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November 1, 2019

Hand Delivered

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., S.W.
Washington, DC 20554
Attention: Michael Wagner

Accepted / Filed

NOV - 1 2019

Federal Communications Commission
Office of the Secretary

Re: Dickey Broadcasting Company

Dear Ms. Dortch:

Transmitted herewith, on behalf of Dickey Broadcasting Company (“DBC”), are five copies of its Compliance Plan, submitted to the Commission pursuant to the FCC’s Order, DA-18-840 (Media Bureau released August 16, 2018), now in its second year of effectiveness.

In the event that there are questions concerning this matter, please communicate with this office.

Very truly yours,



Charles R. Naftalin

Enclosures

cc (w/enc., via e-mail):
Michael Wagner
Kim Varner

COMPLIANCE PLAN OF DICKEY BROADCASTING COMPANY
(Revised October 23, 2019)

Dickey Broadcasting Company (“DBC”) is the Federal Communications Commission (“FCC”) licensee of the following full power radio stations: WIFN(AM), Atlanta, Georgia; WCNN(AM), North Atlanta, Georgia; and WFOM(AM), Marietta, Georgia. DBC also is the licensee of three FM translator stations.¹

DBC has created and implemented this Compliance Plan pursuant to the FCC’s Order, DA-18-840 (Media Bureau released August 16, 2018) (the “Order”). The initial Compliance Plan was created as of August 31, 2018 and was implemented on September 10, 2018. As required in the Order, the Compliance Plan will be kept in full force and effect by DBC through, at least, September 10, 2021. David W. Dickey, President of DBC, continues to be the FCC Compliance Officer (the “CO”). The current, and any future, CO is charged with the responsibility to administer the Compliance Plan, ensure that DBC is in compliance with all relevant aspects of the federal Communications Act and the rules and policies of the FCC, and be the point of contact for DBC for all FCC-related compliance matters.

Attached is the Compliance Manual of DBC. It has been prepared pursuant to the Order. The purpose of the Compliance Manual is to ensure that all DBC employees, and others, who may have duties or responsibilities to DBC that are relevant to its ownership and control of broadcasting stations, and their FCC licenses, and reporting of DBC ownership to the FCC. The CO will be take responsibility to be certain that all relevant persons have received the Compliance Manual and to distribute revised or updated copies of it whenever necessary.

Starting no later than November 1, 2018, the CO began a thorough Compliance Training Program for all employees of DBC, and any other relevant persons, who have duties relevant to FCC assignment of license or transfer of control applications. The Compliance Training Program was completed for all then-current and relevant DBC employees no later than February 28, 2019. Thereafter, the Compliance Training Program was, and will be, presented to all relevant new DBC employees within 60 calendar days of their hiring. The Compliance Training Program will be based substantially on the DBC Compliance Manual.

¹ FM translator station W229AG, Atlanta, Georgia retransmits the signal of WCNN; FM translator station W292EV, Marietta, Georgia retransmits WFOM; and FM translator W279CZ, Atlanta, Georgia, retransmits WIFN.

DBC COMPLIANCE MANUAL

Under the federal Communications Act (the “Act”), and the rules and policies of the FCC enacted under the Act (the “FCC’s Rules), no person or entity may own any spectrum in the United States, including spectrum used for radio and television broadcasting. All spectrum is regulated and managed by the FCC. Private persons or entities, such as companies, may only make use of spectrum if authorized to do so by the FCC. With respect to broadcast spectrum, its use is authorized by the FCC pursuant to specific grants of authority, primarily by license. FCC broadcasting licenses are subject to many requirements under the FCC’s Rules. FCC broadcasting licenses must be renewed on a regular basis, including showings that the licensee has acted in the public interest and complied with relevant FCC Rules. In order to grant a license for use of broadcast spectrum, the FCC must review and approve of the ownership of the license. Failure to comply with the Act and the FCC’s Rules may be grounds for forfeitures, and other sanctions, including loss of license or refusal to renew a license.

Because under the Act and FCC’s Rules, the owners of FCC licenses must be approved by the FCC as part of the review and grant process, the FCC also requires that the ownership or control of an FCC license may not be changed in any material way without the prior approval of the FCC, to ensure that any such change in ownership or control of FCC licenses are legally acceptable.

If an FCC licensee wants to sell a broadcast station to a new person, or entity, or otherwise make a material change to the current holding of the license, then the relevant parties must file an application for the assignment of the license with the FCC. If the relevant parties want to sell an FCC licensee entity to a new person, or entity, the relevant parties must file with the FCC an application for transfer of control of the licensee. An assignment of license application or transfer of control application must offer to the FCC a substantial amount of information about the proposed persons or entity that would take control of any FCC broadcast station license. Typically, it takes between 45-90 days for the FCC to consider and act upon such applications, although that time may vary. The FCC is under no specific obligation to grant assignment of license or transfer of control applications.

If such an assignment of license or transfer of control application is granted, then the parties have legal authority under the Act and the FCC’s Rules to complete the proposed transaction and let the new persons or entities take control of the FCC licenses. The new licensee then is required to file an ownership report with the FCC within 30 days of completing the transaction authorized by the FCC. The ownership report provides the FCC with required information to ensure that the control of FCC licenses is in compliance with the Act and the FCC’s Rules and in accordance with the representations of the parties. In addition to ownership reports that must be filed within 30 days of completing an authorized assignment of license or transfer of control, the FCC requires that virtually all persons and entities with reportable interests in FCC broadcast licenses file biennial ownership reports. Those biennial ownership reports also provide to the FCC required information to ensure that the control of FCC licenses is in compliance with the Act and the FCC’s Rules and in accordance with the representations of the parties.

With respect to assignment of license and transfer of control applications, and ownership reports, complete disclosure and accuracy of information to the FCC are essential. In this regard, every part of those applications and reports must be completed carefully, ensuring that the FCC is provided with all relevant information. The information provided in those applications and reports typically are the following for DBC:

- FCC licenses
- The FCC licensee(s)
- The officers of licensee(s)
- The directors of licensee(s)
- All entities which may own or control licensees, in whole or in part, including, for example, trusts, partnerships, persons, companies, certain kinds of agreements or time brokerage arrangements
- How, and in what proportions, any persons or entities own or control licensees, in whole or in part
- All persons who ultimately control any entities which own or control licensees, in whole or in part

It is essential that DBC, and all of its employees, officers, directors, and owners make their maximum best efforts to maintain all information relevant to the ownership and control of DBC described in this Compliance Manual fully and accurately. All such information is to be provided promptly to the CO, at all times. Any questions or concerns about any such information should be raised promptly with the CO. DBC maintains an on-going relationship with legal counsel who is expert in matters concerning the Act and the FCC's Rules, with whom the CO will consult whenever necessary or appropriate.

Attached to this Compliance Manual is a complete copy of DBC's current ownership report on file with the FCC. It provides information about the ownership and control of DBC, consistent with the kinds of information noted above. Every person connected with DBC ownership or control matters should be familiar with this ownership report.

No changes should be made with respect to the ownership or control of DBC, in any way, unless and until such possible changes are brought to the attention of the CO and the CO has approved of them. The CO, in consultation with DBC legal counsel, may disapprove of any proposed change relevant to DBC ownership or control, or may delay any proposed change due to the need to file applications for assignment of license or transfer of control, and to await FCC action upon such applications.

COMPLIANCE REPORT OF DICKEY BROADCASTING COMPANY

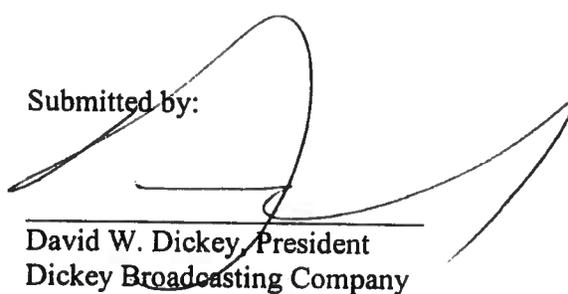
November 1, 2019

Dickey Broadcasting Company (“DBC”) is the Federal Communications Commission (“FCC”) licensee of the following full power radio stations: WIFN(AM), Atlanta, Georgia; WCNN(AM), North Atlanta, Georgia; and WFOM(AM), Marietta, Georgia. DBC also is the licensee of three FM translator stations.¹ DBC submits this Compliance Plan pursuant to the FCC’s Order, DA-18-840 (Media Bureau released August 16, 2018) (the “Order”), providing the following information.

DBC, with assistance of its legal counsel, prepared a Compliance Plan and a Compliance Manual, as required in the Order. The Compliance Plan was implemented fully on September 10, 2018. It has been kept in full force and effect since that time. David W. Dickey, President of DBC, is DBC’s FCC Compliance Officer. The current Compliance Plan was revised as of October 23, 2019.

On November 1, 2018, the Compliance Officer began a thorough Compliance Training Program for all employees of DBC, and any other relevant persons, who have duties relevant to FCC assignment of license or transfer of control applications. The Compliance Manual was provided to all Trustees of the Lewis W. Dickey, Sr. Irrevocable Children’s Trust, which owns and controls DBC. The Compliance Training Program was completed for all relevant DBC employees no later than November 30, 2018. In addition, the Compliance Training Program was presented to all new DBC employees within 60 calendar days of their hiring. The Compliance Training Program will be based substantially on the Compliance Manual.

Submitted by:



David W. Dickey, President
Dickey Broadcasting Company

¹ FM translator station W229AG, Atlanta, Georgia retransmits the signal of WCNN; FM translator station W292EV, Marietta, Georgia retransmits WFOM; and FM translator W279CZ, Atlanta, Georgia, retransmits WIFN.