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5/11/07

*ORIGINAL*

BEFORE THE  
**Federal Communications Commission**  
WASHINGTON, D. C. 20554

**FILED/ACCEPTED**

**MAY - 9 2007**

Federal Communications Commission  
Office of the Secretary

In re Application of )  
 )  
 GOLDEN GULF COAST BROADCASTING, INC. ) File No. BALH-20031125ALX  
 Assignor ) Facility ID No. 24513  
 )  
 and )  
 )  
 CAPSTAR TX LIMITED PARTNERSHIP )  
 Assignee )  
 )  
 For Assignment of License of )  
 FM Broadcast Station WQYZ, )  
 Ocean Springs, Mississippi )  
 \_\_\_\_\_ )  
 )

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In re Application of )  
 )  
 GOLDEN GULF COAST BROADCASTING, INC. ) File No. BRH-20040202AHI  
 ) Facility ID No. 24513  
 For Renewal of License of )  
 FM Broadcast Station WQYZ, )  
 Ocean Springs, Mississippi )

TO: Honorable Marlene H. Dortch, Secretary  
 ATTN: The Commission

**REPLY TO OPPOSITIONS TO APPLICATION FOR REVIEW**

WJZD, Inc. (WJZD), by its attorney, and pursuant to Section 1.115 of the Commission's Rules, hereby respectfully submits this Reply to the Oppositions to WJZD's "Application for Review" in this matter.

1. Golden Gulf Coast Broadcasting, Inc. (Golden) repeats its mantra that, somehow, WJZD has not provided a

"reasoned legal argument" why a hearing should have been held on Golden's wholesale abandonment of WQYZ(FM), Clear Channel's clear control of WQYZ(FM), and WQYZ(FM)'s main studio being moved into the Clear Channel headquarters in the Biloxi-Gulfport market.

2. WJZD has continuously argued that (1) there has been an unlawful premature transfer of control, in violation of 47 U.S.C. §310, (2) Clear Channel has a record of violation of the statutes, regulations and FCC policies against premature transfer of control, (3) there is an impressive body of FCC case law where hearings have been designated to explore unlawful premature transfer of control charges, and (4) in light of the facts and law, a hearing is required here. A hearing before an independent administrative law judge would give all FCC regulates and the public confidence that there is equal justice for all at the FCC, and that a broadcast behemoth like Clear Channel does not receive preferential treatment, which it is clearly receiving as WJZD (owned by a local minority entrepreneur) has made serious and substantial charges and fact demonstrations, which the FCC has to date swept under the rug.

3. Here are the cases that, if followed in this case, require that a hearing be designated to explore

unauthorized transfer of control: **Citicasters Co.**  
**(WBTJ(FM), Hubbard, OH)**, 16 FCC Rcd 3415 (1991) (where  
Clear Channel was involved with a time brokerage agreement  
where the delegation of day-to-day operations was  
"wholesale"); **In re Ronald Brasher et al**, 15 FCC Rcd 16326  
(HDO, 2000)<sup>1</sup>; **William L. Zawila**, 18 FCC Rcd 14938, ¶¶99-100  
(HDO, 2003); **Reading Broadcasting, Inc. (WTVE-TV) (MM**  
**Docket No. 99-153)**, DA 99-865 (HDO, 1999); **Hicks**  
**Broadcasting of Indiana, LLC**, 13 FCC Rcd 10662, 10677  
(1998); **Gerard A. Turro**, 12 FCC Rcd 6264 (HDO, 1997); **Pine**  
**Tree Media, Inc.**, 8 FCC Rcd 7591 (HDO, 1993); **Petroleum V.**  
**Nasby Corporation**, 8 FCC Rcd 4035 (HDO, 1993); **Center for**  
**Study and Application of Black Economic Development**, FCC  
91-197, 56 FR 37213 (1991); **Bennett Gilbert Gaines,**  
**Interlocutory Receiver**, FCC 90M-1760 (Frysiak, ALJ, 1990);  
**Black Television Workshop of Los Angeles**, 3 FCC Rcd 5443  
(HDO, 1988); **Oyate, Inc.**, 2 FCC Rcd 4528 (HDO, 1987).

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<sup>1</sup> In fact, ALJ Arthur Steinberg recommended the  
revocation of licenses in that case. **In re Ronald Brasher**  
**et al (EB Docket No. 00-156)**, 18 FCC Rcd 16707 (ALJ, 2003).

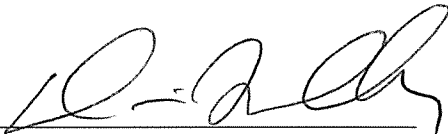
**Conclusion**

WHEREFORE, WJZD, Inc. urges that its Application for Review **BE GRANTED** and that the above-captioned applications relative to FM Broadcast Station WQYZ, Ocean Springs, Mississippi filed by Golden Gulf Coast Broadcasting, Inc. and/or Capstar TX Limited Partnership **BE DENIED OR DESIGNATED FOR HEARING.**

Respectfully submitted,

**WJZD, INC.**

By

  
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Its Attorney

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DATED: May 9, 2007


**CERTIFICATE OF SERVICE**

It is hereby certified that true copies of the foregoing "Reply to Oppositions to Application for Review" were served by first-class United States mail, postage prepaid, on this 9<sup>th</sup> day of May, 2007 upon each of the following:

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