

BLL-2017 1004 ABM

Response is to address the informal complaint filed By SAGA. We ask the FCC to please indulge us.

MAX OUT ran into some extraneous circumstances. We could've had our tower up some time ago. Our tower guy recently found out that he has prostate cancer. While it's in the early stages, his doctor still will not allow him to climb right now. He wants him to focus on his health right now. A SAGA radio station (WDBR) was broadcasting on 102.5. We're 102.3 We were in contact with different engineers about that, because my first thought was that we would be encroached upon. If we'd been on the air it would've been a big problem, possibly litigation. When I heard WDBR on 102.5 I didn't contact our counsel and file an "informal complaint" with the FCC. They were broadcasting on 102.5 without an adjacency waiver. We probably should've contacted the FCC about that because this may have been an attempt to keep us off the air.

It is the purpose of Max Out to fill a void that exists in this community. If you scan and listen on the airwaves in this city you'll quickly realize the total lack of diversity based on the demographics. FCC Please consider giving the community a voice.

Springfield, IL is the state capitol. There should be diversity in a State Capitol that boasts not only the Abraham Lincoln Presidential Library and Museum, it also has the home of President Lincoln. It's also the home of a race riot where whites totally destroyed Springfield's black wall street and a black neighborhood in this city.

A radio station in this city was forced to change its urban contemporary format because White businesses in Springfield, IL would not buy ads on a station that played Black music.

I attended a City Council meeting last month and I was disheartened by the vitriol against Muslims by community members who are against recognizing our city as a welcoming community.

SAGA could build a radio station that speaks to the real needs of the community; one that promotes diversity in the State Capitol of Illinois.

Instead SAGA takes the same action, just like another major media conglomerate, by reporting LPFMs to the FCC. LPFMs don't have hundreds of thousands of dollars to retain high-powered, well connected attorneys.

One other thing. This is a common infraction. Some get reported. Others don't get caught.

The FCC has, in the case of a violation, penalized the radio station. It was for broadcasting without a license from 2007 to 2011. They kept their license.

Prometheus was not a party to this violation. There was some confusion that resulted in a misunderstanding regarding the status of Max Out. Otherwise Prometheus would've caught it. Prometheus in no way advised Max OUT. They used the facilities information that we provided. The advice Max OUT received, came from a broadcast industry professional that is in no way connected to Prometheus. Prometheus is a noteworthy industry source and have provided us invaluable assistance in the past. They also advised us after the violation in this matter. That advice being to withdraw our application for license. If the FCC feels that that is the only option it can grant besides rescinding the license, then Max Out will withdraw.

In Conclusion:

While we don't see this as a major court case or major infraction, it is a violation. We're asking the FCC to please accept our apologies for this infraction. We ask that you see this as a situation where Max Out was ill advised. Max Out is not out to harm any entity; that being the FCC or SAGA.

Very respectfully,

Racine Freeman, Program Director 102.3