



FEDERAL COMMUNICATIONS COMMISSION
Media Bureau, Policy Division, Political Programming Staff
445 12th Street, S.W., Suite 3-A832
Washington, DC 20554

March 5, 2019

VIA EMAIL to andrew.sutor@entercom.com

Andrew Sutor
Executive Vice President, General Counsel
Entercom License, LLC
401 E. City Avenue, Suite 809
Bala Cynwyd, PA 19004

Re: Station WGR(AM), Buffalo, NY (Facility ID No. 56101)
Station WBEN(AM), Buffalo, NY (Facility ID No. 34381)
Station WTSS(FM), Buffalo, NY (Facility ID No. 34382)

Station WLKK(FM), Wethersfield Township, NY (Facility ID No. 9250)
Station WWWS(AM), Buffalo, NY (Facility ID No. 56104)
Station WWKB(AM), Buffalo, NY (Facility ID No. 34383)
Station WKSE(FM), Niagara Falls, NY (Facility ID No. 34384)

Dear Mr. Sutor:

This is in reference to the Commission's investigation of the political programming practices of Entercom License, LLC. ("Entercom"), licensee of Stations WGR(AM), WBEN(AM), and WTSS(FM), Buffalo, NY. The investigation relates, in part, to whether Entercom may have failed to timely upload information to its online political files¹ about requests for the purchase of broadcast time "made by or on behalf of a legally qualified candidate for public office,"² in possible willful and repeated violation of Section 315(e) of the Communications Act of 1934, as amended, and Section 73.1943 of the Commission's rules.³ We acknowledge receipt Entercom's February 28, 2019, response ("Response") to our first letter of inquiry.

No decision has been reached in this investigation. However, based on Entercom's Response to our first letter of inquiry, please be advised that we are expanding our investigation in two ways. First, we are expanding our investigation to include Stations WLKK(FM), WWWS(AM), WWKB(AM), and WKSE(FM), all of which are Entercom-licensed stations in the Buffalo, NY, market.⁴ Second, we are

¹ See 47 U.S.C. § 315(e).

² 47 U.S.C. § 315(e)(1)(A).

³ 47 U.S.C. § 315(e)(3); 47 C.F.R. § 73.1943.

⁴ In its Response, Entercom represented, among other things, that there are no "station-level managers" for Stations WGR(AM), WBEN(AM), and WTSS(FM), and the sale of political time is the responsibility of "market-level

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expanding our investigation to include an inquiry into whether Entercom may have failed to timely upload information to the online political files for the referenced seven stations about each request they received which communicated a message relating to any political matter of national importance.⁵

In order that we may be more fully informed, we direct Entercom, pursuant to Sections 4(i), 4(j), and 403 of the Act,⁶ to provide the documents and information requested in **Attachment 1 by no later than April 4, 2019.**

This second letter of inquiry (“LOI No. 2”) constitutes an Order of the Commission to produce the documents and information requested.⁷ Failure to respond appropriately to this LOI may constitute a violation of the Act and our Rules.⁸ In addition, to knowingly and willfully make any false statement, conceal any material fact in reply to this inquiry, or destroy any information relating to this investigation may be punishable by fine or imprisonment.⁹

In responding to LOI No. 2, Entercom shall comply with the filing requirements, instructions, and definitions contained in **Attachment 2**. Entercom shall direct its written response to the undersigned at the above address. It also shall email copies to the undersigned at robert.baker@fcc.gov and to Gary Schonman, Special Counsel, Policy Division, Media Bureau, Federal Communications Commission, at gary.schonman@fcc.gov. Entercom is further directed to upload a copy of LOI No. 2, as well as all subsequent correspondence and documents relating to this expanded investigation, to its public file as soon as possible.

managers.” See Response, pages 3, 5, and 7. Such information indicating that the sale of political time -- and presumably maintenance of political files -- is performed on a “market-level” basis for three of Entercom’s stations in the Buffalo market suggests the likelihood that Entercom employs the same practice for all of its stations in the Buffalo market.

⁵ See 47 U.S.C. § 315(e)(1)(B). In its Response, Entercom indicated that it did not timely unload information about requests for the purchase of broadcast time by or on behalf of legally qualified candidates for public office. See 47 U.S.C. § 315(e)(1)(A); Response at pages 2, 4, and 6. Such information suggests that Entercom also may not have timely uploaded information related to each request for the purchase of broadcast time that communicated a message relating to political matters of national importance.

⁶ 47 U.S.C. §§ 154(i), 154(j), 403.

⁷ See 47 U.S.C. § 155(c)(3).

⁸ See 47 U.S.C. § 503(b)(1)(B); see also *Net One Int’l, Net One, LLC, Farrahtel Int’l, LLC*, Forfeiture Order, 29 FCC Rcd 264, 267, para. 9 (EB 2014) (imposing a \$25,000 penalty for failure to respond to LOI); *Conexions, LLC d/b/a Conexion Wireless*, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 15318, 15325, para. 22 (2013) (proposing a \$300,000 forfeiture for failure to provide timely and complete responses to an LOI); *Technical Comm’n Network, LLC*, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 1018, 1020, para. 8 (EB 2013) (proposing a \$25,000 forfeiture for failure to provide a complete response to an LOI).

⁹ See 18 U.S.C. § 1001; see also 47 C.F.R. § 1.17.

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If you have any questions about this matter, please contact Gary Schonman at 202-418-1795 or the undersigned at 202-418-1417.

Sincerely,

/s/

Robert L. Baker
Assistant Chief, Policy Division
Media Bureau
Federal Communications Commission

Attachments

cc: Laura Berman
Senior Counsel
Entercom
1015 Half Street S.E., Suite 200
Washington, D.C. 20003
VIA EMAIL to laura.berman@entercom.com

ATTACHMENT 1

Information and Documents to be Provided

Entercom is directed to provide the following Information and Documents in accordance with the Instructions and Definitions set forth herein. The headings listed below each station's callsign are for organizational convenience.

Unless otherwise indicated, the time covered by these Inquiries is **January 1, 2018, to the present**.

Station WGR(AM)

Non-Candidate "Issue" Ads

1. State whether Station WGR(AM) received any request for the purchase of broadcast time in calendar year 2018 that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such request:
 - a. Specify the date of the request
 - b. Identify the person or organization making the request
 - c. State whether the request was accepted or rejected
 - d. Specify the rate charged
 - e. Specify the date(s) and time(s) of day the ad was broadcast
 - f. Specify the class(es) of time purchased
 - g. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
 - h. Provide the name, address, and telephone number of a contact person for the person or organization making the request
 - i. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization making the request.
2. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WGR(AM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify the date when Station WGR(AM) uploaded information about the request into its online political file.
3. State whether Station WGR(AM) broadcast any advertisement without charge that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such advertisement:
 - a. Specify the date(s) and time(s) of day the ad was broadcast
 - b. Identify the person or organization on whose behalf the ad was broadcast

- c. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
- d. Provide the name, address, and telephone number of a contact person for the person or organization on whose behalf the ad was broadcast
- e. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization on whose behalf the ad was broadcast

Station WBEN(AM)

Non-Candidate "Issue" Ads

4. State whether Station WBEN(AM) received any request for the purchase of broadcast time in calendar year 2018 that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such request:
 - a. Specify the date of the request
 - b. Identify the person or organization making the request
 - c. State whether the request was accepted or rejected
 - d. Specify the rate charged
 - e. Specify the date(s) and time(s) of day the ad was broadcast
 - f. Specify the class(es) of time purchased
 - g. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
 - h. Provide the name, address, and telephone number of a contact person for the person or organization making the request
 - i. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization making the request.
5. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WBEN(AM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify the date when Station WBEN(AM) uploaded information about the request into its online political file.
6. State whether Station WBEN(AM) broadcast any advertisement without charge that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such advertisement:
 - a. Specify the date(s) and time(s) of day the ad was broadcast
 - b. Identify the person or organization on whose behalf the ad was broadcast

- c. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
- d. Provide the name, address, and telephone number of a contact person for the person or organization on whose behalf the ad was broadcast
- e. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization on whose behalf the ad was broadcast

Station WTSS(FM)

Non-Candidate "Issue" Ads

7. State whether Station WTSS(FM) received any request for the purchase of broadcast time in calendar year 2018 that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such request:
 - a. Specify the date of the request
 - b. Identify the person or organization making the request
 - c. State whether the request was accepted or rejected
 - d. Specify the rate charged
 - e. Specify the date(s) and time(s) of day the ad was broadcast
 - f. Specify the class(es) of time purchased
 - g. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
 - h. Provide the name, address, and telephone number of a contact person for the person or organization making the request
 - i. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization making the request.
8. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WTSS(FM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify the date when Station WTSS(FM) uploaded information about the request into its online political file.
9. State whether Station WTSS(FM) broadcast any advertisement without charge that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such advertisement:
 - a. Specify the date(s) and time(s) of day the ad was broadcast
 - b. Identify the person or organization on whose behalf the ad was broadcast

- c. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
- d. Provide the name, address, and telephone number of a contact person for the person or organization on whose behalf the ad was broadcast
- e. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization on whose behalf the ad was broadcast

Station WLKK(FM)

Candidate Ads

10. State whether Station WLKK(FM) received any request for the purchase of broadcast time that was made by or on behalf of any legally qualified candidate for public office running in a primary or general election in calendar year 2018. If so, as to each such request:
 - a. Identify the candidate who made the request or on whose behalf the request was made
 - b. State whether the request related to a primary or general election
 - c. Specify the office the candidate was seeking
 - d. Specify the date of the request
 - e. State whether the request was accepted or rejected
 - f. Specify the rate charged
 - g. Specify the date(s) and time(s) of day the ad was broadcast
 - h. Specify the class(es) of time purchased
11. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WLKK(FM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify the date when Station WLKK(FM) uploaded information about the request into its online political file.
12. State whether Station WLKK(FM) broadcast any advertisement without charge on behalf of any legally qualified candidate for public office in calendar year 2018. If so, as to each such advertisement:
 - a. Identify the candidate on whose behalf the advertisement was broadcast
 - b. Specify the office the candidate was seeking
 - c. State whether the ad related to a primary or general election
 - d. Specify the date(s) and time(s) of day the ad was broadcast
13. As to each such advertisement referenced in response to the previous inquiry, state whether Station WLKK(FM) timely uploaded into its online political file, as required by Section 73.1943 of the Commission's Rules, 437 C.F.R. § 73.1943, information about the ad. If not, explain fully why not. If so, specify the date when Station WLKK(FM) uploaded information about the request into its online political file.

Non-Candidate “Issue” Ads

14. State whether Station WLKK(FM) received any request for the purchase of broadcast time in calendar year 2018 that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such request:
 - a. Specify the date of the request
 - b. Identify the person or organization making the request
 - c. State whether the request was accepted or rejected
 - d. Specify the rate charged
 - e. Specify the date(s) and time(s) of day the ad was broadcast
 - f. Specify the class(es) of time purchased
 - g. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
 - h. Provide the name, address, and telephone number of a contact person for the person or organization making the request
 - i. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization making the request.

15. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WLKK(FM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify the date when Station WLKK(FM) uploaded information about the request into its online political file.

16. State whether Station WLKK(FM) broadcast any advertisement for without charge that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such advertisement:
 - a. Specify the date(s) and time(s) of day the ad was broadcast
 - b. Identify the person or organization on whose behalf the ad was broadcast
 - c. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
 - d. Provide the name, address, and telephone number of a contact person for the person or organization on whose behalf the ad was broadcast
 - e. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization on whose behalf the ad was broadcast

17. Identify all managers of Station WLKK(FM) with any political file-related responsibilities.

Station WWWS(AM)

Candidate Ads

18. State whether Station WWWS(AM) received any request for the purchase of broadcast time that was made by or on behalf of any legally qualified candidate for public office running in a primary or general election in calendar year 2018. If so, as to each such request:
 - a. Identify the candidate who made the request or on whose behalf the request was made
 - b. State whether the request related to a primary or general election
 - c. Specify the office the candidate was seeking
 - d. Specify the date of the request
 - e. State whether the request was accepted or rejected
 - f. Specify the rate charged
 - g. Specify the date(s) and time(s) of day the ad was broadcast
 - h. Specify the class(es) of time purchased

19. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WWWS(AM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify the date when Station WWWS(AM) uploaded information about the request into its online political file.

20. State whether Station WWWS(AM) broadcast any advertisement without charge on behalf of any legally qualified candidate for public office in calendar year 2018. If so, as to each such advertisement:
 - a. Identify the candidate on whose behalf the advertisement was broadcast
 - b. Specify the office the candidate was seeking
 - c. State whether the ad related to a primary or general election
 - d. Specify the date(s) and time(s) of day the ad was broadcast

21. As to each such advertisement referenced in response to the previous inquiry, state whether Station WWWS(AM) timely uploaded into its online political file, as required by Section 73.1943 of the Commission's Rules, 47 C.F.R. § 73.1943, information about the ad. If not, explain fully why not. If so, specify the date when Station WWWS(AM) uploaded information about the request into its online political file.

Non-Candidate "Issue" Ads

22. State whether Station WWWS(AM) received any request for the purchase of broadcast time in calendar year 2018 that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such request:

- a. Specify the date of the request
 - b. Identify the person or organization making the request
 - c. State whether the request was accepted or rejected
 - d. Specify the rate charged
 - e. Specify the date(s) and time(s) of day the ad was broadcast
 - f. Specify the class(es) of time purchased
 - g. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
 - h. Provide the name, address, and telephone number of a contact person for the person or organization making the request
 - i. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization making the request.
23. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WWWS(AM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify the date when Station WWWS(AM) uploaded information about the request into its online political file.
24. State whether Station WWWS(AM) broadcast any advertisement without charge that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such advertisement:
- a. Specify the date(s) and time(s) of day the ad was broadcast
 - b. Identify the person or organization on whose behalf the ad was broadcast
 - c. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
 - d. Provide the name, address, and telephone number of a contact person for the person or organization on whose behalf the ad was broadcast
 - e. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization on whose behalf the ad was broadcast
25. Identify all managers of Station WWWS(AM) with any political file-related responsibilities.

Station WWKB(AM)

Candidate Ads

26. State whether Station WWKB(AM) received any request for the purchase of broadcast time that was made by or on behalf of any legally qualified candidate for public office running in a primary or general election in calendar year 2018. If so, as to each such request:

- a. Identify the candidate who made the request or on whose behalf the request was made
 - b. State whether the request related to a primary or general election
 - c. Specify the office the candidate was seeking
 - d. Specify the date of the request
 - e. State whether the request was accepted or rejected
 - f. Specify the rate charged
 - g. Specify the date(s) and time(s) of day the ad was broadcast
 - h. Specify the class(es) of time purchased
27. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WWKB(AM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify the date when Station WWKB(AM) uploaded information about the request into its online political file.
28. State whether Station WWKB(AM) broadcast any advertisement without charge on behalf of any legally qualified candidate for public office in calendar year 2018. If so, as to each such advertisement:
- a. Identify the candidate on whose behalf the advertisement was broadcast
 - b. Specify the office the candidate was seeking
 - c. State whether the ad related to a primary or general election
 - d. Specify the date(s) and time(s) of day the ad was broadcast
29. As to each such advertisement referenced in response to the previous inquiry, state whether Station WWKB(AM) timely uploaded into its online political file, as required by Section 73.1943 of the Commission's Rules, 47 C.F.R. § 73.1943, information about the ad. If not, explain fully why not. If so, specify the date when Station WWKB(AM) uploaded information about the request into its online political file.

Non-Candidate "Issue" Ads

30. State whether Station WWKB(AM) received any request for the purchase of broadcast time in calendar year 2018 that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such request:
- a. Specify the date of the request
 - b. Identify the person or organization making the request
 - c. State whether the request was accepted or rejected
 - d. Specify the rate charged
 - e. Specify the date(s) and time(s) of day the ad was broadcast
 - f. Specify the class(es) of time purchased
 - g. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad

- h. Provide the name, address, and telephone number of a contact person for the person or organization making the request
 - i. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization making the request.
31. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WWKB(AM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify the date when Station WWKB(AM) uploaded information about the request into its online political file.
32. State whether Station WWKB(AM) broadcast any advertisement without charge that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such advertisement:
- a. Specify the date(s) and time(s) of day the ad was broadcast
 - b. Identify the person or organization on whose behalf the ad was broadcast
 - c. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
 - d. Provide the name, address, and telephone number of a contact person for the person or organization on whose behalf the ad was broadcast
 - e. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization on whose behalf the ad was broadcast
33. Identify all managers of Station WWKB(AM) with any political file-related responsibilities.

Station WKSE(FM)

Candidate Ads

34. State whether Station WKSE(FM) received any request for the purchase of broadcast time that was made by or on behalf of any legally qualified candidate for public office running in a primary or general election in calendar year 2018. If so, as to each such request:
- a. Identify the candidate who made the request or on whose behalf the request was made
 - b. State whether the request related to a primary or general election
 - c. Specify the office the candidate was seeking
 - d. Specify the date of the request
 - e. State whether the request was accepted or rejected
 - f. Specify the rate charged
 - g. Specify the date(s) and time(s) of day the ad was broadcast
 - h. Specify the class(es) of time purchased

35. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WKSE(FM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify the date when Station WKSE(FM) uploaded information about the request into its online political file.
36. State whether Station WKSE(FM) broadcast any advertisement without charge on behalf of any legally qualified candidate for public office in calendar year 2018. If so, as to each such advertisement:
- a. Identify the candidate on whose behalf the advertisement was broadcast
 - b. Specify the office the candidate was seeking
 - c. State whether the ad related to a primary or general election
 - d. Specify the date(s) and time(s) of day the ad was broadcast
37. As to each such advertisement referenced in response to the previous inquiry, state whether Station WKSE(FM) timely uploaded into its online political file, as required by Section 73.1943 of the Commission's Rules, 47 C.F.R. § 73.1943, information about the ad. If not, explain fully why not. If so, specify the date when Station WKSE(FM) uploaded information about the request into its online political file.

Non-Candidate "Issue" Ads

38. State whether Station WKSE(FM) received any request for the purchase of broadcast time in calendar year 2018 that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such request:
- a. Specify the date of the request
 - b. Identify the person or organization making the request
 - c. State whether the request was accepted or rejected
 - d. Specify the rate charged
 - e. Specify the date(s) and time(s) of day the ad was broadcast
 - f. Specify the class(es) of time purchased
 - g. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
 - h. Provide the name, address, and telephone number of a contact person for the person or organization making the request
 - i. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization making the request.
39. As to each request for the purchase of broadcast time referenced in response to the previous inquiry, state whether Station WKSE(FM) timely uploaded into its online political file, as required by Section 315(e)(3) of the Communications Act of 1934, as amended, 47 U.S.C. § 315(e)(3), all required information about the request. If not, explain fully why not. If so, specify

the date when Station WKSE(FM) uploaded information about the request into its online political file.

40. State whether Station WKSE(FM) broadcast any advertisement without charge that communicated a message relating to any political matter of national importance, including a legally qualified candidate, an election to Federal office, or a national legislative issue of public importance. If so, as to each such advertisement:
 - a. Specify the date(s) and time(s) of day the ad was broadcast
 - b. Identify the person or organization on whose behalf the ad was broadcast
 - c. Identify all political matters of national importance (including all legally qualified candidates, all elections to Federal office, and all national legislative issues of public importance) referenced in the ad
 - d. Provide the name, address, and telephone number of a contact person for the person or organization on whose behalf the ad was broadcast
 - e. Provide a list of the chief executive officers or members of the executive committee or of the board of directors of such person or organization on whose behalf the ad was broadcast
41. Identify all managers of Station WKSE(FM) with any political file-related responsibilities.
42. Provide any additional information and Documents you believe is responsive to the matters raised in this letter of inquiry.

ATTACHMENT 2

Filing Requirements

Affidavit Requirement. We direct Entercom to support its responses with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Entercom with personal knowledge of the representations provided in Entercom's response. The affidavit or declaration must verify the truth and accuracy of the information therein, state that all of the information requested by this letter that is in Entercom's possession, custody, control, or knowledge has been produced, and state that any and all documents provided in its responses are true and accurate copies of the original documents. In addition to such general affidavit or declaration of the authorized officer of Entercom described above, if such officer (or any other affiant or declarant) is relying on the personal knowledge of any other individual rather than his or her own knowledge, and if multiple Entercom-affiliated individuals contribute to the response, Entercom shall provide separate affidavits or declarations of each such individual with personal knowledge that identify clearly to which responses the affiant or declarant with such personal knowledge is attesting. All such declarations provided must comply with Section 1.16 of the Rules and be substantially in the form set forth therein. Failure to support your responses with a sworn affidavit could subject you to forfeiture.

Instructions

Request for Confidential Treatment. In addition to providing the requested information and documents, any request for confidentiality of certain information or documents must strictly comply with the requirements of 47 C.F.R. § 0.459, including a statement of the reasons for withholding the materials from inspection. The request must include a schedule of the information or documents for which confidentiality is requested that states, individually as to each such item, the information required by Section 0.459(b) of the Rules including, but not limited to, identifying the specific information for which confidential treatment is sought; explaining the degree to which the information is commercial or financial, or contains a trade secret or is privileged; and explaining how disclosure of the information could result in substantial competitive harm.¹⁰ Accordingly, a "blanket" request for confidentiality or a casual request, including simply stamping pages "confidential," will not be considered a proper request for confidentiality, and those materials will not be treated as confidential.¹¹

Claims of Privilege or Work Product. If Entercom withholds any information or documents under claim of privilege or work product, it shall submit, together with any claim of privilege or work product, a schedule of the items withheld that states, individually as to each such item: the numbered Inquiry to which each item responds and the type, title, specific subject matter, and date of the item; the names, addresses, positions, and organizations of all authors and recipients of the item; and the specific grounds for claiming that the item is privileged or protected.

Format of Responses. The response must be organized in the same manner as the questions asked, i.e., the response to Inquiry No. 1 should be labeled as responsive to Inquiry No. 1.

¹⁰ See 47 C.F.R. § 0.459(b).

¹¹ See 47 C.F.R. § 0.459(c).

Documents No Longer Available. If a document responsive to any Inquiry made herein existed but is no longer available, or if Entercom is unable for any reason to produce a document responsive to any Inquiry, identify each such document by author, recipient, date, title, and specific subject matter, and explain fully why the document is no longer available or why Entercom is otherwise unable to produce it.

Retention of Original Documents. With respect only to documents responsive to the specific Inquiries made herein and any other documents relevant to those Inquiries, Entercom is directed to retain the originals of those documents until notified otherwise by the Bureau or the Commission.

Continuing Nature of Inquiries. The specific Inquiries made herein are continuing in nature. Entercom is required to produce in the future any and all documents and information that are responsive to the Inquiries made herein but not initially produced.

Construction. The terms “any” and “all,” “and” and “or,” and “each” and “every” shall be construed inclusively to bring within the scope of the requests for information and documents all information and documents that might otherwise arguably be construed as outside the scope of the requests. Likewise, the singular of any word or defined term shall include the plural and the plural of any such word or defined term shall include the singular. The words “relating to” or “relate to” shall be construed to mean, whether directly or indirectly, in whole or in part constituting, containing, concerning, discussing, describing, analyzing, identifying, supporting, qualifying, confirming, contradicting, or stating.

Definitions

The term “Document” shall mean the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, punched, computer-stored, electronically-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including, but not limited to, any video or audio transmission, advertisement, book, pamphlet, periodical, contract, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minute, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tape, disks and such codes or instructions as will transform such computer materials into easily understandable form).

The term “Identify,” when used with reference to a person, shall mean to state his or her full legal name, job title (if any), current business address, business phone number, and e-mail address. If business address or telephone number are not available, state the person’s home address and telephone number.

The term “Entercom” means Entercom License, LLC, licensee of Station WGR(AM), Buffalo, NY (Facility ID No. 56101); Station WBEN(AM), Buffalo, NY (Facility ID No. 34381); Station WTSS(FM), Buffalo, NY (Facility ID No. 34382); Station WLKK(FM), Wethersfield Township, NY (Facility ID No. 9250); Station WWWS(AM), Buffalo, NY (Facility ID No. 56104); Station WWKB(AM), Buffalo, NY (Facility ID No. 34383); and Station WKSE(FM), Niagara Falls, NY (Facility ID No. 34384).