

NEW BEGINNINGS FELLOWSHIP CHURCH

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March 8, 2015

Media Bureau/Audio Division
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: K291CE, K236AR, K273CD, K284BX, KBRZ, KRCM, KJOZ, KYRO

Dear Sirs:

It is likely that many at the FCC recall the mid-1990s fiasco where *Chameleon Radio Corp* and its principal Don Werlinger had the gall to apply for the call letters "KFCC." That license was eventually revoked for Werlinger's misrepresentations and lack of candor. *See Attachment #1*

A "chameleon" is a lizard with the ability to hide by changing its colors. Here, the former corporate name holds irony. Despite the FCC having determined that Werlinger was unqualified to be a commission licensee, he has continued to operate radio stations, engineer them, manage them, and broker them – albeit by using other company and individuals name, some with and some without permission.

I became aware of this situation through looking into questionable activities at station K291CE, which at the time was a non-commercial (NCE) translator that filed false applications claiming it was rebroadcasting another station. In reality, they were broadcasting original programming and airing commercials. A notice of violation was issued by the Texas FCC resident agent. (NOV# V201432540015).

It is my understanding that when the FCC resident agent inspected K291CE, the engineer identified himself to the agent as Bob Morrow. When I visited the station to inspect their public files, the engineer gave me a business card saying he was Bob Morrow. *See Attachment #2.*

Further digging revealed that this man was actually Don Werlinger. Using the name Bob Morrow, he has prepared and filed numerous applications with the FCC. See K291CE (BPFT-20141209ABX), KJOZ (BP-20120731AAA), KRCM (BMP-20130426ABP), K273CD (BLTT-20150205AAU), K236AR (BLFT-20130819AEK), KBRZ (BESTA-20120719ABT "Engineering Statement" attachment), K284BX (BLFT-20140805ACV), KYRO (BP20100205ABZ). These were discovered with very limited searching. There are likely many more.

I am attaching my detailed affidavit. See *Attachment #3*. I am also attaching an affidavit from the real Bob Morrow verifying that he has never filed anything with the FCC. See *Attachment #4*.

Felonies have been committed here which call into question the continued validity of numerous radio station and translator licenses. At this time, I ask the FCC to grant all of the above stations and translators, as well as any others that may be discovered, an involuntary silent STA. Further, I request that an investigation be conducted, and that any licenses that were granted and/or modified based on Werlinger's false filings be in all things revoked or, in the alternate, involuntarily transferred to other reputable broadcasters.

Respectfully submitted,

/s/ Joe Donalson

Joe Donalson, Minister
New Beginnings Fellowship Church

[[Text Version](#) | [WordPerfect Version](#)]



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

Report No. GN 98-5

GENERAL ACTION

April 22, 1998

**FCC REVOKES TEXAS RADIO LICENSE DUE TO LICENSEE
MISREPRESENTATION AND LACK OF CANDOR
(MM Docket 96-173)**

The FCC revoked Chameleon Radio Corporation's license for radio station KFCC(AM), Bay City, Texas, because of the licensee's numerous instances of misrepresentation and lack of candor in conjunction with a 1995 request for special temporary authority (STA) to move the station's transmitter site.

The FCC affirmed Administrative Law Judge (ALJ) Joseph Chachkin's 1997 conclusion that Chameleon "engaged in a pattern of outright falsehoods, evasiveness, and deception, which rendered it unqualified to be a Commission licensee," and concluded that Chameleon's Exceptions to the ALJ decision were largely "generalized, unsupported contentions" that "provide no basis to question the ALJ's findings and conclusions, which contain a thorough analysis of Chameleon's conduct amply supported by record evidence and Commission precedent."

Chameleon's STA request came shortly after the FCC granted its application for assignment of the Bay City station from Landrum Enterprises on April 18, 1995. Chameleon immediately took the station off the air, and on April 21, 1995, made the STA request to operate from an alternate site "due to the loss of its currently licensed site," and to construct a new antenna tower. The FCC's Audio Services Division granted the STA request on May 5, 1995, but subsequently cancelled the STA on September 8, 1995, after it discovered that the proposed transmitter site would not serve the community of license, Bay City.

The ALJ found that Chameleon sought the STA to change its community of license from Bay City to a community closer to Houston and not because of any loss of Chameleon's authorized site, as it had claimed. The ALJ found that Chameleon repeatedly misrepresented its intentions to the FCC and "stonewalled" the Commission.

The ALJ also ruled that after an FCC staff member told Chameleon that it could not build a new tower but could only use an existing tower, Chameleon built a new tower and later represented that it was an existing tower. The ALJ concluded that Chameleon had "acted deceptively" and "compounded this conduct with false and candorless statements."

The FCC rejected Chameleon's appeal of the ALJ decision based on "the merit of its programming" because of a "long-standing policy that meritorious programming does not mitigate serious deliberate misconduct such as misrepresentation."

Similarly, the FCC rejected Chameleon's argument that it was entitled to move ahead with a new tower because it believed the FCC staff had erroneously interpreted the FCC rules on the subject. The FCC ruled, "Misrepresentation and lack of candor cannot be justified as the only avenues by which to express disagreement with the staff. Honesty and reliability are fundamental obligations of a licensee."

The FCC rejected Chameleon's explanation that constructing a tower that could be converted for broadcast use was merely a good faith attempt to comply with Commission policy. The FCC cited the ALJ's conclusion that the licensee's actions "were motivated by an intent to conceal material facts from the Commission because [it] knew that the Commission would deny the STA if the facts were known," and said that Chameleon "provides no basis to overturn this conclusion, which is based on detailed findings supported by record evidence."

Action by the Commission April 17, 1998, by Decision (FCC 98-73). Chairman Kennard, Commissioners Ness, Furchtgott-Roth, Powell and Tristani.

- FCC -

News Media Contact: David Fiske (202) 418-0513



THE RAFTT CORP

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STATE OF TEXAS
COUNTY OF HARRIS

AFFIDAVIT OF JOE DONALSON

BEFORE ME, the undersigned authority, on this day personally appeared JOE DONALSON, known by me to be the person hereinafter subscribed and who, after being duly sworn, deposed as follows:

“My name is Joe Donalson. I am over the age of 18, of sound mind, capable of making this affidavit, and personally acquainted with the facts stated herein.

“I am a minister with New Beginnings Fellowship Church. From 2009 to 2014, I was also director of New Beginnings Houston, a nonprofit faith-based outreach providing transitional housing and other support to former prison inmates and homeless individuals. While I am no longer director, I am still involved with the ministry on a daily basis.

“In 2013, on behalf of our ministry, I prepared and entered into the CDBS database maintained by the Federal Communications Commission an application for a low power FM (LPFM) radio station. Originally, we were seeking the frequency of 92.5 MHz, but changed the application to 106.1 MHz. Prior to the deadline for filing this application, I learned that there were two valid low power analog TV station licenses for the Houston area (KJIB-LP Channel 5 & KVDO-LP Channel 25) that were not on the air and all but abandoned by the licensee, Far Eastern Telecasters. Further investigation revealed that Far Eastern, owned by Roy Henderson, was no longer in business. Subsequently, after several telephone calls with Ben Perez, Mr. Henderson’s lawyer, I was granted permission for our ministry to put the LPTV stations back on the air at our own expense, and to operate these stations until either: (1) the FCC ended all analog TV broadcasting; or (2) Mr. Henderson built out new digital facilities pursuant to a construction permit to move the stations to channel 29. Our ministry built the low power TV stations, and operated them from approximately November 23, 2013 to June 3, 2014, at which time Mr. Henderson decided to surrender the licenses to the FCC.

In 2013 and 2014, during the time when all this was going on, I had several telephone conversations with Hossein Hashemzadeh, a Deputy Division Chief with the Video Division of the Federal Communications Commission. Among other things, he advised that if our ministry had an interest in another broadcast license – e.g. operating Mr. Henderson’s LPTV stations – we would not be eligible for a license to operate an LPFM radio station. Thus, I withdrew our application for an LPFM on 106.1 MHz. After Mr. Henderson reneged on the agreement for us to operate the LPTV channels, I asked the FCC to reinstate the LPFM application. Tom Hutton, with the Audio Division of the Federal Communications Commission, advised that there was no legal way to revive our application because the filing window was closed. Our ministry subsequently began exploring what options we had to legally challenge the situation.

"In 2014, I learned that a Dallas-based church had leased a translator radio station licensed to Simonton, Texas to the RAFTT Corporation. Shortly thereafter, RAFTT applied for and received permission to move the translator to operate on 106.1 out of Richmond, Texas. Since then, the FCC has granted permission for the 106.1 license to move again – this time to Missouri City. The zombie walk of this station – known as K291CE -- from Simonton to Missouri City has effectively foreclosed any hope our ministry had of getting an LPFM because, even if we managed to get the FCC to reinstate our application, the only usable frequency at our location is now licensed out to another entity.

"The entire situation with the church-owned and RAFTT-operated station has piqued my curiosity and interest for almost a year now. I have done a lot of digging. The things I discovered about the operation of K291CE are disturbing, to say the least. Originally, this station was filing documents with the FCC claiming it was exempt from filing fees on the basis of being noncommercial – yet the station was airing one commercial after another. The station, at the time licensed as a translator for KGLK, was in fact not rebroadcasting KGLK but instead airing original programming. Complaints were submitted to the FCC, and after an inspection the Texas FCC Resident Agent, Steve Lee, issued a Notice of Violation. (NOV No. V201432540015). Since that time, RAFTT has taken steps to make their operation legal by paying FCC fees and becoming a translator for KMIQ.

"While digging for information about K291CE, on numerous occasions I visited the studio for K291CE, which is at the RAFTT CORP office located at 10614 Rockley Road, Houston, TX 77099. At RAFTT, I have had very interesting and engaging conversations with a nice gentleman who repeatedly identified himself to me as Bob Morrow. He also gave me a business card, which I will copy below:



"Further investigation uncovered that this gentleman not only falsely identified himself to me, but that he also falsely identified himself to FCC Resident Agent Steve Lee when inspecting the facilities at Rockley Road. Approximately two months ago, I located and shared a meal with the real Bob Morrow in Katy, Texas. He admitted that at one time he worked for RAFTT, but left long ago. He also advised that he is an audio

consultant, not an engineer, and has never filed anything on the FCC's CDBS database. When I described the man at RAFTT and showed him a picture, Bob Morrow identified him as Don Werlinger.

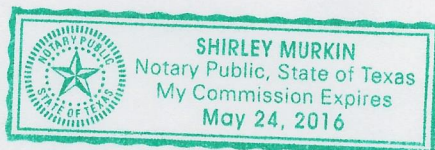
"A search for Don Werlinger on the internet produced a wealth of data showing that Werlinger is an unscrupulous broadcasting engineer who has for decades been in and of trouble with the FCC – including the well-publicized fiasco in the mid-1990s involving Chamelon Radio Corporation where he boldly got the call letters KFCC and filed an application to move the station with false information.

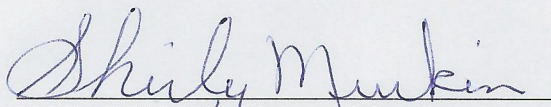
"Additionally, a quick search of the FCC's CDBS database turned up at least a dozen recent engineering applications that Mr. Werlinger has filed on behalf of radio stations all over Texas – all under penalty of perjury – using Bob Morrow's name. These false applications where Mr. Werlinger has unlawfully used Bob Morrow's name can be found in the public files for radio stations K291CE, KULF, KJOZ, KRCM, K273CD, K236AR, as well as many others.

"In witness whereof, I set my hand."


JOE DONALSON

SUBSCRIBED AND SWORN TO BEFORE ME on this 5th day of MARCH, 2015, to certify which witness my hand and official seal of office.




NOTARY PUBLIC in and for the
STATE OF TEXAS

COUNTY OF FORT BEND

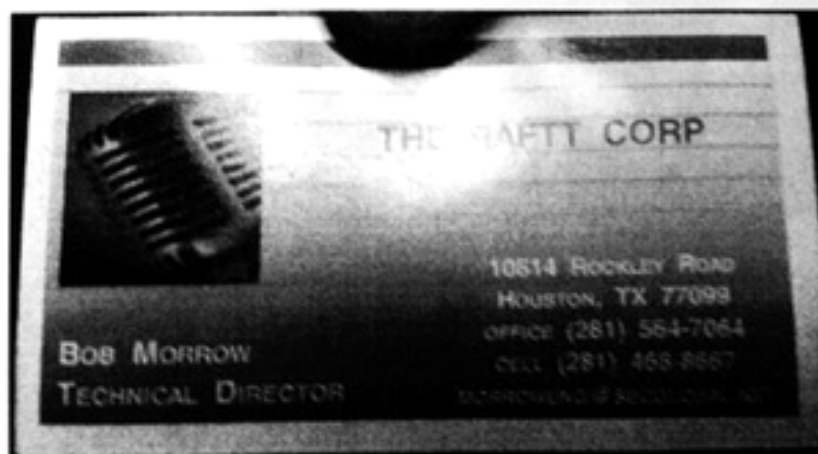
AFFIDAVIT

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT MORROW, known by me to be the person hereinafter subscribed and who, after being duly sworn, deposed as follows:

"My name is Robert "Bob" Morrow. I am over the age of 18, of sound mind, capable of making this affidavit, and personally acquainted with the facts stated herein.

"I previously worked for Don Werlinger at the RAFTT CORPORATION. The last time I performed any work for him was approximately July 18, 2013.

"It has come to my attention that Don Werlinger is identifying himself to others as "Bob Morrow", and is giving people the following business card. This card is not mine, nor is the phone number and email on the card mine.



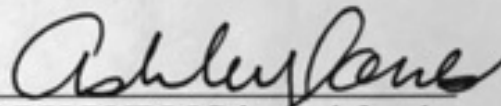
It has also come to my attention that numerous engineering applications have been filed on the FCC's CDBS system using my name. They include filings for KRCM, KJOZ, KBRZ, K291CE, K236AR, K284BX. These forms state that willful false statements are punishable by fines or imprisonment. I did not file these applications. I have never filed anything on the CDBS system.

"In witness whereof, I set my hand."



ROBERT MORROW

SUBSCRIBED AND SWORN TO BEFORE ME on this 5th day
of March, 2015, to certify which witness my hand and
official seal of office.



NOTARY PUBLIC in and for the
STATE OF TEXAS

