

**STATEMENT OF
COMMISSIONER AJIT PAI**

Re: *NCE October 2007 Window, MX Group 543, Application of the KBOO Foundation for a New NCE(FM) Station, Chehalis, Washington, Facility ID No. 173822, File No. BNPED-20071019ARU.*

I am voting to approve this Order because I agree with the Commission that there aren't special circumstances present to justify granting the KBOO Foundation's (KBOO's) waiver request. But I do not agree with the underlying rule that requires us to dismiss KBOO's application for a new NCE FM station and hope that the Commission will change it before the next NCE FM filing window.

A nonprofit organization's board of directors will often experience routine turnover. Members, who are generally volunteers leading busy lives, decide to resign for a variety of reasons or their terms expire. And if such turnover results in the majority of a board's membership changing hands while an organization has an NCE FM application pending with the Commission, that application should not be dismissed absent evidence of a lack of continuity in the organization's operations (e.g., evidence that the organization was the subject of a hostile takeover or had dramatically changes its mission or character).

It is not the Commission's job to micromanage the governance of nonprofit organizations, and I see no reason why those groups should be put to the choice of preventing routine turnover on their boards of directors or rendering an NCE FM application defective.