



Federal Communications Commission  
Washington, D.C. 20554

June 6, 2017

*In Reply Refer to:*  
1800B3-ATS

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Dan J. Alpert, Esq.  
Law Office of Dan J. Alpert  
2120 N. 21<sup>st</sup> Road  
Arlington, VA 22201

In re: Ministerio de Restauracion Conroe Texas  
New LPFM, Conroe, TX  
Facility ID No. 193938  
File No. BNPL-20131112ATP

**Letter of Inquiry – Response Required**

Dear Counsel:

We have before us the referenced application (Application) filed by Ministerio de Restauracion Conroe Texas (as defined below, Ministerio). Also before us are the Informal Objection (Objection) to the Application filed by REC Networks (REC) and related pleadings.<sup>1</sup> In order properly to evaluate and process the Application, we require further information, as set forth below.

The Media Bureau (Bureau) is investigating potential statutory and rule violations and related instances of potential misrepresentation and/or lack of candor in connection with the Application. Specifically, the Bureau is investigating (a) the authenticity of Ministerio and the parties to the Application, (b) the validity of information provided in and certifications made in the Application, and (c) compliance with the ownership and application limits that apply to LPFM applicants.<sup>2</sup> We direct Ministerio, as defined herein, pursuant to sections 4(i), 4(j), 308(b) and 403 of the Communications Act of 1934, as amended (Act), 47 U.S.C. §§ 154(i), 154(j), 308(b), and 403, to provide responses to the following inquiries, within thirty (30) calendar days from the date of this letter. Ministerio may supplement its responses with additional relevant information pursuant to Sections 1.17 and 1.88 of the FCC's rules (Rules).<sup>3</sup> Accordingly, Ministerio is directed to submit, within thirty (30) days of the date of this letter, truthful and complete responses to the following inquiries, with a copy served on each person or entity listed as receiving a copy of this letter. We will dismiss the Application unless we receive the following documents within 30 calendar days of the date of this letter.

Unless otherwise indicated, the period of time covered by these inquiries is January 1, 2013, to the present.

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<sup>1</sup> REC filed the Objection on December 2, 2013, and a Supplement to the Objection on January 12, 2015. Ministerio filed an Opposition on September 14, 2016.

<sup>2</sup> See 47 CFR §§ 73.855 and 73.860.

<sup>3</sup> 47 CFR §§ 1.17, 1.88.

## **Definitions**

For purposes of this letter, in addition to the terms defined elsewhere in this letter, the following definitions apply:

The word “any” shall be construed to include the word “all,” and the word “all” shall be construed to include the word “any.” Additionally, the word “or” shall be construed to include the word “and,” and the word “and” shall be construed to include the word “or.” The word “each” shall be construed to include the word “every,” and the word “every” shall be construed to include the word “each.”

“Application” shall mean the referenced application of Ministerio de Restauracion Conroe Texas (FCC File No. BNPL-20131112ATP) including any amendments submitted to the FCC as of the date of this letter by or on behalf of Ministerio.

“Ministerio” shall mean Ministerio de Restauracion Conroe Texas and any predecessor-in-interest, affiliate, parent company, wholly or partially owned subsidiary, other affiliated company or business, and all owners, including but not limited to, partners or principals and receivers, and all directors, officers, employees, or agents, including consultants and any other persons working for or on behalf of the foregoing at any time during the period covered by this letter.

“Document(s)” and “Documentation” shall mean the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any broadcast, radio or television program, advertisement, book, pamphlet, periodical, contract, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, drives, disks and such codes or instructions as will transform such computer materials into easily understandable form).

## **Inquiries: Documents and Information To Be Provided**

We direct you, pursuant to sections 4(i), 4(j), 308(b) and 403 of the Act, 47 U.S.C. §§ 154(i), 154(j), 308(b), and 403, to respond to the following inquiries, *within thirty (30) calendar days* from the date of this letter:

- 1) Applicant Location and Contact Information
  - a) Provide the correct current mailing address for Ministerio. If Ministerio’s corporate headquarters address is different, provide that address as well.
  - b) Provide the correct telephone number where Ministerio can be contacted at its mailing address or corporate headquarters address.
  - c) Provide a copy of representative Documents confirming the mailing address (and headquarters address, if that is different from the mailing address) and telephone number Ministerio has identified in the Application, as originally filed, and each subsequent amendment. Ministerio

must thus provide Documents establishing its presence at 2420 N. Frazier Street, Conroe, Texas. Such Documents may include copies of leases, utility bills, telephone bills, and any other Documents confirming that Ministerio currently occupies this address (and headquarters address, if that is different), and can be reached at the telephone number provided. These Documents must cover the entire period from **November 1, 2013, until the present**.

2) Applicant Board of Directors Information

- a) Provide a signed, dated, and **notarized** affidavit or declaration from **each board member** listed in the Application (1) affirming his or her membership and positional interest in Ministerio in the time period specified in the Application, and (2) providing his or her identity and address, as shown in a copy of that board member's driver's license or other state-issued form of identification attached to such **notarized** affidavit, and his or her current residential address and telephone number.<sup>4</sup> Accordingly, Ministerio must provide these Documents with respect to: **Claudia Ileana Solis, Luz Salinas, and Antonia Palmer.**
- 3) Provide a narrative explaining the relationship(s) between Ministerio and Centro Cristiano de Vida Eterna (CCVE). Describe the relationship(s), if any, that any members of the Ministerio board have with CCVE.
- 4) Explain the basis for Ministerio identifying 2420 N. Frazier Street, Houston, Texas, as its mailing address, and what person or entity owns this site. If Ministerio is not the owner, state whether Ministerio is compensating the owner for use of this site, and provide documents such as a lease, indicating so.
- 5) Provide a narrative explaining the relationship, if any, that Ministerio has with Iglesia de Amor y Alabanza and Centro Cristiano de Vida Eterna Conroe Texas, both of which have pending applications for new LPFM stations at Conroe, Texas, and have identified the Frazier Street address as their mailing address and the location of their main studio (File Nos. BNPL-20131115ALC and BNPL-20131113BEQ, respectively).
- 6) Provide documentation, such as cancelled checks or credit card statements, demonstrating proof of payment by Ministerio for all services rendered by its engineer, Antonio Cesar Guel.
- 7) Provide documentation, such as bank statements, showing all sources of funding for Ministerio.
- 8) Provide copies of all Documents that provide the basis for or otherwise support the responses to the above inquiries.

**Submission Instructions**

Ministerio's response must be supported by a **notarized** affidavit of one or more persons with personal knowledge attesting that the response is complete and accurate. In addition to the affidavits or declarations described in inquiry 2(a), we direct Ministerio to support each of its responses to the remaining inquiries with a **notarized** affidavit under penalty of perjury, signed and dated by one of its directors, verifying the truth and accuracy of the information therein and that all of the information and

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<sup>4</sup> If a board member's address has changed from the address shown in the document attached to the affidavit or declaration, the affidavit or declaration should provide the board member's current address and the date of the board member's move to that address.

Documentation specified by this letter which are in the possession, custody, control or knowledge of Ministerio (including all parties to the Application) have been produced. If multiple board members or representatives contribute to the response to inquiries other than inquiry 2(a), in addition to such general affidavit or declaration of a Ministerio director, Ministerio must provide separate affidavits of each such individual with personal knowledge that identify clearly to which responses the affiant or declarant with such personal knowledge is attesting. All such affidavits shall be **notarized**. To knowingly and willfully make any false statement or conceal any material fact in reply to this letter is punishable by fine or imprisonment.<sup>5</sup> Failure to respond appropriately to this letter may constitute a violation of the Act and the Rules.<sup>6</sup>

Ministerio shall direct its letter response, if any, by messenger or hand delivery, to the attention of Alexander T. Sanjenis, Esq., Audio Division, Media Bureau, Federal Communications Commission, Office of the Secretary, 445 12th Street, S.W., Room TW-A325, Washington, DC 20554. If sent by mail, the response should be sent to the attention of Alexander T. Sanjenis, Esq., Audio Division, Media Bureau, 445 12th Street, S.W., Room 2-B115, Washington, DC 20554. An electronic courtesy copy may be sent to Alexander.Sanjenis@fcc.gov. Additionally, copies must be served by U.S. Mail on the parties listed below. **Each of the parties listed below will have an opportunity to submit comments within thirty days of Ministerio's filing of the response, with a copy to be served by U.S. Mail on Ministerio and its counsel.**

If Ministerio requests that any information or Documents, as defined herein, responsive to this letter be treated in a confidential manner, it shall submit, along with such information or Documents a request for confidential treatment which complies with the requirements of Section 0.459 of the Rules,<sup>7</sup> including the standards of specificity set forth therein. Accordingly, "blanket" requests for confidentiality of a large set of documents are unacceptable. Pursuant to Section 0.459(c), the Bureau will not consider requests that do not comply with the requirements of Section 0.459.

If Ministerio withholds any information or Documents under claim of privilege, it shall submit, together with any claim of privilege, a schedule of the items withheld that states, individually as to each such item, the numbered inquiry to which each item responds and the type, title, specific subject matter, and date of the item; the names, addresses, positions, and organizations of all authors and recipients of the item; and the specific ground(s) for claiming that the item is privileged.

Each requested Document (including photographs), as defined herein, shall be submitted in its entirety, even if only a portion of that Document is responsive to an inquiry made herein, unless the Document is a recording or transcript, in which case it should be provided only for the period of time of the broadcast specified in the pertinent inquiry herein. The Document shall not be edited, cut, or expunged, and shall include all appendices, tables, or other attachments, and all other Documents referred to in the Document or attachments. All written materials necessary to understand any Document responsive to these inquiries must also be submitted.

If a Document responsive to any inquiry made herein existed but is no longer available, or if Permittee is unable for any reason to produce a Document responsive to any inquiry, Permittee shall

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<sup>5</sup> See 18 U.S.C. § 1001; *see also* 47 CFR § 1.17.

<sup>6</sup> See *SBC Communications, Inc.*, Forfeiture Order, 17 FCC Rcd 7589 (2002); *Globcom, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 18 FCC Rcd 19893, n.36 (2003); *World Communications Satellite Systems, Inc.*, Forfeiture Order, 19 FCC Rcd 2718 (EB 2004); *Donald W. Kaminski, Jr.*, Forfeiture Order, 18 FCC Rcd 26065 (EB 2003).

<sup>7</sup> 47 CFR § 0.459.

identify each such Document by author, recipient, date, title, and specific subject matter, and explain fully why the Document is no longer available or why Permittee is otherwise unable to produce it.

With respect only to Documents responsive to the specific inquiries made herein and any other Documents relevant to those inquiries, Ministerio is directed to retain the originals of those Documents for twelve (12) months from the date of this letter unless Ministerio is directed or informed by the Bureau in writing to retain such Documents for some shorter or longer period of time.

The specific inquiries made herein are continuing in nature. Ministerio is required to produce in the future any and all Documents and information that are responsive to the inquiries made herein but not initially produced at the time, date and place specified herein. In this regard, Ministerio must supplement its responses (a) if Ministerio learns that, in some material respect, the Documents and information initially disclosed were incomplete or incorrect or (b) if additional responsive Documents or information are acquired by or become known to Ministerio after the initial production. The requirement to update the record will continue for twelve (12) months from the date of this letter unless Ministerio is directed or informed by the Bureau in writing that Ministerio's obligation to update the record will continue for some shorter or longer period of time.

For each Document or statement submitted in response to the inquiries below, Ministerio shall indicate, by number, to which inquiry it is responsive and identify the person(s) from whose files the Document was retrieved. If any Document is not dated, Ministerio shall state the date on which it was prepared. If any Document does not identify its author(s) or recipient(s), state, if known, the name(s) of the author(s) or recipient(s). Ministerio must identify with reasonable specificity all Documents provided in response to these inquiries.

### Conclusion

**Failure to respond within the time period specified shall result in dismissal of the subject application for failure to respond to official correspondence pursuant to Sections 73.801 and 73.3568 of the Rules.<sup>8</sup>**

Sincerely,

  
Peter H. Doyle  
Chief, Audio Division  
Media Bureau

cc: Ms. Michie Bradley  
REC Networks  
11541 Riverton Wharf Rd.  
Mardela Springs, MD 21837

Mr. Antonio Cesar Guel  
2605 Hyacinth Dr.  
Mesquite, TX 75181

Ms. Claudia Ileana Solis  
Ministerio de Restauracion Conroe Texas  
2420 N Frazier Street  
Conroe, TX 77303

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<sup>8</sup> 47 CFR §§ 73.801, 73.3568.