



Federal Communications Commission
Washington, D.C. 20554

May 26, 2011

In Reply Refer to:
1800B3-BSH

Mr. Michael Arch
c/o Bruce M. Broyles, Esq.
164 Griswold Drive
Youngstown, OH 44512

Mr. Dennis F. Glunt
Vice President, Beacon Broadcasting, Inc.
9320 Bay Hill Drive
Warren, OH 44484

Timothy K. Brady, Esq.
P.O. Box 930
Johnson City, TN 37605-0930

In re: **WYCL(AM), Niles, Ohio**
Facility ID No. 73308
File No. BAL-20100830AAL

WANR(AM), Warren, Ohio
Facility ID No. 70531
File No. BAL-20100830AAM

**Application for Assignment of
Licenses
Informal Objection**

Dear Mr. Arch, Mr. Glunt and Counsel:

We have before us the above-referenced application (the "Assignment Application") seeking approval for the proposed assignment of license of Station WYCL(AM) (formerly WRTK(AM)), Niles, Ohio, and Station WANR(AM), Warren, Ohio, from Beacon Broadcasting, Inc. ("Beacon") to Whiplash Radio, LLC. On November 5, 2010, Michael Arch ("Arch") filed a pleading styled as an informal objection to the Assignment Application. For the reasons stated below, we dismiss Arch's pleading as an informal objection and deny the pleading as a petition for reconsideration.

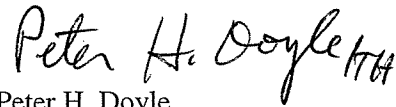
The Assignment Application was granted on November 2, 2010.¹ Accordingly, we will dismiss Arch's pleading as an informal objection and treat it as a petition for reconsideration of the grant. Arch's objection opposes grant of the Assignment Application because Arch currently has pending litigation against Beacon. Accordingly, the issue raised by Arch constitutes a private controversy. The Commission has consistently held that it is not the proper forum for the resolution of such private

¹ See *Broadcast Actions*, Public Notice, Report No. 47357 (MB Nov. 5, 2010).

disputes, and that parties should seek redress for such matters in local courts of competent jurisdiction.² Arch has not provided evidence of an injunction or a stay issued by a local court against the proposed sale. In the absence of such a court order, the Commission has routinely acted favorably on license assignment applications that are complete and meet our review standards, as this application did. We note, however, that Commission grant of an assignment or transfer of control application merely finds that the parties are qualified under, and the proposed transaction does not violate, the Communications Act of 1934, as amended, or the Commission's rules and policies. As such, it is permissive only and does not prejudice any relief to which the parties may ultimately be entitled.

Based on the above, Arch's informal objection IS DISMISSED, and, when treated as a petition for reconsideration, IS DENIED.

Sincerely,

A handwritten signature in black ink that reads "Peter H. Doyle" followed by a stylized monogram or initials.

Peter H. Doyle
Chief, Audio Division
Media Bureau

² See *John F. Runner, Receiver (KBIF)*, Memorandum Opinion and Order, 36 RR 2d 773, 778 (1976); *Decatur Telecasting, Inc.*, Memorandum Opinion and Order, 7 FCC Rcd 8622 (1992).