

Per FCC Rule 25.119(j), Alpha Media Licensee LLC (“Alpha”) and Radford Media Group, LLC (“Radford,” and together with Alpha, the “Parties”) hereby provide notice that Alpha assigned receive-only C-band earth station E191385 to Radford on October 3, 2018. The earth station is used in conjunction with broadcast radio operations for a cluster of stations in the Clinton, Missouri area.

Under FCC Rule 1.3, the Parties also request waiver of the 30-day notice period of Rule 25.119(j). The agency may grant a waiver for good cause shown.¹ The Commission typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest.² In granting a waiver, the FCC may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.³ Waiver is therefore appropriate if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.

Good cause exists to grant waiver here. First, the absence of notification was inadvertent. Specifically, the Parties filed for Commission permission to assign three Clinton-area radio stations from Alpha to Radford on July 25, 2018. See CDBS Lead File No. BAL-20180725ABA. The Commission granted the assignment on September 12, 2018, and the transaction consummated on October 3, 2018. Alpha, a large, nationwide broadcast radio operator, filed to register the earth station at issue just six days after the consummation as part of a larger effort to register its C-band earth stations across the country. Thus, the assignment notification filed here serves to correct the Commission’s records regarding the earth station’s operator.

Second, the Commission has permitted waiver of the 30-day period in 25.119(j) in similar situations. See IDBS File No. SES-ASG-20200819-00895, Call Sign E170001 (granted Aug. 20, 2020). Finally, given that registration of C-band earth stations remains optional, the impact of the requested waiver is *de minimis*.

Accordingly, for these reasons, waiver is warranted here.

¹ 47 C.F.R. § 1.3.

² *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (“*Northeast Cellular*”).

³ *WAIT Radio v. FCC*, 419 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.