



Federal Communications Commission
Washington, D.C. 20554

November 9, 2016

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Arlington, VA 22201

Re: **Delta Radio Network, LLC**
WNLA(AM), Indianola, MS
Facility ID No. 59971
File No. BP-20140507AEB

Petition for Reconsideration

Dear Counsel:

We have before us a Petition for Reconsideration (Petition) filed by Delta Radio Network, LLC (DRN). DRN challenges the dismissal of its application (Application) to change the frequency and increase power for WNLA(AM), Indianola, Mississippi (Station).¹ For the reasons discussed below, we dismiss the Petition.

DRN filed the Application on May 7, 2014. At that time, DRN had not paid the Station's regulatory fees for Fiscal Year 2012 and Fiscal Year 2013. On July 16, 2014, staff informed DRN by email of the "red light" status of the Application.² Staff followed up with a letter to DRN on February 12, 2015.³ Therein, Staff reminded DRN that "[f]ailure to have the 'red light' status removed ... will result in the dismissal of the application." More than a year passed without any change in DRN's "red light" status. Thus, on March 7, 2016, pursuant to Sections 1.1910(b)(3) and Section 73.3568(a)(1) of the Commission's rules, staff dismissed the Application.⁴

DRN sought reconsideration of this dismissal, citing the fact that it filed a bankruptcy petition on September 1, 2015, and noting that its bankruptcy case was "open" at the time staff dismissed the

¹ *Delta Radio Network, LLC*, Letter Order (MB Mar. 7, 2016).

² Entities or individuals seeking licenses or other benefits from the FCC that are delinquent in debt owed to the Commission are placed in "red light" status until the delinquency is paid. The Commission generally withholds action on applications filed by entities or individuals in "red light" status. 47 CFR 1.1910(b)(2).

³ Letter from Son Nguyen, Supervisory Engineer, Audio Division, Media Bureau, to Larry Fuss, Delta Radio Network, LLC (Feb. 12, 2015).

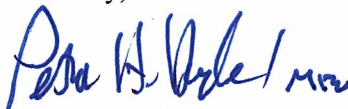
⁴ Letter from Son Nguyen, Supervisory Engineer, Audio Division, Media Bureau, to Larry Fuss, Delta Radio Network, LLC (Mar. 7, 2016).

Application. Given this, DRN argues that dismissal of the Application violated both Sections 362(a)(1) and 525(a) of the Bankruptcy Code.⁵

On September 24, 2016, the United States Bankruptcy Court for the Northern District of Mississippi dismissed DRN's bankruptcy petition. This development renders the arguments in the Petition moot. Accordingly, we dismiss the Petition.

Conclusion/Ordering Clauses. For the reasons set forth above, **IT IS ORDERED** that the Petition for Reconsideration filed by Delta Radio Network, LLC, on April 6, 2016, **IS DISMISSED**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter H. Doyle / mm".

Peter H. Doyle
Chief, Audio Division
Media Bureau

⁵ Petition at 3-5, citing 11 U.S.C. §§ 362(a)(1) and 525(a).