Federal Communications Commission
Washington, D.C. 20554

October 4, 2012

In reply refer to:
1800B3-KD
Released: October 4, 2012

Mark N. Lipp, Esq.
Wiley Rein LLP
1776 K St., N.W.
Washington, DC 20006

In re: DWJCC(AM), Miami Springs, FL
Multicultural Radio Broadcasting Licensee, LLC
Facility ID No. 87169
File Nos. BL-19980128AD, BR-20110926ADW

Petition for Reconsideration
License Renewal Application

Dear Mr. Lipp:

We have before us a Petition for Reconsideration ("Petition") filed on March 30, 2006, by Multicultural Radio Broadcasting Licensee, LLC ("Multicultural"), licensee of DWJCC(AM), Miami Springs, Florida ("Station" or "DWJCC(AM)"). The Petition seeks reconsideration of the cancellation of the Station license on February 28, 2006. For the reasons stated below, we grant the Petition to the extent indicated, reinstate the Station license and call sign, and grant the Station's referenced renewal application, with the appropriate conditions.

Background. Station DWJCC(FM) is licensed to operate on 1700 kilohertz ("kHz") and is the expanded band[1] station paired with Station WNMA(AM), which is licensed to operate on 1210 kHz. Pursuant to the Commission's decision in the expanded band proceeding, licensees of expanded band stations were required to surrender either their expanded band license or their standard band[2] license on or before the end of the five year period commencing with the date that the expanded band facility was licensed.[3] Thus, because the license for DWJCC(AM) was granted on February 21, 2001, Multicultural surrendered the license for DWJCC(AM) on February 21, 2006. Thereafter, the Commission cancelled the license for DWJCC(AM) on February 23, 2006. Public notice of this cancellation was released on February 28, 2006.[4]

On March 27, 2006, Multicultural and thirteen other licensees ("Waiver Licensees") filed a "Request for Waiver of Rules Requiring Return of AM Licenses" in MM Docket No. 87-267 ("Waiver Request").[5] Multicultural filed its Petition on March 30, 2006, requesting that the Commission reinstate the Station license pending the Commission's consideration of the Waiver Request.[6] In support of its Petition, Multicultural argues

---

[1] 1605-1705 kHz.
[2] 535 kHz-1605 kHz.
[3] *Review of the Technical Assignment Criteria for the AM Broadcast Service*, 6 FCC Rcd 6273 (1991) (subsequent history omitted).
[4] *See Broadcast Actions*, Public Notice, Report No. 46181 (MB Feb. 28, 2006).
[5] Most Waiver Licensees did not surrender one of their licenses, as was required, but continued operating both stations pursuant to Special Temporary Authority ("STA").
[6] Multicultural subsequently filed an STA request to continue operation of both WJCC and the associated standard band AM Station WNMA, beyond the fifth anniversary of the licensing of Station WJCC. *See* File No. BLSTA-20060407ACQ. The Commission granted this STA request on June 1, 2006. *See Letter to Mark N. Lipp, Esq. from*

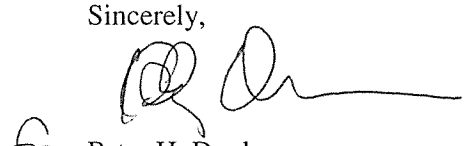
that the cancellation of DWJCC(AM) is harmful to the public interest because it is depriving the public of a valuable interference-free local service without any countervailing public interest benefits.[7] On September 26, 2011, Multicultural timely filed the Station's referenced renewal application.

Discussion. Section 1.106(c)(2) of the Commission's rules provides that a petition for reconsideration which relies on facts not previously presented to the Commission may be granted if we find that "consideration of the facts relied on is required in the public interest."[8] Here, we find that grant of the Petition will serve the public interest because it will allow the Station to continue broadcasting while the Commission considers the Waiver Request, which remains pending. It will also put Multicultural on the same footing as the Waiver Licensees that have continued to broadcast on both their standard and expanded band stations pursuant to STA. We note, however, that this action is separate from and does not affect any action the Commission may take on the Waiver Request.

Renewal Application. We have evaluated the DWJCC(AM) renewal application pursuant to Section 309(k) of the Communications Act of 1934, as amended,[9] and we find that DWJCC(AM) has served the public interest, convenience, and necessity during the subject license term; there have been no serious violations of the Act or the Rules and there have been no other violations which, taken together, constitute a pattern of abuse.

Conclusion. Accordingly, IT IS ORDERED that the March 30, 2006, Petition for Reconsideration filed by Multicultural Broadcasting Licensee, LLC, IS GRANTED to the extent indicated. IT IS FURTHER ORDERED that the call sign WJCC(AM) IS REINSTATED. IT IS FURTHER ORDERED that, pursuant to Section 309(k) of the Communications Act of 1934, as amended, the license renewal application of Multicultural Radio Broadcasting Licensee, LLC for Station WJCC(AM), Miami Springs, Florida (File No. BR-20110926ADW) IS GRANTED, with the appropriate conditions.

Sincerely,



Peter H. Doyle
Chief, Audio Division
Media Bureau

cc: Multicultural Broadcasting Licensee, LLC

Peter H. Doyle (MB Jun. 1, 2006). It filed an STA extension request on December 1, 2006 (File No. BELSTA-20061201BUE), which remains pending.

[7] Petition at 3.

[8] *See* 47 C.F.R. § 1.106(c)(2).

[9] 47 U.S.C. § 309(k).