

**NOTE: The failure to include an explanatory exhibit providing full particulars in connection with a "No" response may result in dismissal of the application. See Instructions, paragraph L for additional information regarding completion of explanatory exhibits.**

## Section II - Legal and Financial

1. **Certification.** Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets. ☒ Yes ☐ No

2. **Eligibility.** Each applicant must answer "Yes" to one and "No" to two of the three following certifications. An applicant should not submit an explanatory exhibit in connection with these Question 2 "No" responses.

The applicant certifies that it is:

- a. a nonprofit educational institution; or ☐ Yes ☒ No
- b. a governmental entity other than a school; or ☐ Yes ☒ No
- c. a nonprofit educational organization, other than described in a. or b. ☒ Yes ☐ No
3. For applicants checking "Yes" to question 2(c) and applying for a new noncommercial educational television station only, the applicant certifies that the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural, and civic segments of the principal community to be served. ☐ Yes ☐ No ☒ N/A

4. a. The applicant certifies that the Commission has previously granted a broadcast application identified here by file number that found this applicant qualified as a noncommercial educational entity with a qualifying educational program, and that the applicant will use the proposed station to advance a program similar to that the Commission has found qualifying in applicant's previous application. ☒ Yes BPED - 19830822AD  
FCC File Number ☐ No

b. Applicants who answered "No" to Question 4(a), must include an exhibit that describes the applicant's educational objective and how the proposed station will be used to advance an educational program that will further that objective according to 47 C.F.R. Section 73.503 (for radio applicants) or 47 C.F.R. Section 73.621 (for television applicants).

Exhibit No.

5. The applicant certifies that its governing documents (e.g., articles of incorporation, by-laws, charter, enabling statute, and/or other pertinent organizational document) permit the applicant to advance an educational program and that there is no provision in any of those documents that would restrict the applicant from advancing an educational program or complying with any Commission rule, policy, or provision of the Communications Act of 1934, as amended. ☒ Yes ☐ No

6. a. **Parties to the Application.** List separately each party to the application including, as applicable, the applicant, its officers, directors, five percent or greater stockholders, non-insulated partners, members, and all other persons and entities with attributable interests. If another entity holds an attributable interest in the applicant, list separately, as applicable, its officers, directors, five percent or greater stockholders, non-insulated partners, and board members. Create a separate row for each individual or entity. Attach additional pages if necessary.

Name and Residence/Headquarters Address(es)  (a)	Citizenship  (b)	Positional Interest: Officer, director, investor/creditor attributable under the Commission's equity/debt plus standard, etc.  (c)	Director or Member of Governing Board		% of: Ownership (O) or Voting Stock (VS) or Membership (M)  (e)	% of: of Total Assets (equity plus debt)  (f)
			Yes	No		
Beth Armstrong, C/O KPCW, Box 1372, Park City, UT 84060	US	Secretary	X		7.69	0
Charlyne Wozniak, C/O KPCW, Box 1372, Park City, UT 84060	US	Member	X		7.69	0
Mike Worel, C/O KPCW, Box 1372, Park City, UT 84060	US	Member	X		7.69	0
Donna Vanburen, C/O KPCW, Box 1372, Park City, UT 84060	US	Member	X		7.69	0
Jim Lea, C/O KPCW, Box 1372, Park City, UT 84060	US	Member	X		7.69	0
Bob Richer, C/O KPCW, Box 1372, Park City, UT 84060	US	Chair	X		7.69	0
Doug Wells, C/O KPCW, Box 1372, Park City, UT 84060	US	Vice Chair	X		7.69	0
Whitney Bishop, C/O KPCW, Box 1372, Park City, UT 84060	US	Member	X		7.69	0
Faye Slettom, C/O KPCW, Box 1372, Park City, UT 84060	US	Member	X		7.69	0

- b. Applicant certifies that any equity and financial interests not set forth above are non-attributable pursuant to 47 C.F.R. Section 73.3555 and that there are no agreements or understandings with any non-party that would give influence over the applicant's programming, personnel, or finances to that non-party.

☒ Yes ☐ No

See Explanation  
in Exhibit No.

6. a. **Parties to the Application.** List separately each party to the application including, as applicable, the applicant, its officers, directors, five percent or greater stockholders, non-insulated partners, members, and all other persons and entities with attributable interests. If another entity holds an attributable interest in the applicant, list separately, as applicable, its officers, directors, five percent or greater stockholders, non-insulated partners, and board members. Create a separate row for each individual or entity. Attach additional pages if necessary.

Name and Residence/Headquarters Address(es)  (a)	Citizenship  (b)	Positional Interest: Officer, director, investor/creditor attributable under the Commission's equity/debt plus standard, etc.  (c)	Director or Member of Governing Board		% of: Ownership (O) or Voting Stock (VS) or Membership (M)  (e)	% of: of Total Assets (equity plus debt)  (f)
			Yes	No		
Catherine Cimos, C/O KPCW, Box 1372, Park City, UT 84060	US	Treasurer	X		7.69	0
Rena Jordan, C/O KPCW, Box 1372, Park City, UT 84060	US	Member	X		7.69	0
Roger Goldman, C/O KPCW, Box 1372, Park City, UT 84060	US	Member	X		7.69	0
Lisa Allison, C/O KPCW, Box 1372, Park City, UT 84060	US	Member	X		7.69	0

- b. Applicant certifies that any equity and financial interests not set forth above are non-attributable pursuant to 47 C.F.R. Section 73.3555 and that there are no agreements or understandings with any non-party that would give influence over the applicant's programming, personnel, or finances to that non-party.

☐ Yes ☐ No

See Explanation  
in Exhibit No.

7. **Other Authorizations.** List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest pursuant to the notes to 47 C.F.R. Section 73.3555.

Exhibit No, 1

☐ N/A

8. **Character Issues.** Applicant certifies that neither applicant nor any party to the application has or has had any interest in, or connection with:

☒ Yes ☐ No

See Explanation  
in Exhibit No.

- a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or
- b. any pending broadcast application in which character issues have been raised.

9. **Adverse Findings.** Applicant certifies that, with respect to the applicant, any party to the application, and any non-party equity owner in the applicant, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.

☒ Yes ☐ No

See Explanation  
in Exhibit No.

If the answer is "No," attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and a description of the disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 C.F.R. Section 1.65, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) the disposition of the previously reported matter.

10. **Alien Ownership and Control.** Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.

☒ Yes ☐ No

See Explanation  
in Exhibit No.

11. **Program Service Certification.** Applicant certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.

☒ Yes ☐ No

12. **Local Public Notice.** Applicant certifies compliance with the public notice requirements of 47 C.F.R. Section 73.3580.

☒ Yes ☐ No

13. **Anti-Drug Abuse Act Certification.** Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.

☒ Yes ☐ No

14. **Equal Employment Opportunity (EEO).** If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A.

☒ Yes ☐ No ☐ N/A

**QUESTIONS 15,16 AND 17 APPLY ONLY TO APPLICATIONS FOR NEW STATIONS. OTHER APPLICANTS CAN PROCEED TO QUESTION 18.**

15. **Financial.** The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.

☐ Yes ☐ No

See Explanation  
in Exhibit No.

If "No" to 15., answer questions 16. and 17.

16. Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration? ☐ Yes ☐ No

17. Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision? ☐ Yes ☐ No

**NOTE:** If Yes to 16. or 17., the application cannot be granted unconditionally until all of the necessary funds are committed or appropriated. In the case of grants from the National Telecommunications and Information Administration, no further action on the applicant's part is required. If the applicant relies on funds from a source specified in Question 17., **the applicant must advise the Commission when the funds are committed or appropriated.** This should be accomplished by letter amendment to the application. Applicants should take note that the Commission's construction period is not considered "tolled" by funding difficulties and that any permit granted conditionally on funding will expire if the station is not constructed for any reason, including lack of funding.

**QUESTIONS 18 AND 19 DO NOT APPLY TO APPLICATIONS FOR NEW STATIONS. APPLICANTS FOR NEW FM STATIONS CAN PROCEED TO SECTION 111. APPLICANTS FOR NEW TV STATIONS CAN PROCEED TO SECTION IV.**

**Holding Period.**

18. Applicant certifies that this application does not propose a modification to an authorization that was awarded on the basis of a preference for fair distribution of service pursuant to 47 U.S.C. Section 307(b). ☒ Yes ☐ No

If "No," answer a. and b. below. If applicant answers "No" to 18. above and cannot answer "Yes" to either a. or b. below, the application is unacceptable.

a. Applicant certifies that the proposed modification will not downgrade service to the area on which the Section 307(b) preference was based. ☐ Yes ☐ No

b. Applicant certifies that although it proposes to downgrade service to the area on which the Section 307(b) preference was based, applicant has provided full service to that area for a period of four years of on-air operations. ☐ Yes ☐ No

19. Applicant certifies that this application does not propose a modification to an authorized station that received a credit for superior technical parameters under the point system selection method in 47 C.F.R. Section 73.7003. ☒ Yes ☐ No

If "No," applicant must be able to answer "Yes" to a. below or provide an exhibit that makes a compelling showing that the downgrade would be in the public interest.

a. Applicant certifies that the population and area within the proposed service contour (60 dBu (FM) or Grade B (TV)) are greater than or equivalent to those authorized. ☐ Yes ☐ No 

Exhibit No.
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**Section III -- Fair Distribution of Service Pursuant to 47 U.S.C. Section 307(b) (New and Major Changes to FM Radio Only)**  
(Other

1. Applicant certifies that it provides a first aural (reception) service. Applicants answering "Yes" must provide an Exhibit. ☐ Yes ☐ No

Exhibit No.
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2. Applicant certifies that (1) it is a Tribal Applicant, as defined in 47 C.F.R. Section 73.7000; (2) the facilities proposed in this Application will provide Tribal Coverage, as defined in 47 C.F.R. Section 73.7000, of Tribal Lands occupied by the applicant Tribe(s); (3) the proposed community of license is located on Tribal Lands, as defined in 47 C.F.R. Section 73.7000; and (4) the proposed facility would be the first local tribal-owned noncommercial educational transmission service at the proposed community of license. Applicants answering "Yes" must provide an Exhibit. ☐ Yes ☐ No

Exhibit No.
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3. Applicant certifies that the proposed station will provide a first noncommercial educational aural service to (a) at least 10 percent of the people residing within the station's 60 dBu (1 mV/m) service contour and (b) to a minimum of 2,000 people. Applicants answering "Yes" must provide an Exhibit.

☐ Yes ☐ No

Exhibit No.

4. Applicant certifies that the proposed station will provide a second noncommercial educational aural service, or an aggregated first and second noncommercial educational aural service, to (a) at least 10 percent of the people residing within the station's 60 dBu (1 mV/m) service contour and (b) to a minimum of 2,000 people. Applicants answering "Yes" must provide an Exhibit.

☐ Yes ☐ No

Exhibit No.

**Section IV -- Point System Factors -- New and Major Change Applications Only** (used to select among mutually exclusive radio and television applications for new stations and ma or modifications) **NOTE:** Applicants will not receive any additional points for amendments made after the close of the application filing window.

1. **Established Local Applicant:** Applicant certifies that for at least the 24 months immediately prior to application, and continuing through the present, it qualifies as a local applicant pursuant to 47 C.F.R. Section 73.7000, that its governing documents require that such localism be maintained, and that it has placed documentation of its qualifications as an established local applicant in a local public inspection file and has submitted to the Commission copies of the documentation.

☐ Yes (3 points) ☐ No (0 points)

2. **Diversity of Ownership:** (a) Applicant certifies that the principal community (city grade) contour of the proposed station does not overlap the principal community contour of any other authorized station (comparing radio to radio and television to television, including non-fill-in translator stations other than those identified in 2(b) below) in which any party to the application has an attributable interest as defined in 47 C.F.R. Section 73.3555, that its governing documents require that such diversity be maintained, and that it has placed documentation of its diversity qualifications in a local public inspection file and has submitted to the Commission copies of the documentation.

☐ Yes (2 points) ☐ No (0 points)

(b) Is the applicant's certification to 2(a) based on its exclusion of translator station(s) that will be replaced with a full service station pursuant to the authorization requested here?

☐ Yes ☐ No

If Yes, applicant must include an exhibit identifying the translator station authorization for which it will request cancellation upon commencement of operation of the proposed full service station (i.e., upon its filing of a license application and receipt of program test authority).

Exhibit No.

3. **State-wide Network:** Applicant certifies that (a) it has NOT claimed a credit for diversity of ownership above; (b) it is one of the three specific types of organizations described in 47 C.F.R. Section 73.7003(b)(3); and (c) it has placed documentation of its qualifications in a local public inspection file and has submitted to the Commission copies of the documentation.

☐ Yes (2 points) ☐ No (0 points)

4. **Technical Parameters:** Applicant certifies that the numbers in the boxes below accurately reflect the new area and population that its proposal would serve with a 60 dBu (FM) or Grade B (TV) signal measured in accordance with the standard predicted contours in 47 C.F.R. Sections 73.313(c) (FM), 73.683(TV) and 73.622(e) and that it has documented the basis for its calculations in the local public inspection file and has submitted copies to the Commission. Major modification applicants should include new area proposed only (exclude any area already within the station's existing service area). (Points, if any, will be determined by FCC)

☐ Yes ☐ No

New area served in square kilometers (excluding areas of water):

Population served based on the most recent census block data from the United States

**This box is for FCC use only:**

Technical Points:

- ☐ 0 points.
- ☐ 1 point. Applicant's proposal covers the largest area and population, and both area and population are 10% greater than next best proposal; or
- ☐ 2 points. Applicant's proposal covers the largest area and population, and both area and population are 25% greater than next best proposal.

**POINTS CLAIMED BY APPLICANT (from Questions 1-3)**

**TECHNICAL POINTS? (from Question 4)**

**TOTAL POINTS**

**Section V -- Tie Breakers -- New and Major Change Applications Only** (used to choose among competing radio and television

1. **Existing Authorizations.** By placing a number in the box, the applicant certifies that it and other parties to the application have, as of the date of filing and pursuant to 47 C.F.R. Section 73.3555, attributable interests in the stated number of relevant broadcast station authorizations. Radio applicants should count all attributable full service radio stations, AM and FM, commercial and noncommercial, and FM translator stations other than fill-in stations or those identified in IV(2)(b) above. TV applicants should count all attributable full service TV stations, commercial and noncommercial and TV translator stations other than fill-in stations or those identified in IV(2)(b) above.

(number of commercial and noncommercial licenses and construction pen-nits)

2. **Pending Applications.** By placing a number in the box, the applicant certifies that it and other parties to the application have, as of the date of filing and pursuant to 47 C.F.R. Section 73.3555, attributable interests in the stated number of pending applications for new or major changes to relevant broadcast stations. Radio applicants should count all attributable full service radio stations, AM and FM, commercial and noncommercial, and FM translator stations other than fill-in stations or those identified in IV(2)(b) above. TV applicants should count all attributable full service TV stations, commercial and noncommercial, and TV translator stations other than fill-in stations or those identified in IV(2)(b) above.

(number of pending commercial and noncommercial applications)

**Section VI -- Certification**

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing	Typed or Printed Title of Person Signing
Signature	Date

## Section VII -- Preparer's Certification

I certify that I have prepared Section VII (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief

Name	Relationship to Applicant (e.g., Consulting Engineer)	
Signature	Date	
Mailing Address		
City	State or Country (if foreign address)	ZIP Code
Telephone Number (include area code)	E-Mail Address (if available)	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).



## **EXHIBIT 1**

### **Other Broadcast Interests**

Community Wireless of Park City, Inc. is the noncommercial educational licensee of the following full power station and FM translators:

Call Sign	Location	Facility I.D. No.
KPCW(FM)	Park City, Utah	13482
K201AE	Coalville, Utah	13479
K220AY	Herber City	13485