



Federal Communications Commission
Washington, D.C. 20554

March 17, 2021

In reply refer to: 1800B3-VM

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Carlos Arana Ministries, Inc.
7842 Grape Street
Highland, CA 92346

Re: KQGC(FM), Belen, NM
Facility ID No. 85845
Operational Status Inquiry

Dear Licensee:

It has come to our attention that Station KQGC(FM), Belen, New Mexico (Station), licensed to Carlos Arana Ministries, Inc. (CAM) may be currently off the air. However, Commission records show that CAM has indicated that the Station is licensed and operating. Pursuant to section 73.1740 of the Commission's Rules, CAM is required to clarify this matter in writing within thirty days of the date of this letter.

On January 10, 2020, we received a complaint from Cedar Cove Broadcasting (CCB).¹ CCB alleges that the Station has not been operational for more than twelve months and that its license should be cancelled.² CCB further states that Mr. Victor Michael, its President and technical consultant sporadically monitored the Station's operation on 91.1 MHz for more than 12 months while travelling from Loveland, Colorado to Phoenix, Arizona.³ Mr. Michael reported that when he was driving through the community of Belen on his travels over that time period, he never heard any broadcasts from the Station's licensed frequency.⁴ CCB also reports that its efforts to contact CAM by mail were unsuccessful, and that it learned that Mr. Carlos Arana, the Director/CEO of CAM, had died several years ago.⁵ In addition, CCB states that pictures of the licensed tower dated May 8, 2018, show that there is no 6-bay antenna as required by the Station's license,⁶ and the tower owner, American Tower, states that the lease was terminated on April 6, 2016.⁷ CCB also states that the Station's FCC Public File web page shows that nothing has been filed by CAM since consummation of the assignment to it on May 7, 2015.⁸

Based on this information, it appears that the Station may have been silent (or failed to operate with authorized facilities) for more than one year. Pursuant to section 312(g) of the Communications Act

¹ See *Request for Cancellation of License; Station KQGC(FM), Belen NM FAC. ID 85845* filed by Cedar Cove Broadcasting, Inc. (Jan. 10, 2020) (CCB Complaint).

² CCB Complaint at 1.

³ *Id.* at 1-2, Exh. 1.

⁴ *Id.* at 2, Exh.1.

⁵ *Id.* at 3, Exh. 5.

⁶ *Id.* at 3, Exh.3, Exh. 6.

⁷ *Id.* at 3, Exh. 4.

⁸ *Id.* at 3, Exh. 7.

of 1934, as amended, **if a broadcast station fails to transmit broadcast signals with its authorized facilities for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary, except that the Commission may extend or reinstate such station license to promote equity and fairness.**⁹

Please provide evidence documenting the Station's operational status since December 22, 2018. This evidence must indicate the location, effective radiated power and antenna height above ground level for **all periods of operation** from December 22, 2018 to the present. Also include copies of all leases, personnel records (including payroll records appropriately redacted to protect the privacy of individual employees), engineering records, and station records, including EAS logs, for that period of time. In addition, you must provide copies of all invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the Station's operation.¹⁰ You **must also include pictures** of the Station's studio facilities and transmission facilities during this timeframe, and provide exact Station coordinates.

We also note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the Station's tower shall be maintained.¹¹

All submissions must be addressed to Marlene S. Dortch, Secretary, FCC 45 L Street N.E., Washington, DC, 20554, and **sent via email ONLY**, to Victoria.McCauley@FCC.gov.

Failure to respond to this letter within the specified time will result in adverse actions jeopardizing both the Station's license and call letters. If you have any questions concerning the content of this letter, please contact Victoria McCauley, Attorney, by phone at (202) 418-2136 or via e-mail at the address above.

Sincerely,

Albert Shuldiner

Albert Shuldiner
Chief, Audio Division
Media Bureau

cc (via electronic mail):

Mr. Victor Michael, Cedar Cove Broadcasting, Inc. (vicmichael@aol.com)

⁹ 47 U.S.C. § 312(g). The Commission has exercised its discretion under section 312(g) to extend or reinstate a station's expired license "to promote equity and fairness" only in limited circumstances where a station's failure to transmit a broadcast signals for 12 consecutive months is due to compelling circumstances that were beyond the licensee's control. *See e.g., A-O Broad. Corp.*, Memorandum Opinion and Order, 23 FCC Rcd 603, 617, para. 27 (2008) ("This limited, discretionary provision is phrased as an exception to the general rule that most affected licenses will be forfeited").

¹⁰ In addition, if the Station uses accounting software to maintain financial records, provide printouts of the data recorded for this period.

¹¹ *See* 47 CFR §§ 17.6 and 73.1740(a)(4).