

Group P  
MA  
FEB 18 2014



ORIGINAL

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

ACCEPTED/FILED  
FEB 18 2014  
Federal Communications Commission  
Office of the Secretary

In re Application of )  
)  
LIGHTHOUSE CHRISTIAN CENTER )  
Station WLCQ-LP )  
Feeding Hills, Massachusetts )  
)  
For Renewal of License )

File No. 20131204AIA  
Facility ID 133854

To: The Secretary  
For: Transmission to Chief, Audio Division

2014 FEB 20 A 6:01  
RECEIVED

**OPPOSITION TO INFORMAL OBJECTION**

Lighthouse Christian Center (“Lighthouse”), by its counsel, hereby opposes the “Petition to Deny” (the “Objection”) filed against the captioned renewal application by Jayson Fredette (“Fredette”) on January 16, 2014. In opposition the following is shown:

**Procedural Matters**

Lighthouse is treating the Objection as an informal objection under Section 73.3587 of the rules because it is unaccompanied by a sworn declaration from a person with personal knowledge of the facts alleged,<sup>1</sup> and was not served on Lighthouse or its attorney. These are requirements for a petition to deny under Section 309(d)(1) of the Communications Act of 1934, as amended, 47 USC 309(d)(1), and Sections 1.47(a) and 73.3584(b) of the Commission’s rules. Nevertheless, Lighthouse is filing this opposition within the 30-day period allowed for oppositions to petitions to deny under Section 73.3584(b).

<sup>1</sup> While some of the allegations in the Objection are based on official documents, his other claims (*i.e.*, allegations about the role of “James Dunn” or “Richard E. Dunn” in the operation of WLCQ-LP) are based on hearsay, speculation or both and have no place in either a petition to deny or an informal objection.

### **Fredette is Wrong on the Facts and Law**

Fredette alleges that Lighthouse, the licensee of WLCQ-LP, is illicitly connected to Epic Light Network, Inc. (“Epic Light”), the licensee of WYQQ, Charlton, Massachusetts, through undisclosed family relationships. Fredette identifies Annette Dunn, Richard E. Dunn and James Dunn as co-conspirators in a “fraud” that violates the LPFM cross-ownership rule. He alleges that “Richard E. Dunn” is involved in the affairs of Lighthouse’s WLCQ-FM while his wife, Annette Dunn, serves as treasurer and a director of Lighthouse. Fredette further alleges that “James Dunn,” who he identifies as the son of Richard E. and Annette Dunn, is the president of Epic Light. Fredette states that these relationships are not disclosed in any FCC filings made by Lighthouse or Epic Light. This, Fredette claims, is “Lack of Candor” and “Fraud” because “...WLCP cannot have person and persons [sic] of the same family co owning or serving on boards of both low power and high power FM stations.”

Fredette’s facts are incorrect and so is his understanding of both cross-ownership restrictions and reporting requirements. Attached is the Declaration of Annette Dunn. Ms Dunn states that she is treasurer and a director of Lighthouse. She further states that her husband’s name is James Richard Dunn, and that she and James Richard Dunn do not have a son named James Dunn. The person identified as “James Dunn” by Fredette is Annette Dunn’s husband rather than the phantom relative Fredette identifies. Ms Dunn is not acquainted with a person named “Richard E. Dunn.” Nor is there a “Richard E. Dunn” identified in any of the FCC or state forms attached to the Objection. For purposes of the Objection Richard E. Dunn is as much a fictional character as James Dunn.

Ms Dunn also shows in her declaration and attached board minutes that James Richard Dunn resigned as an officer and director of Lighthouse on July 3, 2012. FCC records<sup>2</sup> show that Epic Light did not acquire WYQQ until December 10, 2012, more than five months after James Richard Dunn resigned as a principal of Lighthouse. James Richard Dunn subsequently resigned as pastor of the church operated by Lighthouse, and as general manager of WLCQ-LP. Thus, there is no LPFM/full-power FM cross-interest violation under Section 73.860(a) of the rules as alleged.

Nor are James Richard Dunn's interests in Epic Light attributable to his wife or to Lighthouse. The Commission eliminated the presumption of common control of spousal interests in broadcast stations twenty-two years ago. *See Policy Statement, Clarification of Commission's Policies Regarding Spousal Attribution*, 7 FCC Rcd 1920, 1922-24 (1992). Thereafter, the media interests of spouses had to be subject to "common influence or control" for one spouse's media interests to be attributable to the other. Fredette speculates about what relationships the Dunns have to each others' media interests, but has no evidence to support his claim that spousal attribution is warranted beyond identifying Richard Dunn's former official positions with Lighthouse. This falls far short of what is necessary to rebut the presumption of non-attribution provided for in the *Policy Statement, supra*. The FCC has ruled, "...past involvement in a family member's business, even if substantial, does not necessarily demonstrate future involvement or a comingling of ownership interests." *Sevier Valley Broadcasting, Inc.*, 10 FCC Rcd 9795, 9797 (1995).

---

<sup>2</sup> See CDBS Application Search Details for WYQQ, BALED-20120905AAG.

In this case, Ms Dunn's declaration shows there is no commonality with respect to Lighthouse's and Epic Light's governance or operations.<sup>3</sup> Ms Dunn states that she has no role in WYQQ's programming and Epic Light has no such role in WLCQ-LP. The two stations are separately financed, with WLCQ-FM's expenses being paid from separate sources of revenue. Ms Dunn has never served as an officer or director of Epic Light. The studios of the two stations are 55 miles apart, and there is no sharing of programming or production facilities. Thus, James Richard Dunn, the president of Epic Light, does not control his wife's involvement in WLCQ-FM and indeed has no direct role in WLCQ-LP. Fredette's assumption that James Richard Dunn controls his wife's business affairs is at best an outdated concept.

With respect to Fredette's charges that the Dunns' marital relationship has been hidden from the FCC, Fredette—even though he appended FCC forms to his Objection-- is apparently unaware that neither Lighthouse's captioned renewal application, its original Form 318, nor its covering Form 319 license application<sup>4</sup> required specific disclosures of family relationships. Thus, Lighthouse has filed complete and truthful information about family relationships and stands by its responses. Fredette's reckless charges of fraud and lack of candor on this score should be similarly rejected.

---

<sup>3</sup> As pastor of Lighthouse's church, Mr. Dunn would not have had control of radio operations and his job as general manager of WLCQ-FM, now ended, was held at the pleasure of Lighthouse's board.

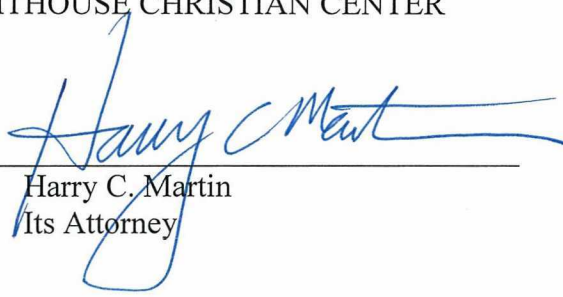
<sup>4</sup> File Nos. BNPL-20010613AGT (Form 318) and BLL-20061106AAA (Form 319). The original Form 318, filed when James Richard Dunn was a principal of Lighthouse, required a certification in response to Section II, Question 5(c), that all parties complied with the FCC's policies relating to media interests of immediate family interests. Lighthouse answered affirmatively. Form 319 does not mention family relationships.

WHEREFORE, It is respectfully requested that the Objection be denied and the captioned application for renewal of WLCQ-FM's license be promptly granted.

Respectfully submitted,

LIGHTHOUSE CHRISTIAN CENTER

By



Harry C. Martin  
Its Attorney

Fletcher, Heald & Hildreth, PLC  
1300 North 17<sup>th</sup> Street, 11<sup>th</sup> Floor  
Arlington, Virginia 22209

February 18, 2014

## DECLARATION OF ANNETTE DUNN

My name is Annette Dunn. I reside at 3 Hunter Ridge Circle, Southwick, Massachusetts 01077. This declaration is given in support of the pending application for renewal of license of Station WLCQ-LP, Feeding Hills, Massachusetts. My declaration addresses incorrect facts in the "Petition to Deny" filed January 16, 2014, against the WLCQ-LP renewal by Jayson Fredette.

I am married to James Richard Dunn, who also resides at 3 Hunter Ridge Circle in Southwick. Contrary to Mr. Fredette's assumption, we do not have a son named James Dunn. The "James R. Dunn" whose name appears in the attachments to the petition is my husband. I am not acquainted with anyone named "Richard E. Dunn."

I am Treasurer and a member of the board of directors of Lighthouse Christian Center, ("Lighthouse"), a Massachusetts not-for-profit corporation and the license of WLCQ-LP. James R. Dunn, was an officer and board member of Lighthouse until July 3, 2012, when he resigned from both positions. A copy of the minutes of Lighthouse's July 5, 2012, board of directors' meeting reflecting Mr. Dunn's resignation is attached. Mr. Dunn resigned as Lighthouse's pastor in July 2013. While he continued to be employed by our board as general manager of WLCQ-LP, he has since resigned from that position and currently has no management role at WLCQ-LP.

Neither Lighthouse nor I have roles in the programming, management or financing of WYQQ. WLCQ-LP's expenses are paid by Lighthouse from donations and other station revenues and not by Epic Light, my husband or me. I am not now and never have served as an officer or director of Epic Light. The headquarters and studio location of WLCQ-LP is located at 522 Springfield Street, Feeding Hills, Massachusetts. The studios of WYQQ are located at 29A Trolley Crossing Road in Charlton, Massachusetts, which is about 55 miles distant from the WLCQ-LP studios in Feeding Hills. WYQQ does not share its studio or production facilities with WLCQ-LP. The programming on WLCQ-LP is separate and distinct from that broadcast on WYQQ.

I declare under penalty of perjury under the laws of the United States that the foregoing is based on my personal knowledge and is true and correct.

Signed and dated this 14<sup>th</sup> day of February, 2014.

  
Annette Dunn

## Lighthouse Christian Center Board Meeting Minutes July 5<sup>th</sup>, 2012

Attended by Gary Reiff, Annette Dunn, James R. Dunn

Opened meeting with Prayer 6:30pm –Gary Prayed

Reviewed old business from May meeting.

- Decision made to consider outreach possibility in Haiti with Life Connection Mission.
- Discussed future of Underground café
- Guest speakers looked at included Rajan Chinudurri from India
- The option of life groups being given summer off will be at each leaders discretion.

First item of New Business 7:30pm

Motion brought by Gary Reiff to accept James R. Dunn's letter of resignation dated July 3<sup>rd</sup>, 2012 (attached letter passed out). All in Favor.

Seconded by Annette Dunn. Approved.

Discussed others in the future who could be apart of the team.

Motion brought by Gary Reiff to be acting president and clerk and have Annette Dunn be interim treasurer. All in Favor.

Seconded by Annette Dunn. Approved.

Discussed next meeting to be early August 2012. Time and location TBD via email.

The time was closed with Prayer. James R. Dunn prayed. 8:05pm

ENCL: JRD letter of resignation

*July 3, 2012*

*Lighthouse Christian Center/WLCCQ  
522 Springfield Street  
Feeding Hills, MA 01030*

*RE: Letter of Resignation from the board*

*To LCC Board:*

*It has been a pleasure to serve with you all. I am resigning as of today from the Lighthouse Christian Center board and all responsibilities in that capacity. Consider today July 3<sup>rd</sup>, 2012 as my last day in this position.*

*I thank you for your support as I pursue other endeavors.*

*Respectfully,*

A handwritten signature in black ink, appearing to read 'James R. Dunn', with a long, sweeping flourish extending to the right.

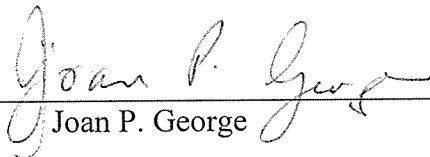
*James R. Dunn*



**CERTIFICATE OF SERVICE**

I, Joan P. George, an assistant with the law firm of Fletcher, Heald & Hildreth, PLC, hereby state that a true copy of the *Opposition to Informal Objection* was sent by first class mail, postage prepaid, unless indicated otherwise, this 18<sup>th</sup> day of February, 2014, to the following:

Mr. Jayson Fredette  
1440 Russell Road  
Westfield, Massachusetts 01071

  
\_\_\_\_\_  
Joan P. George