

WEAK-LP, Athens, Ohio  
Transfer of Control, Request for Waiver

The Commission has requested the filing of a Form 315 application for transfer of control as the result of the election of a new board for not-for-profit corporation Hobby Radio, Inc. Hobby Radio has continuously operated WEAK-LP at Athens, Ohio since 2005.

WEAK-LP is a low power FM licensed to Hobby Radio, Inc., an Ohio Not-For-Profit corporation. The license for cover for WEAK-LP was issued on September 30, 2005. The initial board for Hobby Radio consisted of three residents of Athens, Ohio, and a fourth board member who later moved to Gallipolis, Ohio.

Recently one board member decided to retire and leave the area, which prompted the resignation of another board member. Four new board members were added.

Section 73.853 requires that the 75% of the board members of a corporate LPFM licensee reside within twenty miles of the station's antenna location, where the station is licensed to a community outside of the top 50 urbanized areas. Athens, Ohio, is 65 miles from the nearest such area (Columbus, Ohio). All of the of the existing and new board members live within 20 miles of the WEAK-LP transmitter and studio site near Athens, Ohio. Four of the board members are retired, one is an attorney in private practice, while the sixth operates a computer repair business. None have any attributable interests in other broadcast stations or other local media.

Section 73.865 (c) does not permit the transfer of the license for a lower power within three years from the date of issue. Hence the request for waiver. However, we would note subsection (e), which states that transfers of control involving a sudden change of more than 50% of the governing board is deemed not to be a substantial change in ownership or control. The section was revised on March 17, 2008.