



Federal Communications Commission
Washington, D.C. 20554

November 4, 2014

In Reply Refer to:
1800B3-ATS

Lehigh Valley Community Broadcasters Association
301 Broadway
Bethlehem, PA 18015

In re: Lehigh Valley Community Broadcasters
Association
WDIY(FM), Allentown, Pennsylvania
Facility ID No. 36992
BRED-20140328ADA

Letter of Inquiry – Response Requested

Dear Licensee:

This letter refers to the above-referenced application filed by Lehigh Valley Community Broadcasters (“Licensee”) for renewal of its license for Station WDIY(FM), Allentown, Pennsylvania. We are in receipt of a Petition for Reconsideration (“Petition”) of the grant of the Application filed by Andrew Rumbold on August 15, 2014.¹ The Petition, filed by mail with Commission, indicates that it was served on you by fax. No response has been received. We are hereby serving you an additional copy of the Petition.

At this time, we are giving Licensee an opportunity to respond to the matters raised in the enclosed correspondence. Please respond within **thirty (30) days** of the date of this letter, submitting the response via the Commission’s electronic database, CDBS, or by mail with the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554.² Please also serve a copy of the response by mail on Andrew Rumbold, 502 S. 8th St., Perkasic, PA 18944, and Alexander Sanjenis, Esq., Room 2-B115, 445 12th Street SW, Washington, DC 20054, or by electronic mail at alexander.sanjenis@fcc.gov. We strongly remind both Mr. Rumbold and Licensee that pursuant to the Commission’s *ex parte* rules, each party to this proceeding must serve all other parties with copies of all submissions in the proceeding.

Sincerely,

Peter H. Doyle
Chief, Audio Division
Media Bureau

cc: John Crigler, Esq.
Mr. Andrew Rumbold

¹ See *Broadcast Applications*, Public Notice, Report No. 28315 (MB Sep. 2, 2014).

² See 47 C.F.R. § 0.401(a)(1). See also *Electronic and Hard Copy Filings Address*, available at <http://www.fcc.gov/encyclopedia/electronic-and-hard-copy-filing-address>; *Media Bureau Expands CDBS Features to Permit the Electronic Filing of Pleadings*, Public Notice, 27 FCC Rcd 7579 (MB 2012).

Henry
PA

8/29/14

Received & Inspected

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, DC 20554

RECEIVED

AUG 15 2014

FCC Mail Room

2014 AUG 19 A 5:43

August 7, 2014

AUG 15 2014

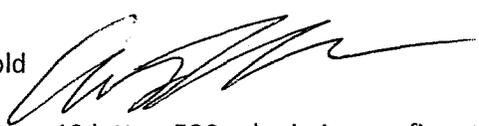
RE: Petition to Reconsider License Renewal Application BRED-20140328ADA for Radio Station WDIY

Dear Ms Secretary,

I am asking the FCC to reconsider the license renewal application noted above. The attached letter I sent to my Senator and State Representative on June 13, 2014 details the issue. The office of Rep Mike Fitzpatrick suggested I file this petition for reconsideration.

In short, I was refused access to the stations FCC logbook during regular business hours in violation of FCC rules. I was unable to make it to the appointment time to view the book and to this date have not received access to it. My questions about equal time for a public funded radio program have also gone unanswered. I have also filed an informal complaint through the FCC website with confirmation number 14-C00602424 on July 31, 2014 and have not yet received a response.

Regards,
Andrew Rumbold



Attachments: June 13 letter, FCC submission confirmation

Cc: Joe Hogan, office of US Representative Mike Fitzpatrick via email
Kim Stolfer, President Firearms Owners against crime via email

Andrew Rumbold
502 S. 8th St
Perkasie PA 18944
267-261-3825

ATTENTION: This is a copy of a document that has been scanned into the system.

DATE: 8/29/14
TIME: 10:00 AM

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
445 12TH STREET, S.W.
WASHINGTON, DC 20554
202-418-7200
WWW.FCC.GOV



Received & Inspected

AUG 15 2014

FCC Mail Room

US Senator Patrick Toomey via fax

June 13, 2014

Dear Senator Toomey,

WDIY radio operating out of Bethlehem PA is public funded radio and in the most recent available IRS filing on their website (IRS form 990 -2011) it was disclosed that they received \$117,838 in government grants for that fiscal year.

On May 29th at from 6-7 pm their regular program "Lehigh Valley Discourse" featured what can best be described as an hour of propaganda for gun control and violating the rights of Americans. There was only emotional argument in favor of further restriction on guaranteed rights of Americans to keep and bear arms, and no counterpoint and no calls taken to allow for the other side of the debate to be heard.

On behalf of Concerned Gun Owners of Pennsylvania and Firearms Owners Against Crime- I left a voicemail the following day for Wagner Previato who is the executive director of WDIY requesting a call back- this call was never returned. I followed up on June 3rd with an email to Mr Previato and copied to WDIY operations director Neil Hever to emphasize our request for an hour show to present the fact based side of the gun control debate. This email was replied to the following day by Mr Hever that Mr Previato was aware of our request.

I finally got a response from Mr Previato on June 6 indicating " WDIY will air another segment of the show giving the opportunity for people of a different opinion to share their thoughts. I will send you the show schedule when its available." I replied later that day requesting that a representative from our organizations be invited to participate and asked for details and a timeframe. This email was never replied to.

Today June 13 at approximately 10am I visited WDIY offices in person and was received by Mr Wagner. I requested access to their FCC file book and to register a complaint. I asked and was denied access several times, and requested by Mr Previato to make an appointment which I did for July 1. This is in direct violation of FCC rule under CFR 47 73.3526(c) as follows: (c) Access to material in the file. (1) The file shall be available for public inspection at any time during regular business hours.

As my representative in the US Senate I am requesting your intervention in this matter to facilitate the request of our groups to be given airtime for an opposing viewpoint on this political issue. I would like to know what action you will take and which departments you will involve regarding the clear violation of law by way of Mr Previato's refusal to allow me access to their FCC file book.

Regards,

Andrew Rumbold

267-261-3825

Andy_rumbold@hotmail.com

Cc: Kim Stolfer, Firearms Owners Against Crime by email

Wagner Previato, WDIY Executive Director by fax

Received & Inspected

AUG 5 2014

FCC Submission Confirmation: 2000E

FCC Mail Room

Acknowledgement of Submission from Andrew Rumbold on 07/30/2014,
reference number 14-C00602424.

Thank you for your information. The FCC will contact you if additional
information is required. Please keep this information for future reference.

RECEIVED
2014 AUG 19 A 5:43
AUDIO SER. ROOM 11130M