaw. Thus the application continued to be characterized as an assignment rather than a transfer of control. The instant application may therefore serve as a vehicle for correcting the FCC's records to show Main Street Broadcasting Company, Inc. as the actual licensee of station WLNG.

As a practical matter, the distinction makes no difference because the Trust holds complete operating control over the affairs of the radio station and will continue to do so after a grant and consummation of the instant application. It is material that the license be shown as held by the corporation only in order to respect the interests of the minority shareholders, those holding the remaining 3% of the shares of Main Street Broadcasting C.

There is no “agreement” between the Trust and the Corporation as such relating to the proposed transaction as it is merely corrective in nature, and no consideration will change hands in connection with the re-titling of the license in the name of the Corporation on the FCC’s records.