

**Before the
Federal Communications Commission
Washington, D.C. 20556**

In the matter of Application of)	
)	
Cornerstone University)	
)	
for Renewal of License of)	FCC File No. 0000115594
Noncommercial Educational FM Station)	
WCSG, Grand Rapids, MI, Facility ID 13935)	

Response to Informal Objection

Cornerstone University (“Cornerstone”), by counsel, files this response to the “Informal Objection on FM Broadcast Station License Renewal” (the “Objection”) filed by David Walton (“Walton”) on June 29, 2020, against the above-captioned license renewal application (“Application”) filed on June 1, 2020, for WCSG(FM), Grand Rapids, MI (Facility ID 13935).¹

Walton’s Objection alleges there are several issues with WCSG’s online public inspection filed (“OPIF”). In addition, the Objection argues that, based on the issues identified with WCSG’s OPIF, Cornerstone was dishonest with the Commission in the Application. Cornerstone admits to a few minor oversights in its OPIF, which are now corrected and reflected in an amendment to the Application. However, certain of the issues identified in the Objection are factually or legally incorrect. Further, because Cornerstone did not file its Application with

¹ Cornerstone notes that the Objection was not served on Cornerstone or Cornerstone’s counsel, and the FCC’s LMS filing system does not notify applicants when an informal objection has been filed, nor does it provide any indication of a pleading against the application. Cornerstone only became aware of the Objection when counsel inquired of the Commission staff about the status of the Application in October 2020. As neither Section 1.45 nor 73.3587 of the Commission’s rules establish a deadline for responding to an informal objection, this Response is timely. *See* 47 C.F.R. § 73.3587 (“The limitation on pleadings and time for filing pleadings provided for in § 1.45 of the rules shall not be applicable to any objections duly filed under this section.”).

an intent to deceive, there is no basis for a finding of a lack of candor with the Commission. The Objection should therefore be dismissed and the Application granted.

The Objection first claims that the Application incorrectly certified compliance with the EEO Program requirements. However, the plain language of the license renewal certification shows the Objection is incorrect. The license renewal application directs licensees to certify that “[t]he station has posted its *most recent* Broadcast EEO Public File Report on the station’s website, as required by 47 C.F.R. Section 73.2080(c)(6)” (emphasis added). As of the date the Application was filed and this certification was made, WCSG’s most recent EEO Public File Report was the 2019-2020 annual report, dated and uploaded to the OPIF on May 31, 2020.² The Objection acknowledges as much. Notwithstanding the claims made in the Objection, the Application does not ask about the prior annual EEO Public File Report, and Cornerstone’s certification in the Application regarding the WCSG annual EEO Public File Report makes no claim regarding the timeliness of the 2019 EEO Public File Report. In short, the Objection simply misreads the call of the certification question regarding the station’s EEO Public File Report. When read correctly, Cornerstone accurately answered the EEO Public File Report certification on the Application.

The Objection next identifies two Issues/Programs lists that it claims were filed late. In one instance, the Objection is incorrect: the Q4 2018 Issues/Programs list was not late-filed, as it was uploaded during the extension period granted by the Commission as a result of the federal government shutdown.³ With regard to the other claim of late-filing, the Objection is correct that

² A link to the EEO report page of the WCSG OPIF can be found at the bottom of the station homepage at wcsg.org.

³ *Revisions to Filing and Other Deadlines Following Resumption of Normal commission Operations*, Public Notice, 34 FCC Rcd 99, 101 (2019).

the Q2 2019 report was filed late; however, both the late filing and the failure to report the late filing in the Application were inadvertent.

The Objection does correctly report that WCSG's Q2 2019 Issues/Programs list was uploaded on September 24, 2019, approximately two months after the July 10 deadline. Cornerstone regrets this oversight, but it notes that it promptly uploaded the Q2 2019 report upon discovering the oversight without prompting from either the Commission or any member of the community WCSG serves. If anything, WCSG's record of timely uploading all other Issues/Programs lists demonstrates Cornerstone's commitment to complying with the FCC's rules.

The failure to identify the Q2 2019 report as late-filed on WCSG's license renewal application was likewise an oversight in Cornerstone's license renewal review and preparation process. The failure to report the late upload was not a deliberate attempt to mislead the Commission. It would serve no purpose for Cornerstone to hide a single late-filed Issues/Programs list over the previous eight-year license period, particularly in light of the fact the OPIF system date- and time-stamps all uploads. Cornerstone is well aware of its obligations of candor and fulsomeness, and Cornerstone can assure the Commission that it did not intend to misrepresent any information filed as part of the Application. To set the record straight, the Application has been amended to correct the answer to the certification and report that there was indeed one late-filed Issues/Programs list.

Finally, the Objection notes that WCSG failed to upload third-party fundraising information to its OPIF regarding fundraising it conducted for Compassion International in 2019 and 2020. Again, the Objection attempts to suggest this failure was a deliberate untruth, but the real explanation is more benign. WCSG has experienced almost complete staff turnover in recent

years. Unfortunately, WCSG's newer staff was unaware of the requirement to upload the required third-party fundraising information for fundraising conducted on the station for Compassion International in 2019 and 2020.⁴ Cornerstone understands that WCSG employees' misunderstanding of the rule does not excuse Cornerstone's obligation to comply with the rules; however, as there was no intent to deceive the Commission or the public regarding third-party fundraising on the station, there is clearly no basis for a finding that Cornerstone lacked candor in its Application, nor is there a basis for denial of the license renewal. WCSG has since uploaded third-party fundraising information for Compassion International in 2019 and 2020, and has included a statement regarding the oversight in the Application. Moreover, Cornerstone will redouble its efforts to ensure that WCSG's employees are trained on the Commission's third-party fundraising rules and the corresponding online public file obligations to prevent any such oversight in the future.

For the reasons stated above, Cornerstone respectfully requests that the Commission deny the Objection and grant the Application.

Respectfully Submitted

/s/ Seth L. Williams

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⁴ In addition, staff inadvertently indicated that WCSG received no funds related to third-party fundraising in 2017 and 2018. The station did receive \$135 per sponsorship in 2017 and 2018. WCSG's 2017 and 2018 third-party fundraising reports have been updated accordingly.

CERTIFICATE OF SERVICE

I, Seth L. Williams, hereby certify that on November 23, 2020, I caused a copy of
Cornerstone University's Response to Informal Object to be served by email to the following:

David Walton
dave.walton.8855@gmail.com

/s/ Seth L. Williams
Seth L. Williams