



April 25, 2022

VIA ELECTRONIC MAIL

Ms. A. Rima Dael  
General Manager  
WSHU-FM  
5151 Park Avenue  
Fairfield, CT 06825

Dear Ms. Dael,

RE: Evaluation of WSHU-FM/WSHU Public Radio Compliance with Selected Communications Act and Transparency Requirements (Report No. ECR2203-2204)

The evaluation referenced above concluded that WSHU-FM (WSHU) was compliant with six of nine select requirements in the Communications Act of 1932, 47 U.S.C. §396, et sec. (Communications Act), and in the General Provisions and Eligibility Criteria (General Provisions) governing the 2021 community service grant awarded it by the Corporation for Public Broadcasting (CPB).

The specific findings and CPB's determination for WSHU follow.

I. Posting Current Financial Information

The Communications Act requires stations to make available to the public their annual financial and audit reports and other financial information they are required to provide to CPB<sup>1</sup>. CPB finds stations compliant if they post their most recent audited financial statement and annual financial report (AFR) on their website.

The evaluation found that WSHU had not posted its most recent audited financial statement and AFR on its website, and the report recommended that CPB require WSHU to identify the controls it will implement to avoid this error in the future. WSHU agreed with the finding and promptly corrected the issue before the evaluation's completion. Considering WSHU's swift action to correct these issues, the station's express commitment to compliance and the penalty assessed below, we will not require additional documentation.

Action: No further action is required of WSHU.

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<sup>1</sup> General Provisions, Section 2 (C), Open Financial Records.

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## II. CAB Members

CPB requires stations to post the members of their CAB on its website<sup>2</sup>. The report found that WSHU did not list the members of its CAB on the station's website, and it recommended that CPB require WSHU to identify the controls it will implement to avoid this error in the future.

WSHU promptly posted its CAB members on its website before the evaluation's completion. Considering this and the penalty assessed below, we will not require additional documentation.

Action: No further action is required of WSHU.

## III. CSG Non-compliance Policy

In accordance with the CSG Non-compliance Policy, stations are subject to a penalty of \$5,000 for failure to comply with a category in the Act and a penalty of \$1,000 for failure to comply with a category in the General Provisions. Considering the prompt action WSHU took to correct the issues, its compliance representations, and the overall results of the report, we will assess a reduced Act penalty of \$2,500 for the open financial records non-compliance and a reduced penalty of \$500 for the failure to post the names of its CAB members to its website.

Action: WSHU must provide the \$3,000 penalty to CPB for its non-compliance with the Act and General Provisions, within 45 days of the date of this correspondence. Accordingly, please forward a check payable to CPB, to the attention of Nick Stromann, Vice President, Controller, Corporation for Public Broadcasting, 401 Ninth Street N.W., Washington, D.C. 20004-2129.

If you wish CPB to consider additional information relating to this matter, please provide the same in writing within 30 days of the date of this letter. Otherwise, CPB will consider these determinations final, and WSHU must comply with the actions set forth above. CPB reserves the right to take any other action it deems appropriate until these issues are resolved to CPB's satisfaction.

Kind regards,

*Jackie J. Livesay*

Jackie J. Livesay  
Deputy General Counsel & Vice President, Compliance

CC: VIA ELECTRONIC MAIL

Philip McCabe, Senior Vice President for Finance, Sacred Heart University  
Michael Levy, Executive Vice President & Chief Operating Officer, CPB  
J. Westwood Smithers, Jr., Senior Vice President & General Counsel, CPB  
William P. Tayman, Jr., Chief Financial Officer & Treasurer, CPB  
Kimberly Howell, Inspector General, CPB

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<sup>2</sup> General Provisions, Section 9 (B), Documents for Public Inspection: Website Posting Required.

Ms. A. Rima Dael  
General Manager  
WSHU-FM

William J. Richardson, III, Senior Director & Deputy Inspector General, CPB  
Kathy Merritt, Senior Vice President, Radio, Journalism & CSG Services, CPB  
Katherine Arno, Vice President, Community Service Grants and Station Initiatives, CPB  
Nick Stromann, Vice President, Controller, CPB  
Andrew Charnik, Director, Radio CSG Policy & Administration, CPB  
Forrest Lillibridge, Director, Grants Administration, CPB