



Federal Communications Commission
Washington, D.C. 20554

January 14, 2022

In Reply Refer to: 1800B3-HOD

SENT BY EMAIL TO MAFFLERBACH@CTC-MEDIA.COM

CTC Media Group
Attn: Michael Afflerbach
1202 Pollock Street
New Bern, NC 28560

In re: **CTC Media Group**
WECU(AM) and W298BX, Winterville,
North Carolina
Facility ID Nos. 135909 and 157892

Letter of Inquiry

Dear Licensee:

This letter concerns WECU(AM), and its associated FM translator, W298BX, both of which serve Winterville, North Carolina and are licensed to CTC Media Group (CTC). We have before us a complaint filed in August 2021, which alleges that WECU(AM) had been off the air for months, and that W298BX had been originating programming while WECU(AM) was silent. Pursuant to Section 73.1015 of the Commission's Rules (Rules),¹ CTC is hereby required to provide the information and materials discussed herein, and to do so within thirty days of the date of this letter.

WECU(AM) Operational Status. The complaint alleges that WECU(AM) has been silent for months. However, the Commission has no record that CTC filed any notice of discontinued operations or request for special temporary authority in relation to this period of silence as required by section 73.1740(a)(4) of the Rules.²

We request that CTC provide a narrative statement that indicates WECU(AM)'s operational status between January 1, 2021, and the present. CTC should indicate the dates on which WECU(AM) has been silent, has operated with its licensed facilities, or has operated with technical parameters other than those specified in its license. CTC should submit copies of all leases, personnel records, engineering records, station logs, invoices, bills (including utility bills), checks written or received, credit card charges, wire transfers or deposits of funds relating to WECU(AM)'s operation. In addition, CTC must include pictures of WECU(AM)'s studio facilities and transmission facilities during this timeframe.

W298BX Programming. The complaint before us alleges that W298BX has been originating programming while WECU(AM) has been silent. Section 74.1263(b), however, generally prohibits an FM Translator station from "rebroadcasting the signal of an AM, FM or

¹ 47 CFR § 73.1015.

² 47 CFR § 73.1740(a)(4) (permitting a station to "limit or discontinue operation for a period of not more than 30 days without further authority from the FCC," requiring notice to be provided to the FCC "no later than the 10th day of limited or discontinued operation," and requiring submission of a written request to the FCC if the period of limited or discontinued operations will exceed 30 days).

LPFM primary station . . . during extended periods when signals of the primary station are not being retransmitted.”³

We request that CTC provide a narrative statement that indicates the dates between January 1, 2021, and the present on which W298BX originated programming. The narrative statement should also address whether W298BX rebroadcast the signal of a primary station other than WECU(AM) during this time period. If W298BX rebroadcast the signal of different primary stations, CTC must include the call signs of these primary stations, and note the dates on which W298BX rebroadcast their signals. CTC should submit all documents in its possession relating to W298BX’s origination of programming and its rebroadcast of the signals of any stations other than WCEU(AM).⁴

Affidavits or Declarations. In addition to the documentation noted above, CTC must support its response with an affidavit or declaration under penalty of perjury, signed and dated by an authorized representative of CTC, with personal knowledge of the representations provided in the response, verifying the truth and accuracy of the information therein and that all of the information requested by this letter which is in CTC’s possession, custody, control or knowledge has been produced. If multiple persons contribute to the response, in addition to such general affidavit or declaration of the authorized representative of CTC noted above, if such person (or any other affiant or declarant) is relying on the personal knowledge of any other individual, rather than his or her own knowledge, provide separate affidavits or declarations 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 declarations provided must comply with Section 1.16 of the Rules,⁵ and be substantially in the form set forth therein. We remind CTC that to knowingly and willfully make any false statement or conceal any material fact in reply to this inquiry is punishable by fine or imprisonment.¹ Moreover, failure to respond appropriately to this letter of inquiry may constitute a violation of the Communications Act of 1934, as amended,⁶ and the Rules.

³ 47 CFR 74.1263(b).

⁴ As used herein, “document(s)” means 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, text message, 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).

⁵ 47 CFR § 1.16.

⁶ 47 U.S.C. § 151 *et seq.*

CTC's response is due thirty (30) calendar days from the date of this letter. Please submit the response to the Office of the Secretary, Federal Communications Commission, 45 L Street, NE., Washington, DC 20554, and serve copies by email to Tom Hutton, tom.hutton@fcc.gov, and Heather Dixon, heather.dixon@fcc.gov.

Sincerely,

Albert Shuldiner
Chief, Audio Division
Media Bureau