



Federal Communications Commission  
Washington, D.C. 20554

April 1, 2021

**Sent via electronic mail**

***In reply refer to: 1800B3-VM***

Omni Broadcasting, LLC  
4300 Legendary Dr. Suite 280  
Destin, FL 32541  
[ronhalesr@gmail.com](mailto:ronhalesr@gmail.com)

**In re: WKGC(AM), Southport, FL**  
Facility ID No. 25564  
Silent since November 4, 2019

**Notification of License Expiration**

Dear Licensee:

This is to inform you that the license of AM Station WKGC, Southport, Florida (Station) is expired. Based on the foregoing, the station's license is cancelled as a matter of law, and the station's call sign is deleted.

On December 16, 2020, we sent you a letter notifying you that the Commission's records indicated that the Station's license had expired and granting you an opportunity to respond within 30 days with documentation that the Station returned to the air with authorized facilities at some time between November 4, 2019, and 12:01 a.m., November 5, 2020.<sup>1</sup> You did not respond to our letter, but instead, you filed a notice of resumption of operation without any explanation of the circumstances of resumption.<sup>2</sup> This office has revoked that notice of resumption and given you two additional opportunities to provide the required documentation.<sup>3</sup> Although you have filed responses, the documentation you have provided does not establish that the Station resumed operation prior to 12:01 a.m. on November 5, 2020.<sup>4</sup> Accordingly, we have found that the Station's license has expired pursuant to section 312(g) of the Communications Act of 1934, as amended.<sup>5</sup>

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<sup>1</sup>See *Letter from Albert Shuldiner, Chief, Audio Division, Media Bureau, FCC to Omni Broadcasting, LLC* (Dec. 16, 2020), Ref. 1800B3-CH.

<sup>2</sup> Notice of resumption of operation filed on December 18, 2020, Exh. 3 ("As per licenced[sic]").

<sup>3</sup> See *Emails from Victoria McCauley, Attorney/Advisor, Audio Division, Media Bureau, FCC, to Ron Hale, General Manager, Omni Broadcasting, LLC* (March 5, 2021, 14:49 EST), (March 15, 2021, 13:27 EDT).

<sup>4</sup> The response includes an undated picture of studio equipment and an electric bill dated January 29, 2021. See *email from Brian Covey, Engineer for Omni Broadcasting, LLC to Victoria McCauley, Attorney/Advisor, Audio Division, Media Bureau, FCC* (March 11, 2021 17:37 EST)). It also includes Station EAS logs dated from December 2, 2020 to February 3, 2021, and two pages purporting to be the Station's issues/programs list for the fourth quarter of 2020, but otherwise undated. See *email from Ron Hale, General Manager, Omni Broadcasting, LLC to Victoria McCauley, Attorney/Advisor, Audio Division, Media Bureau, FCC* (March 12, 2021, 16:56 EST). We also have Mr. Ron Hale's narrative summaries from March 12, 2021, see *email from Ron Hale, General Manager, Omni Broadcasting, LLC to Victoria McCauley, Attorney/Advisor, Audio Division, Media Bureau, FCC* (March 12, 2021, 16:56 EST) and March 19 2021, see *email from Ron Hale, General Manager, Omni Broadcasting, LLC to Victoria McCauley, Attorney/Advisor, Audio Division, Media Bureau, FCC* (March 19, 2021, 11:47 EDT), which also do not establish that the Station resumed operation prior to 12:01 a.m. on November 5, 2020. Mr. Hale

We note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the Station's tower be maintained until the tower is dismantled. Accordingly, the owner of the tower where the Station's transmitting antenna is located is required, pursuant to 47 U.S.C. Section 303(q), to maintain the tower in the manner prescribed by our rules and the terms of the cancelled license.<sup>6</sup>

Accordingly, IT IS ORDERED THAT the license for Station WKGC(AM), Southport, Florida, IS CANCELLED and the station's call sign is DELETED. The application for renewal of license, File No. 0000087830, IS DISMISSED.

Please direct any questions concerning the content of this letter to Victoria McCauley, Attorney, phone (202-418-2136), or e-mail (Victoria.McCauley@fcc.gov).

Sincerely,

*Albert Shuldiner*

Albert Shuldiner  
Chief, Audio Division  
Media Bureau

cc (sent via email):  
Jeffrey D. Southmayd, Esq.  
([jdsouthmayd@msn.com](mailto:jdsouthmayd@msn.com))

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claims that the documentation requested does not exist, but 47 CFR §§73.1820(a)(1)(iii) and 73.1840(a) require that the EAS logs be retained as part of the Station's required logs, and that they not be destroyed.

<sup>5</sup> Section 312(g) of the Act provides that 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.

<sup>6</sup> See 47 U.S.C. § 303(q); 47 CFR §§ 17.1 *et seq.* and 73.1213. See also *Streamlining the Commission's Antenna Structure Clearance Procedure*, Report and Order, 11 FCC Rcd 4272, 4293 (1995) (tower owner bears primary responsibility for maintaining tower painting and/or lighting).