

Shainis & Heltzman, Chartered

Counselors at Law

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2018 JUL 26 PM 1: 53

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July 24, 2018

Accepted / Filed

JUL 24 2018

Federal Communications Commission
Office of the Secretary

VIA HAND DELIVERY

Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington DC 20554
Attn: Thomas Hutton

Re: **WNBN(AM)
Meridian, MS
Facility ID No. 22294**

Dear Mr. Hutton:

The instant submission should be considered as a petition seeking reconsideration of the June 20, 2018 action of the Chief, Audio Division, Media Bureau. Specifically, the letter dismissing the renewal application (File No. BR-20120210ABF) and cancelling the license.¹

The Commission is correct that the licensee, Frank Rackley, Jr., died on January 25, 2011. The renewal, filed on February 10, 2012, did not reflect his passing.² The renewal was signed by Eddie Rackley. It should also be noted that it does not appear that the renewal application was filed through the utilization of communications counsel.

¹ For convenience, a copy of the June 20, 2018 letter is attached (Attachment A).

² A copy of the renewal application is attached (Attachment B).

ORIGINAL

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On December 7, 2017, an FCC Form 316 application was filed seeking assignment of WNBC from Frank Rackley, Jr. to Eddie J. Rackley, Administrator (Attachment C). The application bears file number BAL-20171207ABE. Included with that submission were several testamentary documents – Judgment Approving Final Accounting, Authorizing Sale of Property, and Closing Estate, Bill of Sale,³ and Agreed Judgement (sic) Appointing Administrator and Waiving the Requirement of a Bond Pending Inventory.

Attachment D is the April 19, 2018 FCC Form 732 approving the FCC Form 316 application – the consent to assignment from Frank Rackley, Jr. to Eddie J. Rackley, Administrator. Consummation of that assignment was never filed with the Commission. Presumably, the parties were not aware of how to effectuate the consummation notice. Once again, it should be noted that it does not appear that communications counsel was utilized.

Dismissal of the WNBC renewal appeared on Public Notice of June 25, 2018. Thus, the instant request is timely.

It is submitted that reconsideration is appropriate due to the circumstances present.

The licensee, Frank Rackley, Jr., died on January 25, 2011. Unfamiliar with Commission procedures and rules, the renewal was filed. Yes, the renewal was filed in the name of the deceased, but it was signed by the decedent's brother, Eddie Rackley, who would ultimately be approved by the court as the administrator of the estate.

³ The Bill of Sale in combination with the other testamentary documents would indicate the court approval of the sale of WNBC to Jimmie Lee Hopson.

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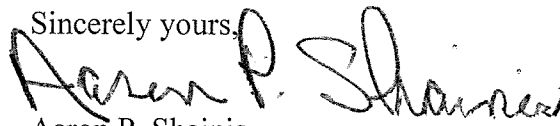
In approving the testamentary papers, the Judge was obviously unaware of the need for FCC approval. Furthermore, it appears that, at some point, the need for approval of Eddie Rackley as administrator became known. Unfortunately, the filing of the notice of consummation was not readily apparent.

In view of the lack of knowledge of the parties, reconsideration is requested. In this regard, reconsideration should be granted to allow the following:

- (a) Reinstatement of the renewal to allow for its amendment to reflect that Frank Rackley, Jr. is deceased.
- (b) The filing of the consummation of BAL-20171207ABE.
- (c) Allow for the filing of an FCC Form 314 to assign WNBC to Jimmie L. Hopson.

Because the renewal was dismissed and the license cancelled, nothing can be filed in CDBS. It is also requested that an STA be permitted to be filed to permit the continued operation of the station until all of these matters are resolved.

Thank you in advance for your attention to this matter.

Sincerely yours,

Aaron P. Shainis
Counsel for
Eddie J. Rackley

ATTACHMENT A



Federal Communications Commission
Washington, D.C. 20554

June 20, 2018

In reply refer to: 1800B3-VM

Mr. Eddie J. Rackley, Administrator
266 23rd Street
Meridian MS 39301

Mr. Jimmie L. Hopson
3815 10th Avenue
Meridian, MS 39305

In re: WNBC(AM), Meridian, MS
Facility ID No. 22294
File No. BR-20120210ABF

Dear Mr. Rackley and Mr. Hopson:

This is in reference to the application for renewal of license for Station WNBC(AM), Meridian, Mississippi (Station), filed on February 10, 2012, putatively by the licensee, Frank Rackley, Jr. On or about February 29, 2012, the Commission, received information that Mr. Rackley had died. Public records show that Mr. Rackley died on January 25, 2011.¹ We note that the application for renewal of license did not indicate that Mr. Rackley had died, and has not been amended since its filing to update the licensee's status.

We hereby dismiss the application as improperly filed because the application for renewal of license was filed in Mr. Rackley's name over one year after his death without acknowledging his death or otherwise notifying the Commission in an amendment to the application. The Station's license therefore expired by its own terms on June 1, 2012.²

Accordingly, File No. BR-20120210ABF IS DISMISSED. The license for Station WNBC IS CANCELED.

Sincerely,

Albert Shuldiner
Chief, Audio Division
Media Bureau

¹ See Social Security Death Index for Frank Rackley, Jr. (<https://www.socialsecuritydeathindex-search.com/>).

² 47 CFR § 73.1020(a)(1)(5).

ATTACHMENT B

Federal Communications Commission Washington, D.C. 20554 FCC 303-S	Approved by OMB 3060-0110 (March 2011) FOR FCC USE ONLY
APPLICATION FOR RENEWAL OF BROADCAST STATION LICENSE Read INSTRUCTIONS Before Filling Out Form	FOR COMMISSION USE ONLY FILE NO. BR - 20120210ABF

Section I - General Information- TO BE COMPLETED BY ALL APPLICANTS

1. Legal Name of the Licensee FRANK RACKLEY, JR.				
Mailing Address 266 23RD STREET				
<table border="1"> <tr> <td>City MERIDIAN</td> <td>State or Country (if foreign address) MS</td> <td>ZIP Code 39301 -</td> </tr> </table>	City MERIDIAN	State or Country (if foreign address) MS	ZIP Code 39301 -	
City MERIDIAN	State or Country (if foreign address) MS	ZIP Code 39301 -		
<table border="1"> <tr> <td>Telephone Number (include area code) 6012863070</td> <td>E-Mail Address (if available)</td> </tr> </table>	Telephone Number (include area code) 6012863070	E-Mail Address (if available)		
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<table border="1"> <tr> <td>FCC Registration Number: 0010301059</td> <td>Facility ID Number 22294</td> <td>Call Sign WNBN</td> </tr> </table>	FCC Registration Number: 0010301059	Facility ID Number 22294	Call Sign WNBN	
FCC Registration Number: 0010301059	Facility ID Number 22294	Call Sign WNBN		
2. Contact Representative FRANK RACKLEY				
Mailing Address 266 23RD STREET				
<table border="1"> <tr> <td>City MERIDIAN</td> <td>State or Country (if foreign address) MS</td> <td>Zip Code 39301 -</td> </tr> </table>	City MERIDIAN	State or Country (if foreign address) MS	Zip Code 39301 -	
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Telephone Number (include area code) 6012863070	E-Mail Address (if available)			
3. If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): ☐ Governmental Entity ☐ Noncommercial Educational Licensee ☐ Other ☒ N/A (Fee Required)				
4. Purpose of Application ☒ Renewal of license ☐ Amendment to pending renewal application If an amendment, submit as an exhibit a listing by Section and Item Number the portions of the pending application that are being revised. [Exhibit 1]				
5. Facility Information: ☒ Commercial ☐ Noncommercial Educational				
6. Service and Community of License a. ☒ AM ☐ FM ☐ FM Translator ☐ LPFM ☐ TV Translator ☐ Low Power TV ☐ Class A TV ☐ Digital TV ☐ Digital Translator or Digital LPTV ☐ Digital Class A TV <table border="1"> <tr> <td colspan="2">Community of License /Area to be Served</td> </tr> <tr> <td>City: MERIDIAN</td> <td>State : MS</td> </tr> </table> b. Does this application include one or more FM translator station(s), or TV translator station(s), LPTV station(s), in addition to the station listed in Section I question 1? (The callsign(s) of any associated FM translators, TV translators or LPTV stations will be requested in Section V). ☐ Yes ☒ No	Community of License /Area to be Served		City: MERIDIAN	State : MS
Community of License /Area to be Served				
City: MERIDIAN	State : MS			
7. Other Authorizations. List call signs, facility identifiers and location(s) of any FM booster or TV booster station(s) for which renewal of license is also requested. [Exhibit 2] ☒ N/A				

NOTE: In addition to the information called for in Sections II, III, IV and V, an explanatory exhibit providing full particulars must be submitted for each item for which a "No" response is provided.

Section II - Legal - TO BE COMPLETED BY ALL APPLICANTS

1.	Certification. Licensee certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Licensee further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application, instructions and worksheets.	☒ Yes ☐ No
2.	Character Issues. Licensee certifies that the neither the licensee nor any party to the application has or has had any interest in, or connection with:	
	a. 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	☒ Yes ☐ No See Explanation in [Exhibit 3]
	b. any pending broadcast application in which character issues have been raised.	☒ Yes ☐ No See Explanation in [Exhibit 4]
3.	Adverse Findings. Licensee certifies that, with respect to the licensee and each party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any laws related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	☒ Yes ☐ No See Explanation in [Exhibit 5]
4.	FCC Violations during the Preceding License Term. Licensee certifies that, with respect to the station(s) for which renewal is requested, there have been no violations by the licensee of the Communications Act of 1934, as amended, or the rules or regulations of the Commission during the preceding license term. If No, the licensee must submit an explanatory exhibit providing complete descriptions of all violations.	☒ Yes ☐ No See Explanation in [Exhibit 6]
5.	Alien Ownership and Control. Licensee certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.	☒ Yes ☐ No See Explanation in [Exhibit 7]
6.	Anti-Drug Abuse Act Certification. Licensee certifies that neither licensee nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	☒ Yes ☐ No
7.	Non-Discriminatory Advertising Sales Agreements. Commercial licensee certifies that its advertising sales agreements do not discriminate on the basis of race or ethnicity and that all such agreements held by the licensee contain nondiscrimination clauses. Noncommercial licensees should select "not applicable."	☒ Yes ☐ No ☐ N/A See Explanation in [Exhibit 8]

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. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing EDDIE RACKLEYO	Typed or Printed Title of Person Signing OFFICER
Signature	Date 02/10/2012

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47,

SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Section III - TO BE COMPLETED BY AM and FM LICENSEES ONLY

1.	Biennial Ownership Report: Licensee certifies that the station's Biennial Ownership Report (FCC Form 323 or 323-E) has been filed with the Commission as required by 47 C.F.R. Section 73.3615.	☒ Yes ☐ No See Explanation in [Exhibit 9]
2.	EEO Program: Licensee certifies that:	
	a. The station's Broadcast EEO Program Report (FCC Form 396) has been filed with the Commission, as required by 47 C.F.R. Section 73.2080(f)(1). Specify FCC Form 396 File Number : B396 - 20120210ABA	☒ Yes ☐ No See Explanation in [Exhibit 10]
	b. The station has posted its most recent Broadcast EEO Public File Report on the station's website, as required by 47 C.F.R. Section 73.2080(c)(6).	☐ Yes ☐ No ☒ N/A See Explanation in [Exhibit 11]
3.	Local Public File. Licensee certifies that the documentation, required by 47 C.F.R. Section 73.3526 or 73.3527, as applicable, has been placed in the station's public inspection file at the appropriate times.	☒ Yes ☐ No See Explanation in [Exhibit 12]
4.	Adherence to Minimum Operating Schedule. Licensee certifies that, during the preceding license term, the station has not been silent (or operating for less than its prescribed minimum operating hours) for any period of more than 30 days. If No, submit an Exhibit specifying the exact dates in the preceding license term on which the station was silent or operating for less than its prescribed minimum hours.	☒ Yes ☐ No See Explanation in [Exhibit 13]
5.	Discontinued Operations. Licensee certifies that during the preceding license term, the station has not been silent for any consecutive 12-month period.	☒ Yes ☐ No See Explanation in [Exhibit 14]
6.	Silent Station Licensee certifies that the station is currently on the air broadcasting programming intended to be received by the public.	☒ Yes ☐ No
7.	Environmental Effects. Licensee certifies that the specified facility complies with the maximum permissible radio frequency electromagnetic exposure limits for controlled and uncontrolled environments. By checking "Yes" above, the licensee also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower, or antenna from radio frequency electromagnetic exposure in excess of FCC guidelines.	☒ Yes ☐ No See Explanation in [Exhibit 15]
8.	Radio/Newspaper Cross-Ownership. Licensee certifies that neither the applicant nor any party to this application has an attributable interest in a newspaper which: (1) is published four or more days per week, (2) is in the dominant language in the market, and (3) is published in a community entirely encompassed by:	
	a. the 1 mV/m contour of one of the FM station(s)?	☒ Yes ☐ No ☐ N/A
	b. the 2 mV/m contour of one of the AM station(s)?	☒ Yes ☐ No ☐ N/A
	If No to either Question 8.a or 8.b, has the Commission made a finding pursuant to Section 310(d) of the Communications Act that the newspaper/broadcast combination is in the public interest?	☐ Yes ☐ No See Explanation in [Exhibit 16]

Exhibits

ATTACHMENT C

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0009 (June 2010)	FOR FCC USE ONLY
FCC 316		
APPLICATION FOR CONSENT TO ASSIGN BROADCAST STATION CONSTRUCTION PERMIT OR LICENSE OR TO TRANSFER CONTROL OF ENTITY HOLDING BROADCAST STATION CONSTRUCTION PERMIT OR LICENSE		FOR COMMISSION USE ONLY FILE NO. BAL - 20171207ABE
Read INSTRUCTIONS Before Filling Out Form		

Section I - General Information

1.	Legal Name of the Licensee/Permittee FRANK RACKLEY, JR.		
	Mailing Address 266 23RD STREET		
	City MERIDIAN	State or Country (if foreign address) MS	Zip Code 39301 -
	Telephone Number (include area code) 2058007191	E-Mail Address (if available) MR.JHOPSON@GMAIL.COM	
	FCC Registration Number: 0027059039	Call Sign WBNB	Facility ID Number 22294
2.	Contact Representative (if other than licensee/permittee) JIMMIE L HOPSON		Firm or Company Name
	Mailing Address 3815 10TH AVENUE		
	City MERIDIAN	State or Country (if foreign address) MS	ZIP Code 39305 -
	Telephone Number (include area code) 6019385879	E-Mail Address (if available) MR.JHOPSON@GMAIL.COM	
3.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): ☐ Governmental Entity ☐ Noncommercial Educational Licensee/Permittee ☐ Other ☒ N/A (Fee Required)		
4.	a. ☒ Voluntary Assignment or Transfer of Control ☐ Involuntary Assignment or Transfer of Control ☒ Amendment to pending application File number of pending application: - If an amendment, submit as an Exhibit a listing, by Section and Question Number, of the portions of the pending application that are being revised. [Exhibit 1] b. Applicant certifies that the use of FCC Form 316 is appropriate for this transaction. ☒ Yes ☐ No See Explanation in [Exhibit 2] 		
5.	Were any of the authorizations that are the subject of this application obtained through the Commission's competitive bidding procedures (see 47 C.F.R. Sections 1.2111(a) and 73.5000)?		☐ Yes ☒ No
	If yes, list pertinent authorizations in an Exhibit.		[Exhibit 3]

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section II - Assignor/Transferor

1.	Certification. Assignor/Transferor certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Assignor/Transferor further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.				☒ Yes ☐ No																				
2.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Application for (check one):</td> <td style="width: 10%; text-align: center;">☐</td> <td style="width: 35%;">Consent to Assign Construction Permit</td> <td style="width: 10%; text-align: center;">☐</td> <td style="width: 20%;">Consent to Transfer Control of Permittee</td> </tr> <tr> <td></td> <td style="text-align: center;">☐</td> <td>Consent to Assign License</td> <td style="text-align: center;">☐</td> <td>Consent to Transfer Control of Licensee</td> </tr> <tr> <td></td> <td style="text-align: center;">☒</td> <td colspan="3">Amendment to pending application</td> </tr> </table>					Application for (check one):	☐	Consent to Assign Construction Permit	☐	Consent to Transfer Control of Permittee		☐	Consent to Assign License	☐	Consent to Transfer Control of Licensee		☒	Amendment to pending application							
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Telephone Number (include area code) 6019385879		E-Mail Address (if available)																							
	If more than one Transferor, submit the information requested in Questions 3 and 4 for each transferor. [Exhibit 4]																								
5.	Authorizations to be Assigned/Transferred. List the authorized stations and construction permits to be assigned/transferred. Provide the Facility Identification Number and the Call Sign, or the Facility Identification Number and the File Number of the Construction Permit, and the location, for each station to be assigned/transferred. Include main stations, FM and/or TV translator stations, LPTV stations, FM and/or TV booster stations. [Enter Station Information] List the authorized stations and construction permits to be assigned/transferred. Provide the Facility Identification Number and the Call Sign, or the Facility Identification Number and the File Number of the Construction Permit, and the location, for each station to be assigned/transferred. Include main stations, FM and/or TV translator stations, LPTV stations,, FM and/or TV booster stations. <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Facility ID Number</th> <th style="width: 15%;">Call Sign</th> <th style="width: 35%;">or Construction Permit File Number</th> <th style="width: 15%;">City</th> <th style="width: 20%;">State</th> </tr> </thead> <tbody> <tr> <td>22294</td> <td>WNBW</td> <td>-</td> <td>MERIDIAN</td> <td>MS</td> </tr> </tbody> </table>					Facility ID Number	Call Sign	or Construction Permit File Number	City	State	22294	WNBW	-	MERIDIAN	MS										
Facility ID Number	Call Sign	or Construction Permit File Number	City	State																					
22294	WNBW	-	MERIDIAN	MS																					
6.	Agreements for Sale/Transfer of Station. a. If the transaction is voluntary, Assignor/Transferor certifies that: i. it has placed in licensee's/permittee's public inspection file(s) and submitted as an exhibit to this item copies of all agreements for the assignment/transfer of the station(s);				☐ Yes ☐ No ☒ N/A [Exhibit 5]																				

ii. these documents embody the complete and final understanding between assignor/transferor and assignee/transferee; and iii. these agreements comply fully with the Commission's rules and policies. b. If the transaction is involuntary, the Assignor/Transferor certifies that court orders or other authorizing documents have been issued and that it has placed in the licensee's/permittee's public inspection file(s) and submitted to the Commission copies of such court orders or other authorizing documents. Exhibit Required	☒ Yes ☐ No ☐ N/A [Exhibit 6]
7. Character Issues. Assignor/Transferor certifies that neither licensee/permittee nor any party to the application has or has had any interest in, or connection with: a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or any party to the application; or b. any pending broadcast application in which character issues have been raised.	☒ Yes ☐ No See Explanation in [Exhibit 7]
8. Adverse Findings. Assignor/Transferor certifies that, with respect to the assignor/transferor and each party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	☒ Yes ☐ No See Explanation in [Exhibit 8]
9. Auction Authorization. Assignor/transferor certifies that more than five years have passed since the issuance of the construction permit for the station being assigned, where that permit was acquired in an auction through the use of a bidding credit or other special measure.	☐ Yes ☐ No ☒ N/A See Explanation in [Exhibit 9]
10. Anti-Drug Abuse Act Certification. Assignor/Transferor certifies that neither licensee/permittee nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	☒ Yes ☐ No

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.

Typed or Printed Name of Person Signing EDDIE J RACKLEY	Typed or Printed Title of Person Signing ADMINISTRATOR
Signature	Date 04/13/2018

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section III - Assignee/Transferee

1. Certification. Assignee/Transferee certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Assignee/Transferee further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	☒ Yes ☐ No			
2. Legal Name of the Assignee/Transferee EDDIE J RACKLEY, ADMINISTRATOR Mailing Address 266 23RD STREET <table border="1" data-bbox="126 1963 1502 2028"> <tr> <td data-bbox="126 1963 613 2028">City MERIDIAN</td> <td data-bbox="613 1963 1166 2028">State or Country (if foreign address) MS</td> <td data-bbox="1166 1963 1502 2028">Zip Code 39301 -</td> </tr> </table>		City MERIDIAN	State or Country (if foreign address) MS	Zip Code 39301 -
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3. Contact Representative (if other than Assignee/Transferee) EDDIE HOLT																					
Firm or Company Name																					
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E-Mail Address (if available)																					
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4. Agreements for Sale/Transfer of Station. Assignee/Transferee certifies that: a. the written agreements in the licensee/permittee's public inspection file embody the complete and final agreement for the sale or transfer of the station(s); and b. these agreements comply fully with the Commission's rules and policies.																					
☒ Yes ☐ No [Exhibit 11]																					
5. Changes in interests as a result of assignment/transfer. a. [Enter Changes in Interests Information]																					
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<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="3" style="width: 25%;">(A) NAMES AND ADDRESSES OF ANY PARTY TO APPLICATION HOLDING AN ATTRIBUTABLE INTEREST</th> <th rowspan="3" style="width: 10%;">(B) CITIZENSHIP</th> <th colspan="4">INTEREST HELD</th> </tr> <tr> <th colspan="2">(C) BEFORE TRANSFER OR ASSIGNMENT</th> <th colspan="2">(D) AFTER TRANSFER OR ASSIGNMENT</th> </tr> <tr> <th style="width: 15%;">(1) Percentage Vote</th> <th style="width: 15%;">(2) Percentage Total Assets (Equity plus Debt)</th> <th style="width: 15%;">(1) Percentage Votes</th> <th style="width: 15%;">(2) Percentage Total Assets (Equity plus Debt)</th> </tr> </thead> <tbody> <tr> <td>FRANK RACKLEY JR.</td> <td>US</td> <td>100</td> <td>100</td> <td>0</td> <td>0</td> </tr> </tbody> </table>		(A) NAMES AND ADDRESSES OF ANY PARTY TO APPLICATION HOLDING AN ATTRIBUTABLE INTEREST	(B) CITIZENSHIP	INTEREST HELD				(C) BEFORE TRANSFER OR ASSIGNMENT		(D) AFTER TRANSFER OR ASSIGNMENT		(1) Percentage Vote	(2) Percentage Total Assets (Equity plus Debt)	(1) Percentage Votes	(2) Percentage Total Assets (Equity plus Debt)	FRANK RACKLEY JR.	US	100	100	0	0
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EDDIE J RACKLEY	US	0	0	100	100																
or [Exhibit 12]																					
b. Applicant certifies that equity interests not set forth above are non-attributable.																					
☐ Yes ☐ No ☒ N/A [Exhibit 13]																					
6. Other Authorizations. List call signs, locations, and facility identifiers of all other broadcast stations in which assignee/transferee or any party to the application has an attributable interest.																					
☒ N/A [Exhibit 14]																					
7. Acquisition of Control. List the file number and date of grant of FCC Form 301, 314, or 315 application by which the Commission approved the qualifications of the individual or entity with a pre-existing interest in the licensee/permittee that is now acquiring control of the licensee/permittee as a result of the grant of this application.																					
☒ N/A [Exhibit 15]																					
8. Character Issues. Assignee/Transferee certifies that neither assignee/transferee nor any party to the application has or has had any interest in, or connection with:																					
☒ Yes ☐ No																					

a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or any party to the application; or b. any pending broadcast application in which character issues have been raised.	See Explanation in [Exhibit 16]
9. Adverse Findings. Assignee/Transferee certifies that, with respect to the assignee/transferee and each party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	☒ Yes ☐ No See Explanation in [Exhibit 17]
10. Alien Ownership and Control. Assignee/Transferee certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.	☒ Yes ☐ No See Explanation in [Exhibit 18]
11. Auction Authorization. Assignee/transferee certifies that where less than five years have passed since the issuance of the construction permit and the permit had been acquired in an auction through the use of a bidding credit or other special measure, it would qualify for such credit or other special measure.	☐ Yes ☐ No ☒ N/A See Explanation in [Exhibit 19]
12. Anti-Drug Abuse Act Certification. Assignee/transferee certifies that neither licensee/permittee nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	☒ Yes ☐ No

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. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing EDDIE J RACKLEY	Typed or Printed Title of Person Signing ADMINISTRATOR
Signature	Date 04/13/2018

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 1

Description: AMENDMENT

AMENDMENT

Attachment 1

Description
<u>Amendment</u>
<u>Amendment</u>
<u>Amendment</u>

Attachment 6

Description
<u>Agreed Judgement Appointing Administrator</u>
<u>Agreed Judgement Appointing Administrator</u>

IN THE CHANCERY COURT OF LAUDERDALE COUNTY
THE STATE OF MISSISSIPPI

THE ESTATE OF FRANK RACKLEY,
JR., DECEASED

CAUSE NO.14-421-M

EDDIE J. RACKLEY,

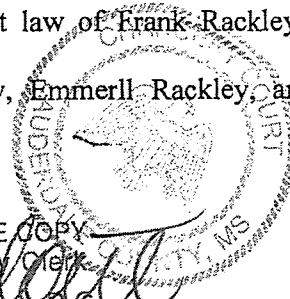
ADMINISTRATOR

JUDGMENT APPROVING FINAL ACCOUNTING, AUTHORIZING SALE OF
PROPERTY, AND CLOSING ESTATE

This cause came on for hearing on the *Final Accounting, Motion to Authorize Sale of Property, and Petition to Close Estate* filed herein by the Administrator, and the Court having determined that all of the heirs at law have filed a *Waiver and Joinder* to said Final Accounting, and the Court having jurisdiction over the parties herein and subject matter hereof finds as follows:

1. By Judgment dated July 8, 2014, the administrator was appointed by the Court and upon taking the oath of office, *Letters of Administration* were issued by the clerk of the Court. *Notice to Creditors* was published in The Meridian Star as required by law on July 15, 2014, July 22, 2014, and July 29, 2014. The period for probating claims has expired and no claims have been registered against this estate.
2. There are no estate or inheritance taxes due to the United States Treasury Department or to the State of Mississippi.
3. The sole and only heirs at law of Frank Rackley, Jr., were determined by judgment of this Court entered on November 14, 2014, and pursuant to said order the following persons were determined to be the sole and only heirs at law of Frank Rackley, Jr.: Marie Rackley, mother, and Cherry A. Jackson, Myra Ramsey, Emmerll Rackley, and Eddie J. Rackley, all siblings.

STATE OF MISSISSIPPI
COUNTY OF LAUDERDALE
I CERTIFY THAT THIS IS A TRUE COPY
CAROLYN MOONEY, Chancery Clerk
BY [Signature]
TODAY'S DATE: 9-14-17



4. The estate consists of an FCC license and call letters WNBC 12:90 AM, Meridian, Mississippi, and certain equipment and personal property located at 266 23rd Street, Meridian, Mississippi, 39301, which is property owned by Jimmie Lee Hopson.

5. The Honorable Robert M. Dreyfus has rendered valuable legal services in the administration of this estate and your administrator requests that he be authorized to pay him a reasonable fee in the amount of \$5,000.00 for the handling of this estate, together with expenses of \$346.00.

6. Pursuant to that order granting authority to advertise for bids for the sale of FCC license and other property entered on December 12, 2014, the administrator advertised the FCC license for sale to prospective bidders within the east central portion of Mississippi and the west central portion of Alabama. Advertisements for bids were mailed to owners of radio stations in east central Mississippi and west central Alabama and a notice was published in the Meridian Star. Following the advertisement for bids, four bids were procured by the administrator. The highest and best bid presented to the administrator pursuant to said notice was made by Jimmie Lee Hopson in the amount of \$10,000.

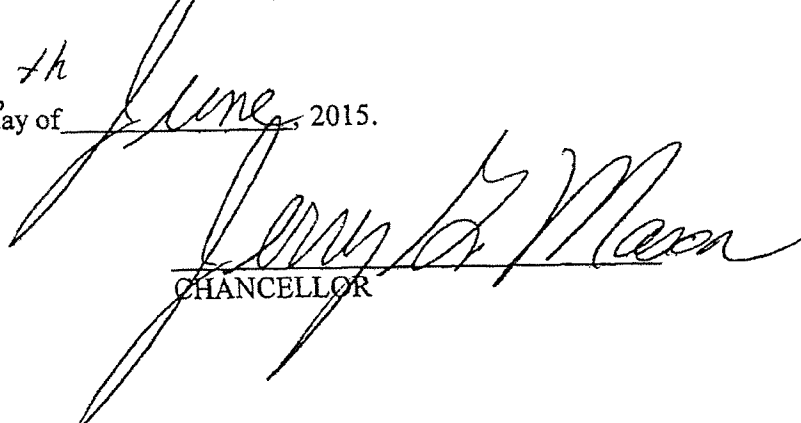
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7. Upon payment of the above \$10,000, the administrator shall pay the above attorney's fees to Robert M. Dreyfus, Jr., and the net proceeds be distributed to the heirs at law of this estate in equal shares.

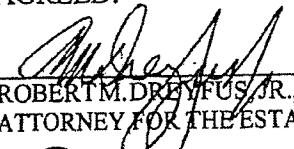
IT IS THEREFORE ORDERED AND ADJUDGED as follows:

1. The final accounting is approved and ratified;
2. The administrator is authorized to pay Robert M. Dreyfus the sum of \$5,346.00 for services rendered and expenses incurred;
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5. That upon the net funds being distributed to the heirs, this estate shall be closed and the administrator discharged from further duties.

ORDERED, this the 26th day of June, 2015.


CHANCELLOR

AGREED:


ROBERT M. DREYFUS, JR.,
ATTORNEY FOR THE ESTATE


LEONARD B. COBB, ATTORNEY
FOR JIMMIE LEE HOPSON

PREPARED BY:
ROBERT M. DREYFUS, JR. MSB
NO. 6191
P O BOX 5847
MERIDIAN, MS 39302
601/553-8315
FileNumber: 5411

BILL OF SALE

For and in consideration of the sum of Ten Thousand Dollars (\$10,000.00) and other good and valuable consideration, I hereby sell, convey and deliver to Jimmie Lee Hopson of 3815 – 10th Avenue, Meridian, Mississippi, the following described property, situated in Meridian, County of Lauderdale, State of Mississippi, to-wit:

PMO ~~Certain personal property including~~ *FCC License and Call Letters WBNB 12:90 AM,*
Meridian, Mississippi.

And by these presents I covenant with the said Grantee that I am seized of the fee to the said property and that I have a perfect right to sell the same; that the said property is free from all encumbrances and liens whatsoever.

This Bill of Sale is authorized by a Judgment of the Chancery Court of Lauderdale County, Mississippi in cause number 14-421-M.

IN TESTIMONY WHEREOF, I have hereunto set my hand, at Meridian, Mississippi, Lauderdale County, this the _____ day of _____, 2015.

THE ESTATE OF FRANK RACKLEY, JR.

WITNESS

BY: EDDIE J. RACKLEY
ADMINISTRATOR

IN THE CHANCERY COURT OF LAUDERDALE COUNTY
THE STATE OF MISSISSIPPI

THE ESTATE OF FRANK RACKLEY,
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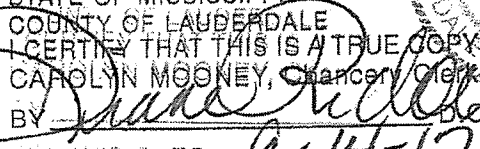
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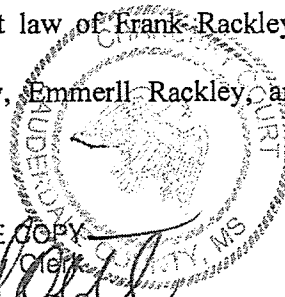
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STATE OF MISSISSIPPI
COUNTY OF LAUDERDALE
I CERTIFY THAT THIS IS A TRUE COPY
CAROLYN MOONEY, Chancery Clerk
BY 
TODAY'S DATE: 9-14-17



4. The estate consists of an FCC license and call letters WNBC 12:90 AM, Meridian, Mississippi, and certain equipment and personal property located at 266 23rd Street, Meridian, Mississippi, 39301, which is property owned by Jimmie Lee Hopson.

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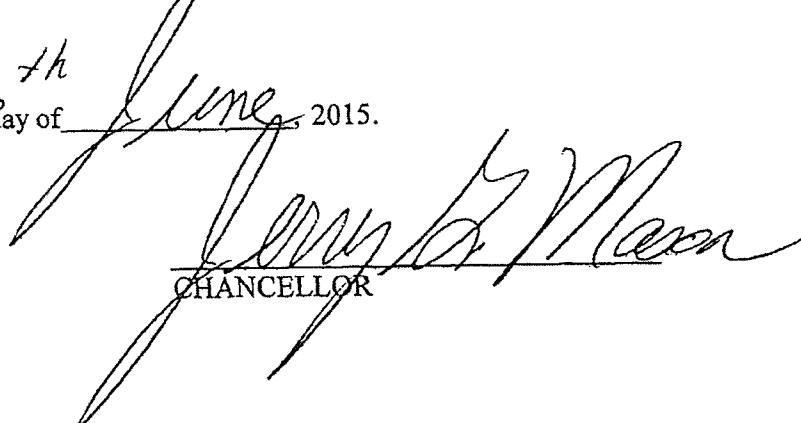
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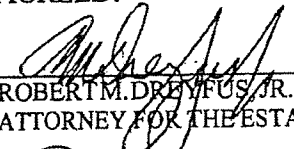
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ATTORNEY FOR THE ESTATE


LEONARD B. COBB, ATTORNEY
FOR JIMMIE LEE HOPSON

PREPARED BY:
ROBERT M. DREYFUS, JR. MSB
NO. 6191
P O BOX 5847
MERIDIAN, MS 39302
601/553-8315
File Number: 5411

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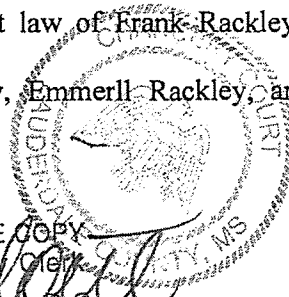
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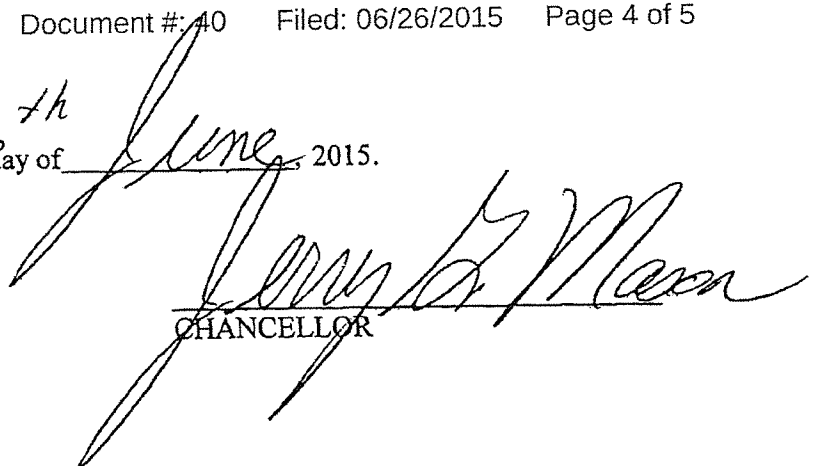
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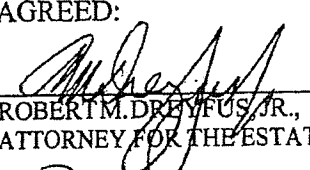
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This Bill of Sale is authorized by a Judgment of the Chancery Court of Lauderdale County, Mississippi in cause number 14-421-M.

IN TESTIMONY WHEREOF, I have hereunto set my hand, at Meridian, Mississippi, Lauderdale County, this the _____ day of _____, 2015.

THE ESTATE OF FRANK RACKLEY, JR.

WITNESS

BY: EDDIE J. RACKLEY
ADMINISTRATOR

IN THE CHANCERY COURT OF LAUDERDALE COUNTY
THE STATE OF MISSISSIPPI

THE ESTATE OF FRANK RACKLEY, JR.
DECEASED

CAUSE NO. 14-421-M

EDDIE J. RACKLEY,

CROSS-PETITIONER

AGREED JUDGEMENT APPOINTING ADMINISTRATOR
AND WAIVING THE REQUIREMENT OF A BOND PENDING INVENTORY

This Cause came on for hearing on the *Counter-Complaint to Appoint an Administrator and Waive the Requirement of a Bond*, filed herein by EDDIE J. RACKLEY, and the Court having been advised that the parties have reached an agreement herein, finds as follows:

I.

That the Court has jurisdiction over the parties herein and the subject matter thereto.

II.

That FRANK RACKLEY, JR., deceased, died intestate on January 25, 2011, in Lauderdale County, Mississippi, being seized and possessed of an FCC license and frequency call number WBNB 12:90 AM in Meridian, Mississippi, together with other personal property.

III.

That EDDIE J. RACKLEY is a proper person to be appointed as Administrator of the Estate of FRANK RACKLEY, JR., deceased, and that he is ready, willing and able to accept the office of Administrator and perform the duties required by law.

IV.

The requirement of bond is hereby waived, pending filing of an inventory, which shall be filed within forty-five (45) days from the date of this Judgment. Upon filing of the inventory or upon Petitioner notifying the Court of the existence of assets, the Court will determine the

STATE OF MISSISSIPPI
COUNTY OF LAUDERDALE
I CERTIFY THAT THIS IS A TRUE COPY
CAROLYN MOONEY, Chancery Clerk

BY Frank Rackley
TODAY'S DATE: 9-14-17

necessity and amount of bond. Jimmy Lee Hopson shall cooperate and give EDDIE J. RACKLEY access to the personal property so that he can conduct a proper inventory of same. Additionally, EDDIE J. RACKLEY shall be and is hereby enjoined and precluded from assigning, transferring, or selling the FCC radio frequency license owned by the Deceased, or taking any action that may affect the value of same, without prior approval of the Court.

IT IS THEREFORE ORDERED AND ADJUDGED that EDDIE J. RACKLEY be, and he is hereby appointed Administrator of the Estate of FRANK RACKLEY, JR., deceased, and that the requirement of bond is hereby waived, pending filing of an inventory. Upon filing of the inventory or upon Petitioner notifying the Court of the existence of assets, the Court will determine the necessity and amount of bond.

IT IS FURTHER ORDERED AND ADJUDGED that EDDIE J. RACKLEY shall be and is hereby enjoined and precluded from assigning, transferring, or selling the FCC radio frequency license owned by the Deceased, or taking any action that may affect the value of same, without prior approval of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that the Clerk of this Court shall issue Letters of Administration to EDDIE J. RACKLEY upon his taking the oath of office as required by law.

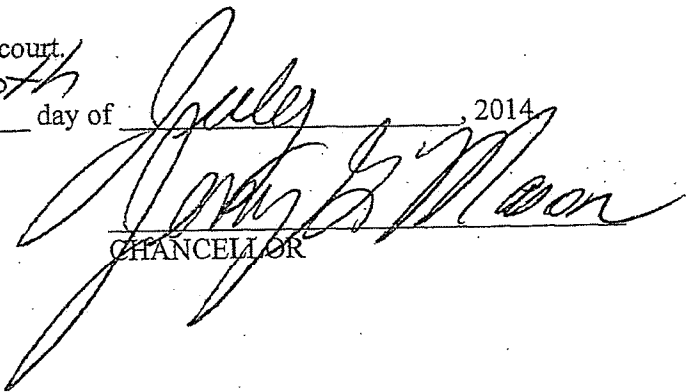
IT IS FURTHER ORDERED AND ADJUDGED that if the fiduciary has failed to qualify by posting the required bond, if any, taking the oath, and having appropriate Letters issued as required by this order and the laws of the State of Mississippi within thirty (30) days of entry of this order, then the Chancery Clerk is hereby ordered and directed to notify the court immediately of such failure, and the court shall enter an order dismissing this civil action without

prejudice without further notice to the fiduciary, or attorney of record for the fiduciary, or any other parties who have entered an appearance in this civil action.

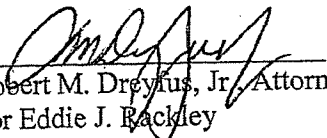
IT IS FURTHER ORDERED AND ADJUDGED THAT THIS ORDER DOES NOT AUTHORIZE EDDIE J. RACKLEY TO ACT AS THE FIDUCIARY FOR FRANK RACKLEY, JR. UNLESS VALID LETTERS OF ADMINISTRATION ARE ATTACHED HERETO.

IT IS FURTHER ORDERED AND ADJUDGED that persons who use or accept this order without the attached Letters as court authority to act or conduct the affairs of the decedent shall be subject to sanctions by this court.

ORDERED, this the 8th day of July, 2014


CHANCELLOR

APPROVED AS TO FORM:


Robert M. Dreyfus, Jr., Attorney
For Eddie J. Rackley


Leonard B. Cobb, Attorney
For Jimmie Lee Hopson

Prepared By:
ROBERT M. DREYFUS, JR.
P. O. BOX 5847
MERIDIAN, MS 39302
601/553-8315
MSB NO. 6191
OUR FILE NO. 5411

IN THE CHANCERY COURT OF LAUDERDALE COUNTY
THE STATE OF MISSISSIPPI

THE ESTATE OF FRANK RACKLEY, JR.
DECEASED

CAUSE NO. 14-421-M

EDDIE J. RACKLEY,

CROSS-PETITIONER

AGREED JUDGEMENT APPOINTING ADMINISTRATOR
AND WAIVING THE REQUIREMENT OF A BOND PENDING INVENTORY

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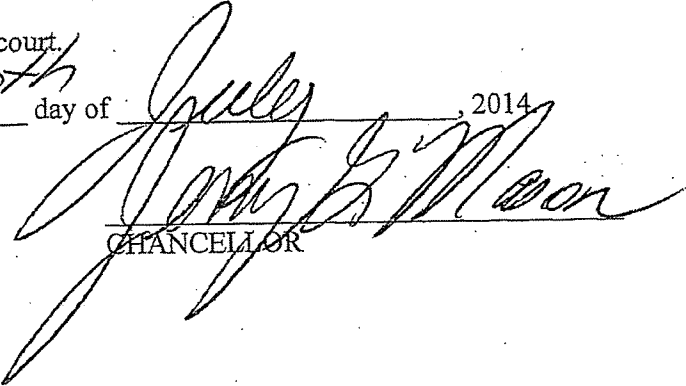
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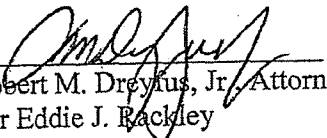
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ORDERED, this the 8th day of July, 2014.


CHANCELLOR

APPROVED AS TO FORM:


Robert M. Dreyfus, Jr., Attorney
For Eddie J. Rackley


Leonard B. Cobb, Attorney
For Jimmie Lee Hopson

Prepared By:
ROBERT M. DREYFUS, JR.
P. O. BOX 5847
MERIDIAN, MS 39302
601/553-8315
MSB NO. 6191
OUR FILE NO. 5411

ATTACHMENT D



UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

(FOR CHIEF, AUDIO DIVISION, MEDIA BUREAU)

DATE: 04/19/2018

☒ CONSENT TO ASSIGNMENT:	FROM: FRANK RACKLEY, JR.
☐ CONSENT TO TRANSFER:	TO: EDDIE J RACKLEY, ADMINISTRATOR
Licensee/Permittee: (for transfer only)	

CLASS	CALL SIGN	FACILITY ID	FILE#	STATION LOCATION	AUXILIARY STATIONS
AM	DWNB	22294	BAL-20171207ABE	MERIDIAN, MS	ALL CURRENTLY AUTHORIZED AUXILIARY STATIONS

Under authority of the Communications Act of 1934, as amended, the consent of the Federal Communications Commission is hereby granted to the transaction indicated above.

The Commission's consent to the above is based on the representations made by the applicants that the statements contained in, or made in connection with, the application are true and that the undertakings of the parties upon which this transaction is authorized will be carried out in good faith.

The actual consummation of voluntary transactions shall be completed within 90 days from the date hereof, and notice in letter form thereof shall promptly be furnished to the Commission by the seller or buyer showing the date the acts necessary to effect the transaction were completed. Upon furnishing the Commission with such written notice, this transaction will be considered completed for all purposes related to the above described station(s).

FCC Form 323, Ownership Report, must be filed within 30 days after consummation, by the licensee/permittee or assignee.

ADDITIONAL REQUIREMENTS FOR ASSIGNMENTS ONLY:

Upon consummation the assignor must deliver the permit/license, including any modifications thereof to the assignee.

It is hereby directed that, upon consummation, a copy of this consent be posted with the station authorization(s) as required by the Commission's Rules and Regulations.

The assignee is not authorized to construct nor operate said station(s) unless and until notification of consummation in letter form has been forwarded to the Commission.