Federal Communications Commission
Washington, D.C. 20554

November 18, 2009

DA 09-2436
In Reply Refer to
1800B3-TSN
Released: November 18, 2009

Ms. Sandra Soho
P.O. Box 111
Klamath Falls, OR 97601

Ms. Sandra Soho
1604 Kimberly Drive
Klamath Falls, OR 97601

Ms. Sandra Soho
P.O. Box 235
Klamath Falls, OR 97601

In re: KRAT(FM), Altamont, Oregon
Application for Renewal of License
File No. BRH-20060130AJR
Facility ID No. 71963
Notification of License Expiration / Deletion of Call Sign / Notice to Cease Broadcast Operations

Dear Ms. Soho:

On July 30, 1999, the Commission issued a license for station KRAT(FM), Altamont, Oregon, to George J. Wade ("Wade"), with a listed address of P.O. Box 235, Klamath Falls, OR 97601.[1] On January 30, 2006, Wade purportedly filed an application for renewal of the KRAT(FM) license (the "Renewal Application").[2] The Renewal Application was dismissed on April 20, 2007, under the

[1] File No. BLH-19990428KD.

[2] File No. BRH-20060130AJR. We use the term "purportedly" in recognition of the fact that, in the case of *State of Oregon v. Sandra Soho*, George J. Wade testified under oath that he was not the licensee of KRAT(FM), and that he was unaware that a license for KRAT(FM) had been issued in his name until so notified by Internal Revenue Service investigators. Other evidence adduced at trial established that Soho was at all times the owner and operator of KRAT(FM), and used Wade's name fraudulently as the purported owner of KRAT(FM), as well as for the purpose of concealing income and assets from the State of Oregon while fraudulently obtaining public assistance and food stamps. Sandra Soho was subsequently convicted of eight felony counts of unlawfully obtaining public assistance, five felony counts of first-degree theft, four felony counts of unlawfully obtaining a food stamp benefit, and one misdemeanor count of second-degree theft, all counts on which she was charged. On February 12, 2009, Soho was sentenced to 38 months in prison and 30 days in county jail, fined in the amount of $499,308, and ordered to pay restitution in the amount of $8,746.79. *State of Oregon v. Sandra Soho*, Judgment, Case No. 0602044CR (Circuit Court, Klamath County, Feb. 12, 2009) ("Soho Judgment"). We hereby take official notice of the Soho Judgment

Commission's "red light" rules, which prohibit the staff from granting an application when an applicant is delinquent on debts owed to the Commission.[3] No petition for reconsideration or other challenge to the dismissal of the Renewal Application was filed.

We find, therefore, that KRAT(FM) has no current authority to operate, as it has no pending renewal application. As discussed above, the Renewal Application that KRAT(FM) filed was dismissed on April 20, 2007, for failure to pay regulatory fees. Given that the fees have not been paid and that the Renewal Application has not been re-filed in over two years, we find that KRAT(FM)'s license expired on February 1, 2006.

Accordingly, IT IS HEREBY ORDERED that the call sign of station KRAT(FM), Altamont, Oregon, IS DELETED, and that station KRAT(FM) MUST CEASE BROADCAST OPERATIONS IMMEDIATELY. We caution you that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower be maintained until the tower is dismantled. Accordingly, the owner of the tower where KRAT(FM)'s transmitting antenna is located is required, pursuant to Section 303(q) of the Communications Act of 1934, as amended,[4] to maintain the tower in the manner prescribed by our rules and the terms of the expired KRAT(FM) license.[5]

Sincerely,

Peter H. Doyle
Chief, Audio Division
Media Bureau

cc: Binh Nguyen, FCC Resident Agent, Portland, Oregon

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and of Wade's testimony and, in so doing, recognize Soho to be the *de facto* licensee of KRAT(FM). *State of Oregon v. Sandra Soho*, CourtSmart Transcription CD No. 2 of 8, at 7:12:35; 47 U.S.C. § 309(d)(1).

[3] *George J. Wade*, Letter (MB Apr. 20, 2007). *See Amendment of Parts 0 and 1 of the Commission's Rules – Implementation of the Debt Collection Improvement Act of 1996 and Adoption of Rules Governing Applications or Requests for Benefits by Delinquent Debtors*, Report and Order, 19 FCC Rcd 6540 (2004). *See also* 47 C.F.R. §§ 0.283, 1.1910(b)(3).

[4] 47 U.S.C. § 303(q).

[5] *See* 47 C.F.R. §§ 17.1, *et seq.*, and 73.1213. *See also Report and Orde*r in MM Docket 95-5, 11 FCC Rcd 4272 (1996).