

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

In re Applications of)	
)	
Juan Alberto Ayala)	Facility ID No. 156373
)	
For Construction Permit for New FM Translator Station W228DF, Four Corners/Orlando, Florida, As Modified)	File Nos. BNPFT-20130813ABK and BMPFT-20150416AAR
)	
For the Modification of the Construction Permit for New FM Translator Station W228DF, Orlando, Florida)	File No. BMPFT-20160209ABW
)	

To: Chief, Audio Division, Media Bureau

**PETITION FOR REVOCATION OF CONSTRUCTION PERMIT AND
INFORMAL OBJECTION**

Clear Channel Broadcasting Licenses, Inc. (“CCBL”), licensee of FM station WMGF, Mount Dora, Florida, FCC Facility ID No. 51981, by its attorney, hereby petitions the Commission to revoke the construction permit for a new FM translator station, FCC Facility ID No. 156373, issued to Juan Alberto Ayala (“Ayala”), originally to serve Four Corners, Florida, File No. BNPFT-20130813ABK, and now proposed to serve Orlando, Florida, File No. BMPFT-20150416AAR (the “Permit”) and objects to the above-captioned application, File No. BMPFT-20160209ABW (the “February 2016 Application”) of Mr. Ayala for a further modification of the Permit.

If ever a case were made for disqualifying an applicant from being a Commission permittee/licensee due to misrepresentations made during the application process, Mr. Ayala’s application history for W228DF is such a case: in no less than four applications filed with the

Commission regarding the Permit, Mr. Ayala has falsely certified that he had written authority from the licensee of the primary station to be retransmitted, including the instant February 2016 Application, which Mr. Ayala filed after an Informal Objection documented Mr. Ayala's prior three false certifications of primary station authorization.

Mr. Ayala's initial short form application for a construction permit for this new FM translator was filed during the 2003 FM translator window, *see* File No. BNPFT-20030317HFT; in his long form application, filed in August 2013, Mr. Ayala specified WPOZ(FM), Union Park, Florida, as the primary station to be rebroadcast. *See* File No. BNPFT-20130813ABK (the "August 2013 Application"). Following the grant of the original FM translator construction permit on March 20, 2014, in 2015, Mr. Ayala filed two modification of permit applications. First, in April 2015, Mr. Ayala filed a modification application specifying WOCL(FM), DeLand, Florida, as the translator's primary station. *See* File No. BMPFT-20150416AAR (the "April 2015 Application"). After that modification was granted on October 23, 2015, Mr. Ayala filed, in November 2015, a further modification of permit application, again specifying WOCL(FM) again as the primary station for rebroadcast. *See* File No. BMPFT-20151113AAB (the "November 2015 Application").

In each Form 349 application, Mr. Ayala certified "Yes" to Section II – Legal, Question 5, which states (bold in original):

For applicants proposing translator rebroadcasts that are not the licensee of the primary station, the applicant certifies that written authority has been obtained from the licensee of the station whose programs are to be retransmitted. **If No, this application is unacceptable for filing.**

Further emphasizing the point that the primary station to be rebroadcast must give its written authorization prior to the submission of the Form 349 are the instructions to the Form 349, which state (October 2009 version; bold in original):

Item 5: Rebroadcast Certification. An FM Translator operator proposing to rebroadcast the signal of a primary station which it does not own must obtain written permission of that station **prior** to retransmission of that signal. See 47 C.F.R. Section 74.1284. Item 5 requires the applicant to certify that such authority has been received.

Section 74.1284(b) of the Commission's Rules provides:

The licensee of an FM translator shall not rebroadcast the programs of any AM or FM broadcast station or other FM translator without obtaining prior consent of the primary station whose programs are proposed to be retransmitted. The Commission shall be notified of the call letters of each station rebroadcast and the licensee of the FM translator shall certify that written consent has been received from the licensee of the station whose programs are retransmitted.

The Form 349 applications filed by Mr. Ayala further included this personal certification:

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

After the submission of the November 2015 Application, in December 2015, Mr. Manuel Arroyo filed an Informal Objection against the November 2015 Application. *See* Attachment A (the "Arroyo Objection"). ^{1/} The Arroyo Objection documented with statements, made under penalty of perjury, from the licensees of WPOZ(FM) and WOCL(FM), that Mr. Ayala had never been authorized, in writing or otherwise, to rebroadcast either station's programming on Mr. Ayala's proposed translator. That is, the Arroyo Objection established that Mr. Ayala falsely certified "Yes" to Section II, Question 5 of Form 349 for this translator, first,

^{1/} CCBL hereby incorporates by reference the Arroyo Objection.

in the August 2013 Application, second, in the April 2015 Application, and third, in the November 2015 Application.

Mr. Ayala's evasive strategy to the Arroyo Objection was two-fold. Step One, Mr. Ayala requested (according to FCC CDBS records) the dismissal of the November 2015 Application. That application was dismissed by the FCC on February 2, 2016. Step Two, one week after the dismissal, Mr. Ayala filed his February 2016 Application.

Mr. Ayala's February 2016 Application, filed with the assistance of the same counsel listed on his prior applications for this translator, specifies a slightly different transmitter site from the November 2015 Application. The February 2016 Application also lists a different primary station: WMGF(FM), which is licensed to CCBL. Astoundingly, notwithstanding that Mr. Ayala and his counsel had been sensitized to this very certification matter only weeks before by the Arroyo Objection, Mr. Ayala did not, and does not, have the authorization, written or otherwise, of the licensee of WMGF to rebroadcast WMGF on the Ayala translator. Specifically, as declared under penalty of perjury by CCBL's Executive Vice President Jeff Littlejohn, CCBL has not given Mr. Ayala, nor any agent for Mr. Ayala, oral or written authorization to rebroadcast the signal of WMGF on Mr. Ayala's proposed Orlando FM translator. *See Attachment B (Declaration of Jeff Littlejohn).*

Clearly, the February 2016 Application, with its false certification of primary station rebroadcast consent, must be dismissed. Furthermore, Mr. Ayala cannot be rewarded for his false rebroadcast certifications in the August 2013 and April 2015 Applications, which resulted in the grant of the original construction permit for the subject translator and the grant of the first requested modified permit, respectively. Moreover, Mr. Ayala will not be able to avoid the consequences of these series of false certifications by requesting dismissal of any one

application, as he attempted with the November 2015 Application, or even by surrendering the Permit. These character issues documented by the Arroyo Opposition and this pleading will remain pending against Mr. Ayala until finally resolved by the Commission. 2/

Due to Mr. Ayala's repeated and uncontroverted false certifications of primary station rebroadcast authorization, the original Permit for a new FM translator, FCC Facility ID No. 156373, as modified by File No. BMPFT-20150416AAR, should be revoked, and the February 2016 Application, File No. BMPFT-20160209AB, should be dismissed.

Respectfully submitted,

**CLEAR CHANNEL BROADCASTING
LICENSES, INC.**

By: 

Marissa G. Repp

REPP LAW FIRM

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Washington, DC 20006-1631
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Its Attorney

February 19, 2016

2/ See, e.g., Section II, Question 6, of Form 349 (requiring the disclosure of any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application, or any pending broadcast application in which character issues have been raised); *Character Qualifications*, 102 FCC 2d 1179, 1232 (1985) (“fundamental purpose of our character inquiry is to make predictive judgments relating to an applicant’s propensity to deal honestly with the Commission and to comply with our rules and policies”), *recon. denied*, 1 FCC Rcd 421 (1986), *as modified*, 5 FCC Rcd 3252 (1990) and 7 FCC Rcd 6564 (1992).

ATTACHMENT A

156373

ORIGINAL

Rob

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

Received & Inspected

DEC 15 2015

FCC Mail Room

In Re: Matter of:

Application of
Juan Alberto Ayala
Orlando, Florida

Facility ID No. 156373
FCC File No. BMPFT-20151113AAB

TO: Secretary, Federal Communications Commission
Attention: Chief, Audio Division, Media Bureau

Informal Objection

Comes Now, Manuel Arroyo, an individual and a resident of Casselberry, Florida, through counsel, with an Informal Objection to the minor modification application of Juan Alberto Ayala for FM translator station W228DF FCC Facility ID No. 156373 (BMPFT-20151113AAB) at Orlando, Florida.

On November 12, 2015, Juan Alberto Ayala ("Ayala") submitted to the FCC an application to modify the facilities of translator W228DF at Orlando, Florida. Among other things, Ayala seeks to relocate the transmitter and antenna of the facility to a new location. This would be the third minor modification application submitted by Ayala pertaining to this translator. Previous minor modification applications were submitted in 2013 and 2015.¹ Ayala filed his original application for this facility in the 2003 translator filing window.²

In each and every one of his applications, Ayala certified, in Section II, Question 5, that that he had written authority from the licensee(s) of the station(s) whose programs are to be retransmitted. His original 2003 application, BNPFT-20030317HFT, certified that he had written authority to rebroadcast the

¹ See BNPFT - 20130813ABK and BMPFT - 20150416AAR.

² See BNPFT-20030331HFT

programming of WPOZ(FM), Union Park, Florida. Later, in 2013, Ayala again certified that he had written authority from WPOZ to rebroadcast its programming. In a minor modification application submitted in April, 2014, Ayala changed his “input station” to WOCL(FM), Deland, Florida. In that application, Ayala certified that he had written authority from WOCL(FM) to rebroadcast its programming. In his current application, listed as “accepted for filing”, Mr. Ayala continues to certify that he has written authority from WOCL to rebroadcast its programming.

It appears that Mr. Ayala never had written authorization from either WPOZ or WOCL to rebroadcast its programming. Letters from Matthew Agnesi, Director of Engineering and I.T at CBS Radio Orlando, licensee of WOCL, and James S. Hoge, President and General Manager of WPOZ, state unequivocally that Ayala did not have, at any time, written or oral authorization to rebroadcast the signal of either station. Copies of those letters are attached to this Informal Objection as Exhibit One. Affidavits of Mr. Agnesi and Mr. Hoge are also provided herein in Exhibit Two.

Section 74.1284(b) of the Commission’s Rules (47 C.F.R. 74.1284) states, as follows:

The licensee of an FM translator shall not rebroadcast the programs of any AM or FM broadcast station or other FM translator without obtaining prior consent of the primary station whose programs are proposed to be retransmitted. The Commission shall be notified of the call letters of each station rebroadcast and the licensee of the FM translator shall certify that written consent has been received from the licensee of the station whose programs are retransmitted.

Question 5 of Section II of FCC form 349 asks: For applicants proposing translator rebroadcasts that are not the licensee of the primary station, the applicant certifies that written authority has been obtained from the licensee of the station whose programs are to be retransmitted. **IF NO, this application is unacceptable for filing.** (Emphasis in original).

Based on the information supplied by Ayala in his four applications, including the pending application, it is clear that he certified four times, once in each application, that he had the written authority of each licensee whose programming he proposed to retransmit. Based on the testimony of Mr. Agnesi and Mr. Hoge, it now appears that Ayala never had any authority to propose to rebroadcast the programming of either WPOZ or WOCL. The certifications of Mr. Ayala, in each of his applications, appear to have been false when made and continue to be false as evidenced by his pending application. Accordingly, the application of Mr. Ayala should be dismissed because he falsely certified his application; not once but four times. As stated, in “**bold**” on FCC Form 349, the application should not be accepted for filing and should be dismissed.

This false certification is not a violation in a vacuum. The false certification affects whether or not Ayala may file a minor modification application for a fill-in facility or a non-fill-in facility. The transmitter power available for a fill-in facility can be as much as 250 watts. A non-fill-in facility might be as low as 10 watts. The difference in population served can be huge when operating in a highly populated urban area such as Orlando, Florida. The market value of the translator is affected proportionately. Obviously, a higher-powered translator is worth more than a lower-powered facility. The distinction between fill-in and non-fill in status also affects the flexibility of the translator as it moves from one location to another. With 250 watts available, overlaps to pre-existing contours, a requirement in filing a minor modification application, are much easier to accomplish. With only 10 watts, the required overlap may not be achieved without a series of “hops” which are now prohibited by Commission policy.

We can speculate as to possible motivation for his alleged false certifications but the fact remains that the certifications appear to be false. A statement from Consulting Engineer, Jeremy Ruck, is provided in Exhibit Three to this Informal Objection. In that engineering statement, Mr. Ruck demonstrates that

Mr. Ayala's minor modification applications, processed as higher-powered fill-in applications, were necessary in order to permit Ayala to successfully relocate to Orlando and not run afoul of Commission rules or policies. Mr. Ruck also shows in his statement that, in the absence of fill-in status, Ayala's minor modification applications could not have been granted because the required overlap between the existing facility and the proposed facilities would not have been achieved causing those applications to be un-grantable. Ayala's proposals would have amounted to "major" changes which are not permissible outside of a filing window. Furthermore, when the Ayala applications are correctly considered as non-fill-in facilities, it becomes clear that the parameters on both the pending application and the current construction permit represent a major change to both the initial short-form and initial long-form parameters. Of course, one does not need to reach for the engineering analysis of this Informal Objection in order to conclude that Ayala falsely certified he had the written authority for his proposed rebroadcasts but it helps to understand the possible motivation.

Motive, however, may be inferred. The Commission, in *Order to Show Cause, Notice of Opportunity for Hearing and Hearing Designation Order*, in the Matter of Terry Keith Hammond, KBKH(FM), Shamrock, Texas (EB-03-IH-0130, (File No. BRH-20050401AAA), stated in paragraph 14 that: "The trait of truthfulness is a key element of character qualifications necessary to operate a broadcast station in the public interest. Misrepresentation and lack of candor raise immediate concerns as to whether a licensee will be truthful in future dealings with the Commission. Misrepresentation is a false statement of fact made with intent to deceive. Lack of candor is concealment, evasion, or other failure to be fully informative, accompanied by intent to deceive. Intent can be shown in many ways. If a licensee knowingly makes a false statement, that is sufficient proof of intent to deceive. Intent to deceive can also be inferred when one has a clear motive to deceive. Moreover, intent can be found when the surrounding circumstances clearly show the existence of intent to deceive, even if there is no direct evidence of a

motive. The Commission may revoke the license of a licensee who deliberately makes misrepresentations or lacks candor in dealing with the agency because he or she lacks the basic character qualifications to hold the license.

At paragraph 21, the Commission concluded that, "...consequently, a false statement in a broadcast application, even in the absence of evidence of intent to deceive, may constitute a violation of section 73.1015."

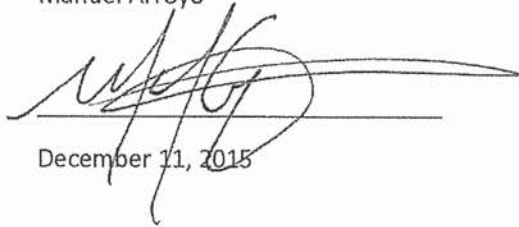
The Commission should return Ayala's pending application as unacceptable for filing as warned in Question 5, Section II of FCC Form 349 because he apparently did not have the written consent of the licensees whose programming he intended to rebroadcast, and he apparently knew this. Furthermore, the Commission should seriously consider whether Ayala is fit to be a Commission licensee given that he has allegedly falsely certified, in all four of his applications, that he had the written consent of both WOCL or WPOZ to rebroadcast their programming. It clearly appears that he did not. Mr. Ayala's false certification, if true, amounts to a material misrepresentation of facts with intent to deceive. Additionally, Mr. Ayala can also be said to have lacked candor in his application as he knowingly concealed a situation he knew to be untrue, namely that he did not have written authorization from either WOCL or WPOZ to rebroadcast its programming. At the very least, Ayala was certainly not "fully informative" regarding his application.

As stated in the *Hammond* case, above, intent to deceive may be inferred from the surrounding circumstances but may also be inferred from the fact that the licensee certified his application knowing it to be false. If a licensee knowingly makes a false statement, that is sufficient proof of intent to deceive.

The Commission should consider whether Mr. Ayala is fit to be a Commission licensee, whether he deliberately deceived the Commission in his application and should determine whether or not Mr. Ayala can be relied upon, in the future, to be honest with the Commission concerning all of his representations.

Respectfully submitted,

Manuel Arroyo

A handwritten signature in black ink, appearing to read 'M. Arroyo', is written over a horizontal line. The signature is stylized and extends to the right of the line.

December 11, 2015

Richard J. Hayes, Jr.

Attorney at Law

27 Water's Edge Drive

Lincolnton, ME 04849

207-236-3333

Fccl;aw@rjhayes.com

**Letters from
Matthew Agnesi and James Hoge**



December 8, 2015

Federal Communications Commission
445 12th St. SW
Washington, DC 20554

RE: W228DF FCC ID #156373

To Whom It May Concern:

The above referenced facility has not been authorized to re-broadcast WPOZ, FCC ID #9876, Channel 202C, Union Park, FL analog or HD multicast signal for translator use at any time. No one from the licensee of W228DF has contacted anyone in our organization in 2003 or since in regards to the possible re-broadcast of one of our main analog or HD multicast channels of any of our stations.

Please contact me if you have any further questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'James S. Hoge'.

James S. Hoge
President and General Manager
WPOZ/WMYZ/WHYZ/WDOZ
Central Florida Educational Foundation, Inc.



To Whom it May Concern,

No one has authorized to re-broadcast any WOCL-FM Analog or HD Multicast signal for translator use at this time. We currently have an HD1, HD2 and HD3, all of which are running CBS originated programming. There are no plans to change this or add any additional multicast channels. No one has ever been in contact with me regarding the possible re broadcast of one of our Main Analog or HD Multicast Channels on WOCL.

Please feel free to contact me with any further questions or concerns.

A handwritten signature in black ink, appearing to read "Matthew Agnesi".

Matthew Agnesi
Director of Engineering and I.T.
CBS Radio Orlando
407-919-1000

CBS Radio Orlando

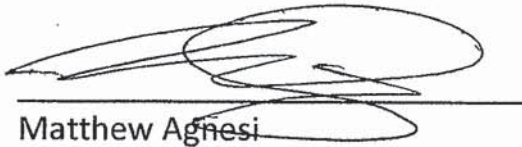
1800 Pembroke Drive, Suite 400, Orlando, FL 32810 • 407.919.1000 • Fax: 407.919.1138

**Affidavits of
Matthew Agnesi and James Hoge**

Affidavit of Matthew Agnesi

I, Matthew Agnesi, hereby state, under penalty of perjury, as follows:

1. I am the Director of Engineering and I.T. of CBS Radio Orlando, licensee of WOCL(FM), DeLand, Florida.
2. I wrote the letter (attached in Exhibit Two hereto), which states that no one associated with Juan Ayala's application has ever been authorized to re-broadcast any of the programming of WOCL on Ayala's translator.
3. That letter states facts which are true, complete and correct according to my information, knowledge and belief and I make these statements under penalty of perjury.



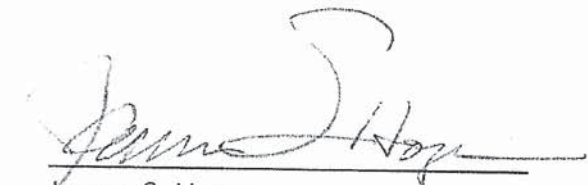
Matthew Agnesi
Director of Engineering and IT
CBS Radio Orlando - Licensee of WOCL

Dated: December 11, 2015

Affidavit of James S. Hoge

I, James S. Hoge, hereby state, under penalty of perjury, as follows:

1. I am the general manager and President of Central Florida Educational Foundation, licensee of WPOZ(FM), Union Park, Florida.
2. I wrote the letter dated December 8, 2015 (attached in Exhibit Two hereto), which states that no one associated with Juan Ayala's application has ever been authorized to re-broadcast any of the programming of WPOZ on Ayala's translator.
3. That letter states facts which are true, complete and correct according to my information, knowledge and belief and I make these statements under penalty of perjury.



James S. Hoge
President and General Manager
Central Florida Educational Foundation
Licensee of WPOZ

Dated: December 11, 2015

**Engineering Statement
of Jeremy Ruck**

ENGINEERING STATEMENT

The following engineering statement and attached exhibits have been prepared for **Manuel Arroyo** ("Arroyo"), an individual and resident of Casselberry, Florida and are in support of his Informal Objection in the matter of the Application of Juan Alberto Ayala ("Ayala") under FCC File No. BMPFT-20151113AAB. The Facility ID associated with the facility in question is 15637, and currently bears a callsign of W228DF.

An authorization for W228DF was originally requested during the 2003 FM translator window. The initial application was assigned FCC File No. BPFT-20030317HFT. This application was assigned to MX Group 86. On July 15, 2013 during the settlement window, Ayala amended the pending application to resolve the initial mutual exclusivity. The Commission then identified this application as a singleton for which a long-form application could be filed.

The long-form application for the facility was assigned FCC File No. BNPFT-20130813ABK. This application was granted on March 20, 2014 as the original construction permit for the facility. Ayala then sought to modify the construction permit by filing an application to modify. This application to modify was apparently amended twice with the grant of the construction permit occurring on October 23, 2015. An additional modification application under FCC File No. BMPFT-20151113AAB has been subsequently filed, and is currently accepted for filing.

Exhibit E-1 is a map, which illustrates the 60 dBu contour from each of these applications as filed with the Commission. The contours are color coded for ease of identification. Although the

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callsign of the facility has changed with changes in channel of operation, the current callsign of W228DF is utilized for token identification on the map.

Each of these contours is predicated on the facility operating as a fill-in translator. The four different site locations, for the seven different applications, are all located east of the Mississippi River. Therefore, as a non fill-in translator, the power and center of radiation elevation would be based on the table in Section 74.1235(b)(1) of the Commission's Rules. The following table lists the facility, associated height information, and related effective radiated power values.¹ As it demonstrates, the nearly all of the applications submitted would have a vastly different maximum effective radiated power if the fill-in situation was eliminated.

Facility	Color	HAAT	Radial	ERP Filed	Non Fill-In ERP Limit
Initial Application	Black	89.5	150	250 Watts	80 Watts
20030317HFT AMD	Aqua	69.2	150	38 Watts	38 Watts
20130813ABK Long-Form	Magenta	69.2	150	28 Watts	38 Watts
20150416AAR Initial App	Orange	69.2	150	200 Watts	38 Watts
20150416AAR 1st AMD	Red	69.2	150	180 Watts	38 Watts
20150416AAR 2nd AMD/CP	Green	110.1	300	250 Watts	19 Watts
20151113AAB App	Blue	73.0	0 & 330	200 Watts	38 Watts

Exhibit E-2 illustrates the resulting contours from the changes made according to the table. In the case of the current application 60 dBu contour, the ERP was reduced to 80 Watts, and the directional characteristics removed. This represents a largest possible footprint for the pending application depending on whether a directional antenna is utilized or not.² For the remainder of the facilities, the application already specified a non-directional antenna, or the HAAT fell in such a range that the MERP for a non-directional antenna is identical to the permissible maximum ERP for a directional antenna.

¹ HAAT values are based on the maximum HAAT on a 12-radial sample of the NED 3-second linearly interpolated terrain database.

² See MERP and directional antennas in Section 74.1235.

As Exhibit E-2 demonstrates when the various applications are correctly considered as non fill-in translators, there is overlap between the currently pending application and current construction permit. However, there is no overlap between either of these, and any other of the applications especially the initial short-form or initial long-form applications.

In fact, as Exhibit E-3 demonstrates, the original short-form submission, which is indicated by the black contour, when considered as a maximum non fill-in translator, has no overlap with the initial long-form facility when considered as a maximized non fill-in translator. Thus, the initial long-form application was a major change to the initial long-form application. Furthermore, it is respectfully submitted that the parameters on both the pending application and the current construction permit represent a major change to *both* the initial short-form and initial long-form parameters.

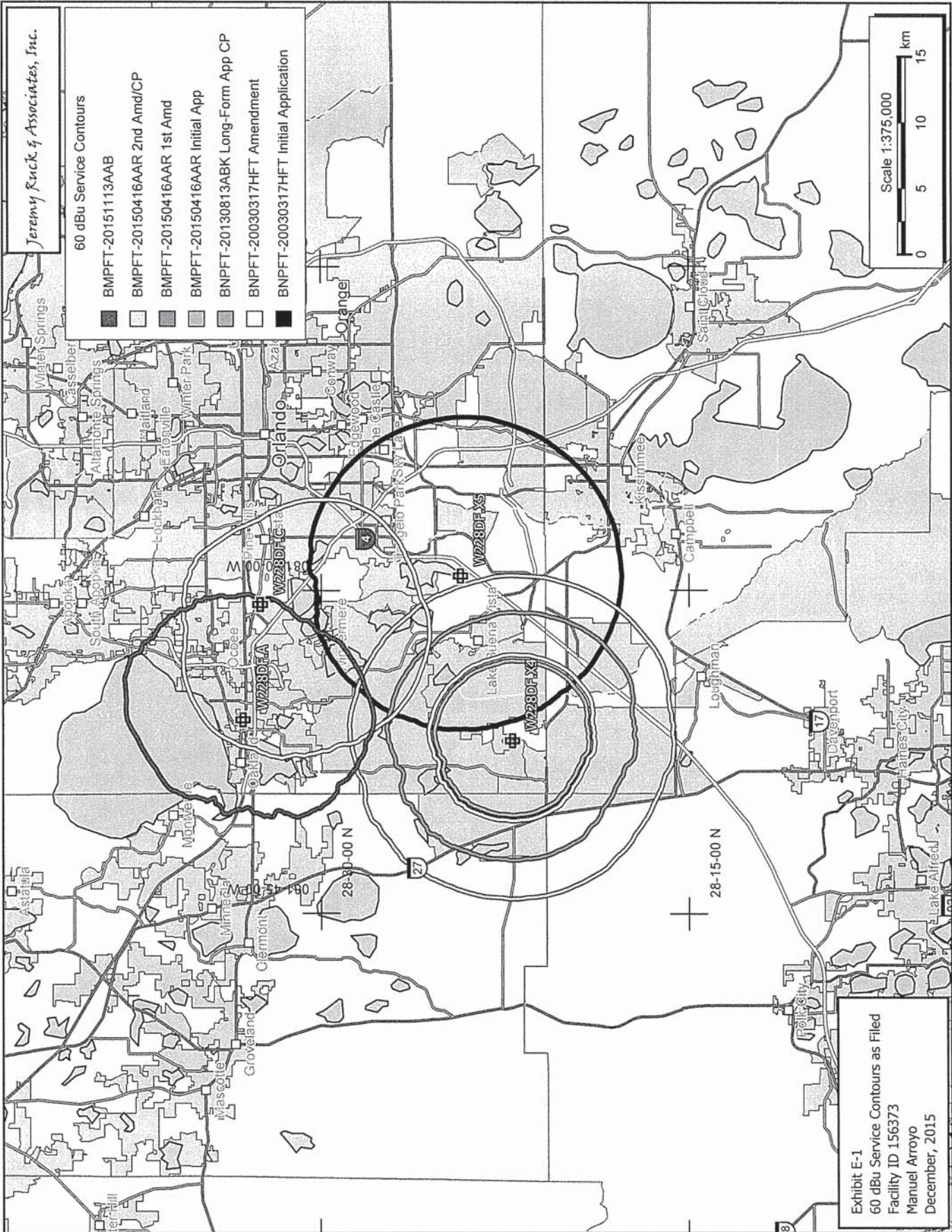
The preceding statement and attached exhibits have been prepared by me, or under my direction, and are true and accurate to the best of my belief and knowledge.



Above signature is digitized copy of actual signature
License Expires November 30, 2017

Jeremy D. Ruck, PE
December 11, 2015

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Jeremy Ruck & Associates, Inc.

60 dBu Service Contours

BMPFT-20151113AAB

BMPFT-20150416AAR 2nd Amd/CP

BMPFT-20150416AAR 1st Amd

BMPFT-20150416AAR Initial App

BNPFT-20130813ABK Long-Form App CP

BNPFT-20030317HFT Amendment

BNPFT-20030317HFT Initial Application

Contour Note: Due to identical height an power parameters the red, orange, magenta, and aqua contours would not be individually resolvable.

Scale 1:375,000

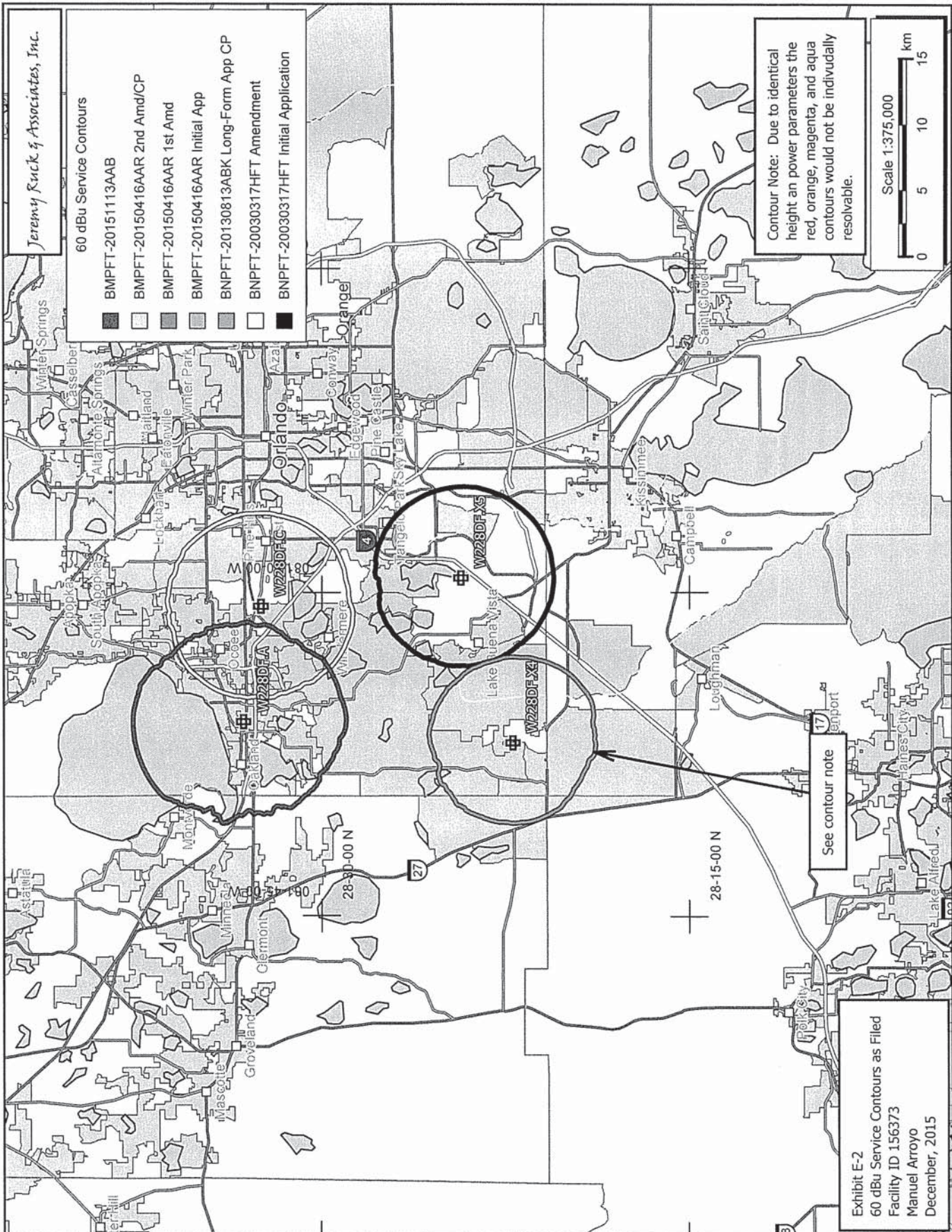
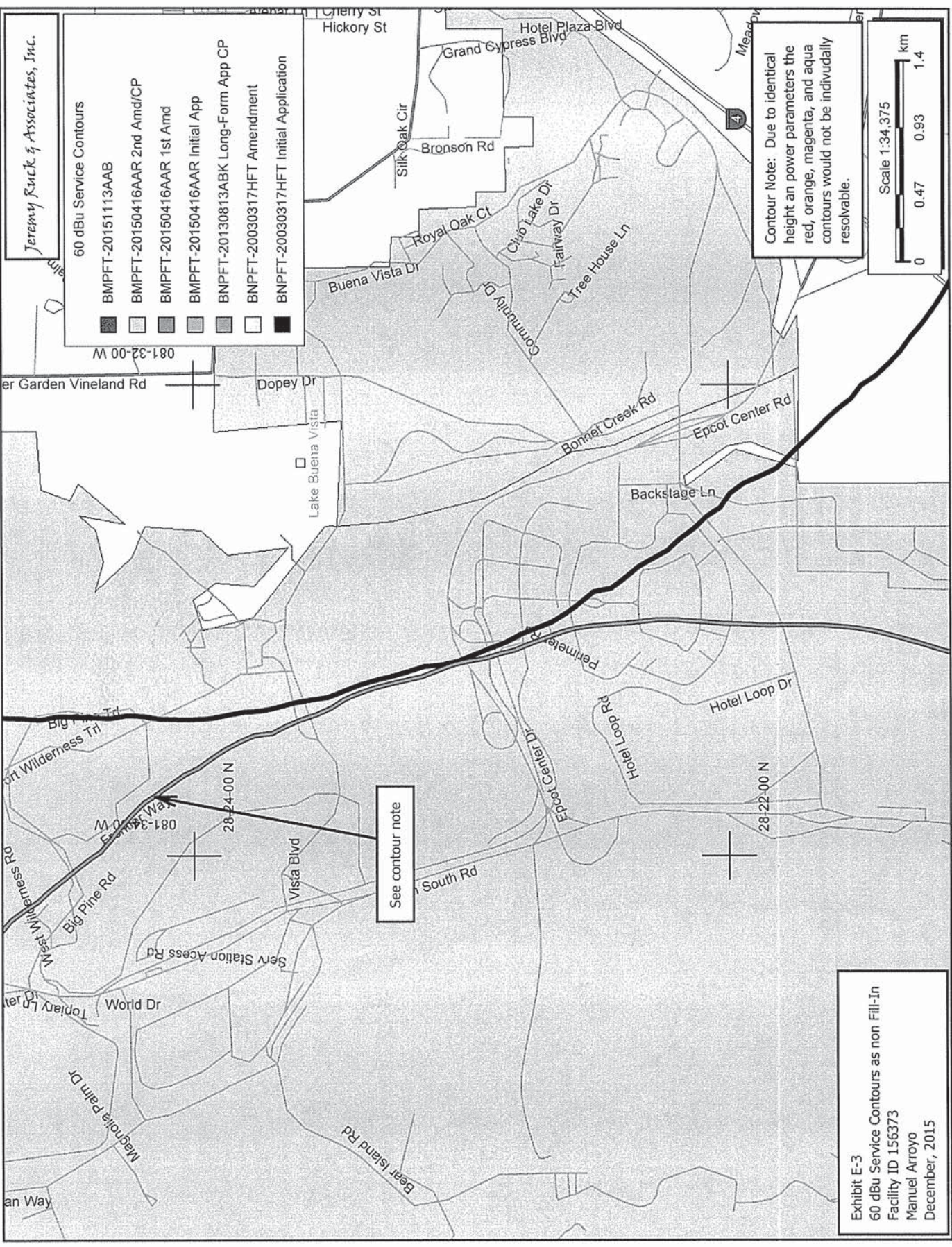


Exhibit E-2
60 dBu Service Contours as Filed
Facility ID 156373
Manuel Arroyo
December, 2015



Certificate of Service

I, Richard J. Hayes, Jr., hereby certify that, on this 14th day of December, 2015, did cause to be sent via first-class mail, postage pre-paid, a copy of this Informal Objection, to the following:

Juan Alberto Ayala
13155 Noel Road – Suite 900
Dallas, TX 75240

A handwritten signature in cursive script that reads "Richard Hayes". The signature is written in black ink and is positioned above a horizontal line.

Richard J. Hayes, Jr.

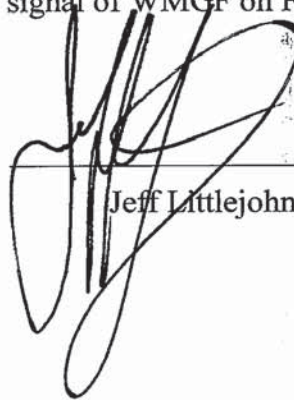
ATTACHMENT B

DECLARATION

I, Jeff Littlejohn, hereby declare under penalty of perjury that:

1. I am Executive Vice President - Engineering & Systems Integration of Clear Channel Broadcasting Licenses, Inc. ("CCBL"), the licensee of FM station WMGF, Mount Dora, Florida, FCC Facility ID No. 51981.

2. Any authorization to rebroadcast the signal of WMGF on an FM translator station would need to be approved by me. I have not been contacted by Juan Alberto Ayala, nor by Mr. Ayala's counsel, Dan J. Alpert, nor by Mr. Ayala's engineer, Darryl K. Delawder, nor by any other individual or agent on Mr. Ayala's behalf, seeking permission from CCBL to allow the rebroadcast of WMGF on an FM translator station to be constructed by Mr. Ayala in the Orlando, Florida area. Nor were any such requests made to, or consents given by, the CCBL Regional Senior Vice President of Engineering, Orlando Market Manager or Orlando Chief Engineer, as confirmed to me by those individuals. In sum, Mr. Ayala was not given, nor will CCBL give, authorization for the rebroadcast of the signal of WMGF on FM Translator Facility ID 156373.



Jeff Littlejohn

Dated: February 19, 2016

CERTIFICATE OF SERVICE

I, Marissa G. Repp, do hereby certify that a copy of the foregoing Petition for Revocation of Construction Permit and Informal Objection is being sent via first-class, U.S. Mail, postage prepaid, this 19th day of February, 2016, to the following:

Dan J. Alpert, Esq.
Law Office of Dan J. Alpert
2120 North 21st Road
Arlington, VA 22201
Counsel to Juan Alberto Ayala

Richard J. Hayes, Jr., Esq.
Attorney at Law
27 Water's Edge Drive
Lincolnton, ME 04849
Counsel to Manuel Arroyo



Marissa G. Repp