

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
APR 10 2006

Adams

OFFICE OF
MANAGING DIRECTOR

Lisa M. Moore
Stackhouse, Nexsen & Turrietta
Professional Limited Liability Company
555 East Main Street, Suite 1600
Norfolk, Virginia 23514

Re: Ronald Wade Cowan
Request for Waiver
Fee Control No. RROG-06-00006365

Dear Ms. Moore:

This responds to your letter dated December 27, 2005 on behalf of R. Clinton Stackhouse, Jr., Chapter 7 Trustee (Trustee) for the estate of Ronald Wade Cowan, licensee of radio stations WVAB-AM (WVAB) and WBVA-AM (WBVA), concerning delinquent amounts owed to the Commission by Mr. Cowan (Letter).¹ Our records show that a portion of the fiscal year (FY) 2000 regulatory fee and late penalty for WVAB has not been paid. Our records also show that the regulatory fees for FYs 2003 and 2004 for each station, including late penalty amounts, have not been paid. The total outstanding amount for these fees and penalties is \$10,435.50. As explained below, we deny your request as to FYs 2000 and 2003², and grant your request as to FY 2004.

In your Letter, you state that you are working with the Trustee, whom you represent, to assign the licenses of these stations, but that there are delinquent amounts owed to the Commission by the license holder.³ You further state that the Trustee would like to move forward the process of assigning the license as quickly as possible and without paying the outstanding debts.⁴ The documentation you submitted shows that a bankruptcy case concerning Mr. Cowan was originally filed under Chapter 11 of the U.S. Bankruptcy Code on January 15, 2004, and was converted to a case under Chapter 7 on March 23, 2005.⁵

¹ Letter from Lisa M. Moore to Ms. Nakia Douglas (Dec. 27, 2005). We interpret your Letter as a request to waive the regulatory fees for the fiscal years pertinent to the delinquent amounts.

² Please note that by letter dated April 8, 2004, we denied a previous request for waiver for WVAB and WBVA's FY 2003 regulatory fees and penalties filed on behalf of Mr. Cowan, and stated that payment was due within 30 days of the letter date.

³ *Id.*

⁴ *Id.*

⁵ *Id.*

The Commission will grant waivers of its regulatory fees on a sufficient showing of financial hardship. Evidence of bankruptcy or receivership at the time the fees are due is sufficient to establish financial hardship. See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12761-62 (1995) (waivers granted for licensees whose stations are bankrupt, undergoing Chapter 11 reorganization, or in receivership). Based on the documents you submitted concerning Mr. Cowan's bankruptcy status, we will grant a waiver of the FY 2004 regulatory fees and penalties for WVAB (\$2,656.25) and WBVA (\$2,187.50), for a total amount waived of \$4,843.75. Because the papers you submitted do not show that Mr. Cowan was in bankruptcy at the time the FY 2000 and FY 2003 regulatory fees were due, however, your request for waiver of these fees and penalties is denied.

Payment of the outstanding portion of the FY 2000 fee and penalty for WVAB (\$1,060.50), and the FY 2003 fees and penalties for WVAB (\$2,500.00) and WBVA (\$2,031.25), is now due. The total amount now due ($\$1,060.50 + \$2,500.00 + \$2,031.25$) is \$5,591.75. The regulatory fees should be filed with a Form FCC 159 (copy enclosed) within 30 days from the date of this letter.

If you have any questions concerning this letter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



 Mark Stephens
Acting Chief Financial Officer

Enclosure

6365

STACKHOUSE, NEXSEN & TURRIETTA

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December 27, 2005

VIA FACSIMILE 202-418-7869

ATTN: Ms. Nakia Douglas

**Re: Ronald Wade Cowan
Chapter 7
Case #04-70278-DHA
Our File #13487**

Dear Ms. Douglas

Thank you for your assistance this morning regarding the delinquent debts of Mr. Ronald Cowen, Jr., current license holder of WVAB & WVBA. As we discussed, Mr. Cowan has filed for bankruptcy and I am working with the Chapter 7 Trustee, R. Clinton Stackhouse, Jr., to assign the license of the stations. [Please find enclosed two documents substantiating the bankruptcy and the appointment of the Trustee in the above captioned matter.] Our firm represents the Trustee and therefore we are speaking for him in this regard.

On the Trustee's behalf, I filed a Form 316 on December 21, 2005, but learned there were delinquent amounts owed to the FCC by the license holder. As discussed, the Trustee would like to move forward the process of assigning the license as quickly as possible and without paying the debts totaling approximately \$10,000.00. It is essential that our application be processed without delay for several reasons, including the urgent necessity to go back on the air. I anticipate hearing from Financial Operations in the next few days regarding this matter. If not, we will call you back.

As requested, the FRN associated with this license is 0014398762.

Thank you for your prompt attention to this matter.

Sincerely,

Lisa M. Moore
Lisa M. Moore

LMM/mrs

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

In Re:

Ronald Wade Cowan

Case No. 04-70278-DHA
Chapter 7

Debtor(s)

APPOINTMENT OF INTERIM TRUSTEE AND TRUSTEE
AND DESIGNATION OF REQUIRED BOND

R. Clinton Stackhouse, Jr. of Norfolk, Virginia, is hereby appointed Interim Trustee for the estate(s) of the above-named debtor(s). Unless a trustee is elected at the meeting of creditors to be called pursuant to Section 341 of Title 11, United States Code, in the above referenced case, the Interim Trustee shall serve as Trustee.

This case is covered by the blanket bond for Chapter 7 case Trustees, a copy of which is on file with the Court.

W. Clarkson McDow, Jr.
United States Trustee

March 23, 2005

By:

Cecelia Ann Weschler
Office of the U.S. Trustee
200 Granby Street
Room 625, Federal Building
Norfolk, VA 23510
(757) 441-6012

I hereby certify that this is a true copy of the Appointment of Interim Trustee and Trustee and Designation of Require Bond in the above case.

December 8, 2005

Cecelia A. Weschler
Cecelia A. Weschler

