



Corporation  
for Public  
Broadcasting

November 7, 2022

VIA ELECTRONIC MAIL

Mr. Ernest Walker  
General Manager  
KTSU-FM  
3100 Cleburne  
Houston, TX 77004

Dear Mr. Walker,

RE: Evaluation of KTSU-FM, Texas Southern University Compliance with Selected Communications Act and Transparency Requirements (Report No. ECR2212-2210)

The evaluation referenced above concluded that KTSU-FM (KTSU) was compliant with seven of eight select requirements in the Communications Act of 1932, 47 U.S.C. §396, et seq. (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 finding and CPB's determination for KTSU follow.

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 KTSU had posted its most recent audited financial statement on its website but did not post its AFR, although it immediately corrected the issue when brought to its attention.

The report recommended that CPB require KTSU identify the controls it will implement to avoid this error in the future. KTSU, in its August 13, 2022 response, explained that it adjusted its procedures and will ensure required financial reports are posted on its website. Considering KTSU's swift action, the controls it adopted to avoid this issue, and the penalty explained below, we are satisfied that it understands the requirement and will not require additional documentation.

CPB adopted the CSG Non-compliance Policy to encourage grantees to comply with the applicable provisions governing their CSG and the Communications Act. Failure to comply with a category in the Communications Act subjects the station to a penalty of \$5,000. In view of the prompt action KTSU took to correct the issue, its compliance representations, and the overall results of the report, we will assess a

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

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reduced penalty of \$2,500 for failure to post its most recent AFR on its website.

Action: KTSU must provide the \$2,500 penalty to CPB for its non-compliance 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 KTSU 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

Melinda Spaulding, Vice President, University Advancement, Texas Southern 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  
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