



December 20, 2012

935 S. Perry Street
Montgomery, AL 36104
334-262-1220 FAX: 334-262-2252
www.childprotect.org

FILED/ACCEPTED

DEC 20 2012

Federal Communications Commission
Office of the Secretary

Marlene H. Dortch, Esquire
Secretary
Federal Communications Commission
445 12th Street, S.W., The Portals
Washington, D.C. 20554
Attention: Audio Division

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Executive Director

Re: W238CE
BALFT-2012ABY
Objection to Approval of Application
Assignment from Pat Sullivan to Mike Rice

Dear Ms. Dortch:

Our organization, Child Protect, sent a letter to the Federal Communications Commission on October 24, 2012, to object to approval of the above referenced assignment application to Mike Rice. A copy is attached to this letter. We would appreciate your consideration of our objection.

Should any questions arise concerning this matter, please contact us.

Sincerely,

Jannah M. Bailey
Executive Director

cc: Applicants:
Mike Rice
Lake Broadcasting, Inc.
PO Box 1268
St. Peters MO 63376

Patrick Sullivan
22932 Abrolat Rd
Wright, MO 63390



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Federal Communications Commission
Washington DC 20554

By First Class Mail and Email

Attention: Peter Doyle, Chief Audio Division
peter.doyle@fcc.gov
Mike Wagner
michael.wagner@fcc.gov
Audio Division

RE: W238CE
BALFT-2012ABY
Objection to Approval of Application
Assignment from Pat Sullivan to Mike Rice

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Dear Commission, Messrs, Doyle and Wagner:

Please accept this letter as an objection to and petition to deny of the assignment application referenced above seeking assignment of license from Pat Sullivan to Mike Rice. As is a matter of official record, the FCC required Mike Rice to cease broadcasting by a decision released on October 3, 2001 due to his conviction on counts of sodomy, six (6) counts of deviate sexual assault in the first degree, two (2) counts of deviate sexual assault in the second degree, all which were felonies.

These heinous acts were against five (5) children. See Memorandum Opinion and Order FCC 01-300 (released October 3, 2001).

Should Mike Rice be permitted to own a broadcast station? My resounding answer is no. Mike Rice abused, sodomized and sexually assaulted, five (5) children just as Jerry Sandusky did as to ten(10) at Penn State.

Would the FCC permit Jerry Sandusky to someday own a broadcast station, assuming he was ever released? If the FCC does permit Mike Rice to be a licensee, it is establishing that precedent. Is the FCC willing to face the five (5) victims and their families? Not having a federal license is obviously a minor penalty for sodomizing and sexually assaulting five (5) children.

Another reason is evident. Mr. Rice is once again not being candid with the FCC. In the 2001 decision mentioned above, the FCC found (page 1-2) that in addition to criminal conduct, Mr. Rice misrepresented and lacked candor in reporting to the FCC that he was excluded from any further involvement in the management and operation of various stations. In fact, he was involved.

Has the FCC permitted Mr. Rice to be "involved" in the management and operation a broadcast station? Mr. Rice is and has been since at least May 11, 2005. Consider these facts:

W238CE rebroadcast a primary station with call sign WRBZ(AM), Wetumpka, Alabama. [WAPZ is a prior call sign of that station, see FCC files.] Mr. Rice once tried to purchase that station but the 2004 application was dismissed January 12, 2005 [BAL-20040715AD], dismissed January 12, 2005. But, after


the dismissal; on May 11, 2005, Mr. Rice entered into a Local Marketing Agreement (LMA) allowing him to program that station. As you can see from FCC files, the latest November 11, 2011, Form 323 for the station in Section II-B lists Contemporary Media [a Mike Rice entity] as having an LMA with "no expiration date." The 2007 LMA mentioned there was an extension of a 2005 LMA. As for 2005, see: https://licensing.fcc.gov/cdbs/CDBS_Attachment/getattachment.jsp?appn=101176074&qnum=5040©num=1&exhcnun=3 which is a copy of the LMA with a May 11, 2005 date. As is apparent, Mr. Rice entered in to an LMA, as Contemporary Media, and continued it after he was unable to buy the station. Did the FCC agree to and approve Mr. Rice's involvement in a station through the LMA entered into and in place after the dismissal? Therefore, Mike Rice programs and gets economic benefit from that station and has done so since May 2005 even though in 2001 the FCC did not permit such involvement in broadcast media. As to the foregoing, it is also my understanding, on information and belief, that Mr. Rice manages the station as the controlling owner of the licensee, Johnny Roland, [who went to the University of Missouri, once lived in and has connections in Missouri] now resides in Arizona (per the Internet, Wikipedia) and is absentee.

As is well known, an FM translator which rebroadcast an AM is comparable to an FM station, due to the antenna height and facilities permitted. FM translators have been a savior of AM stations like WRBZ. An assignment to Mr. Rice should be rejected. And, it is certainty that a grant would be used as precedent to purchase WRBZ, as Mr. Rice attempted when WRBZ had the call sign WAPZ [See above] or another station.

In conclusion, as set forth above, the public interest would not be served by the FCC permitting Mr. Rice to continue to have an LMA allowing him to program Station WRBZ, and to be licensee of an FM translator.

Please consider this letter, and reject the assignment application.

Sincerely


Jannah M. Bailey
Executive Director
Child Protect

Via email - 10.24.12