



Federal Communications Commission  
Washington, D.C. 20554

January 15, 2015

*In Reply Refer to:*  
1800B3-AJR

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Colin Black Andrews, Esq.  
Melodie A. Virtue, Esq.  
Garvey Schubert Barer  
1000 Potomac Street, N.W.  
Washington, DC 20007

**In Re: Mendocino County Public Broadcasting**

**KZXY(FM), Philo, CA**  
Facility ID No. 41157  
File No. BRED-20130724AAG

**Letter of Inquiry**

Dear Counsel:

We are currently evaluating five Informal Objections (collectively, "Objections")<sup>1</sup> to the referenced application of Mendocino County Public Broadcasting ("MCPB") for renewal of noncommercial educational Station KZXY(FM), Philo, California. In order to evaluate fully the arguments raised by the Objections, we request the additional information described below.

The Objections seek to raise a variety of issues regarding the Station's management practices and corporate governance, programming, employment practices, main studio staffing, and discontinuances of operation. We have made no determination on the merits of the Objections. Nevertheless, we request that MCPB provide additional information regarding the Station's employment practices. Specifically, Sakowicz alleges that John Coate, the Station's General Manager and Executive Director, hired Paul Lambert, a news reporter, in 2011 without posting or advertising for this position.<sup>2</sup> While we acknowledge that the Station claims a "small station exemption" to the Commission's Equal Employment Opportunity Rule ("EEO Rule")<sup>3</sup> because it has had fewer than five full-time employees since July 2012, the Lambert alleged hiring occurred prior to this time. Moreover, although MCPB responded to nearly all the specific employment-related allegations, it did not address Sakowicz's allegation about the Lambert hiring. Accordingly, we request that MCPB clarify whether it recruited widely for Lambert's position in 2011. If so, please provide information regarding the Station's recruitment efforts, including any available documentation.<sup>4</sup> If MCPB did not recruit widely, please provide its reasons, if any, for failing to do so.

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<sup>1</sup> The Objections were filed by John Sakowicz ("Sakowicz") on February 6, 2014, Sheila Dawn Tracy on February 10, 2014, M. Kathryn Massey on January 1, 2014, Yasmin Solomon on January 28, 2014, and Sandra Patterson on November 4, 2013.

<sup>2</sup> See Sakowicz Objection at 5.

<sup>3</sup> See 47 C.F.R. § 73.2080(d).


<sup>4</sup> As a related matter, if the Station recruited for Lambert's position, we request that MCPB explain the omission of this information from the Station's 2011 Annual EEO Public File Report.

We direct MCPB to provide the information within **fifteen (15) days** of the date of this letter. In addition, MCPB is required to serve a copy of its response on the Objectors. The Objectors may file replies within **ten (10) days** from the date on which MCPB files its response. Any replies should be limited to matters raised by this Letter of Inquiry.

Failure to supply the requested information within the specified time frame will result in our making a disposition based on the current record. We will defer action on MCPB's license renewal application pending receipt of the requested response.

Sincerely,



 Peter H. Doyle  
Chief, Audio Division  
Media Bureau

cc: John Sakowicz  
Sheila Dawn Tracy  
M. Kathryn Massey  
Yasmin Solomon  
Sandra Patterson