Federal Communications Commission
Washington, D.C. 20554

April 21, 2011

In Reply Refer to:
1800B3-BSH

David M. Silverman, Esq.
Davis Wright Tremaine LLP
1919 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20006

Andrew S. Kersting, Esq.
Dickstein Shapiro LLP
1825 I Street, NW
Washington, DC 20006-5403

In re: **K273BZ, Bonner Springs, Kansas**
Facility ID No. 143354
File No. BTCFT-20110215ADP

K279BI, Kansas City, Missouri
Facility ID No. 144473
File No. BTCFT-20110215ADQ

Application for Transfer of Control of License

Informal Objection

Dear Counsel:

We have before us the above-referenced application (the "Transfer Application") seeking approval for the proposed transfer of control of Susquehanna Radio Corp. ("SRC"), licensee of FM translator stations K273BZ, Bonner Springs, Kansas, and K279BI, Kansas City, Missouri, from Blackstone FC Communications Partners L.P. ("Blackstone") to Cumulus Media Inc. ("CMI"). On February 23, 2011, Kanza, Inc. ("Kanza"), licensee of Station KRLI(FM), Malta Bend, Missouri, filed an Informal Objection ("Objection") to the Transfer Application.[1] For the reasons stated below, we deny the Objection and grant the Transfer Application.

Discussion. Kanza argues against grant of the Transfer Application on two grounds. First, Kanza states a belief that the Transfer Application, which was filed on FCC Form 316 as a *pro forma* transaction, "may require a long form application."[2] Second, Kanza argues that it has filed interference complaints against FM translator Station K279BI with the Commission, and that the continued operation of that station while the complaints are pending means that "the qualifications of the licensee are in question and the Commission cannot grant the request to transfer control of the station's license."[3]

---

[1] SRC filed an Opposition to Informal Objection on March 11, 2011, and Kanza filed a Reply to Opposition to Informal Objection on March 24, 2011.

[2] Petition at 2.

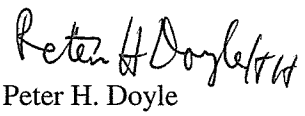
[3] *Id.*

Pro Forma Application. The Transfer Application seeks consent for the *pro forma* transfer of control of SRC and its ultimate parent entity, Cumulus Media Partners, LLC, that would result in one 50 percent voting member, CMI, acquiring the remaining 50 percent voting interest from Blackstone. Kanza posits that this transaction might require a long form application,[4] but Commission precedent permits the use of summary procedures on a *pro forma* application for a transfer such as the one before us. The Transfer Application proposes relinquishment of negative control to a party whose qualifications have already been passed on by the Commission in a long form sales application. Accordingly, the Transfer Application was properly submitted on FCC Form 316.[5]

Interference Complaints. On March 31, 2010, Kanza filed an "Emergency Request to Suspend Operating Authority Based on Actual Interference" ("Interference Complaint"), which claimed that FM translator station K279BI is causing interference with the reception of Station KRLI(FM), Malta Bend, Missouri. Kanza states that it subsequently filed supplemental complaints containing specific listener allegations of interference. These complaints remain pending with the staff. Kanza argues that the filing of the Interference Complaint brings into question SRC's qualifications to be a Commission licensee. Allegations of interference, however, do not call into question SRC's qualifications to be a licensee, and Kanza does not cite any authority to the contrary. We note that grant of the Transfer Application will not alter or diminish licensee SRC's obligation to resolve all interference complaints or to comply with any Commission directive concerning such complaints. Accordingly, based on the record before us, we find that Kanza fails to present a substantial and material question of fact on this issue concerning SRC's qualifications to be a licensee.

Conclusion/Actions. Based on the above, we find that Kanza has not raised a substantial and material question of fact warranting further inquiry. We further find that the applicants are qualified to hold the license for the Stations and that grant of the Transfer Application is consistent with the public interest, convenience and necessity. Accordingly, IT IS ORDERED, that Kanza, Inc.'s February 23, 2011, Informal Objection IS DENIED, and that the application for approval of transfer of control of Susquehanna Radio Corp., licensee of FM translator stations K272BZ, Bonner Springs, Kansas (File No. BTCFT-20110215ADP) and K279BI, Kansas City, Missouri (File No. BTCFT-20110215ADQ) from Blackstone FC Communications Partners L.P. to Cumulus Media Inc. IS GRANTED.

Sincerely,



Peter H. Doyle
Chief, Audio Division
Media Bureau

---

[4] FCC Form 315 is the appropriate long form application for proposed transfers of control of a licensee.

[5] *See Barnes Enterprises, Inc.*, Memorandum Opinion and Order, 55 FCC 2d 721 (1975) (Form 316 application could be used when one party possessing negative control sold that interest to another stockholder that also held negative control).