

ENGINEERING EXHIBIT

“Maximization” Application to Modify Digital Television Station Construction Permit

prepared for

Gray Television Licensee, Inc.

KUPK-DT Garden City, KS

Facility ID 65535

Ch. 13 63 kW 262 m

Gray Television Licensee, Inc. (“Gray”) is the licensee of television station KUPK-TV, analog Channel 13, Garden City, KS. The companion digital facility is authorized to operate on Channel 18 during the transition. A Construction Permit (“CP”, BPCDT-20080317ABQ) authorizes construction of the KUPK-DT post-transition digital facility on Channel 13, as established in Appendix B of the Seventh Report and Order in MB Docket 87-278. *Gray* herein seeks to modify the CP to expand the KUPK-DT post-transition Channel 13 digital facility. The instant application is intended to be filed by June 20, 2008 in response to the FCC’s lifting of the August 3, 2004 “freeze” concerning expansion in service area.¹

The current CP authorizes operation with an effective radiated power (“ERP”) of 11 kW at 262 meters antenna height above average terrain (“HAAT”), with a nondirectional antenna. An increase in ERP to 63 kW is proposed herein. No other changes are proposed.

The proposed digital Channel 13 operation will employ the existing non-directional antenna system licensed for KUPK-TV’s analog Channel 13. The antenna is a horizontally polarized RCA model TF-12AH. The antenna is top-mounted on the existing KUPK-TV antenna supporting structure, having FCC Antenna Structure Registration number 1033277. No change to the overall structure height and no tower work are required to carry out this proposal.

¹Public Notice “*Commission Lifts the Freeze On the Filing of Maximization Applications and Petitions for Digital Channel Substitutions, Effective Immediately*” DA 08-1213, released May 30, 2008.

A map is supplied as **Figure 1**, which depicts the standard predicted coverage contours. This map includes the boundaries of Garden City, KUPK-DT's principal community. As demonstrated thereon, the proposed facility complies with §73.625(a)(1), as the entire principal community will be encompassed by the 43 dBμ contour.

The proposed KUPK-DT facility's predicted service population provides a 108.2 percent match of the Appendix B facility, as detailed in the table below.

Post-Transition Population Summary

Population Summary (2000 Census) OET Bulletin 69 method	Appendix B	Proposed
Within Noise Limited Contour	142,082	153,561
Not affected by terrain losses	140,760	151,678
Lost to all interference	911	389
Net DTV Service	139,849	151,289
Match of Appendix B	---	108.18%

A detailed interference study per OET Bulletin 69² shows that the proposal complies with the 0.5 percent limit of new interference caused to the Appendix B facilities and current post-transition authorizations of pertinent nearby stations. The interference study output report is provided as **Table 1**. Protection requirements towards authorized Class A stations are also satisfied.

The nearest FCC monitoring station is 411 km distant at Grand Island, NE. This exceeds by a large margin the threshold minimum distance specified in §73.1030(c)(3) that would suggest consideration of the monitoring station. The site is not located within the areas requiring coordination with "quiet" zones specified in §73.1030(a) and (b). There are no AM stations within 3.2 kilometers of the site, based on information contained within the Commission's database. The site location is beyond the border areas requiring international coordination.

²FCC Office of Engineering and Technology Bulletin number 69, *Longley-Rice Methodology for Evaluating TV Coverage and Interference*, February 6, 2004 ("OET-69"). The implementation of OET-69 for this study followed the guidelines of OET-69 as specified therein. A standard cell size of 2 km was employed. Comparisons of various results of this computer program (run on a Sun Sparc processor) to the Commission's implementation of OET-69 show excellent correlation.

Human Exposure to Radiofrequency Electromagnetic Field (Environmental)

The proposal will involve use of an existing transmitting antenna. The use of existing transmitting locations has been characterized as being environmentally preferable by the Commission, according to Note 1 of §1.1306 of the FCC Rules. No tower construction or change in structure height is proposed. Therefore, it is believed that this application may be categorically excluded from environmental processing pursuant to §1.1306 of the Commission's rules.

The proposed operation was evaluated for human exposure to RF energy using the procedures outlined in the Commission's OET Bulletin Number 65. Based on OET-65 equation (10), and considering an assumed 30% antenna relative field in downward elevations, the maximum calculated power density attributable to the proposed facility at locations near the transmitter site at a height of two meters above ground level is $2.9 \mu\text{W}/\text{cm}^2$, which is 1.4 percent of the "uncontrolled / general public" maximum permissible exposure limit. This is below the five percent threshold limit described in §1.1307(b) regarding sites with multiple emitters, categorically excluding the applicant from responsibility for taking any corrective action in the areas where the proposal's contribution is less than five percent.

The general public will not be exposed to RF levels attributable to the proposal in excess of the FCC's guidelines. RF exposure warning signs will continue to be posted. With respect to worker safety, the applicant will coordinate exposure procedures with all pertinent stations and will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from RF electromagnetic field exposure in excess of FCC guidelines.

Certification

The undersigned hereby certifies that the foregoing statement and associated attachments were prepared by him or under his direction, and that they are true and correct to the best of his knowledge and belief.

Joseph M. Davis, P.E.
June 8, 2008

Chesapeake RF Consultants, LLC
11993 Kahns Road
Manassas, VA 20112
703-650-9600

List of Attachments

Figure 1	Proposed Coverage Contours
Table 1	OET Bulletin 69 Interference Study
Form 301	Saved Version of Engineering Sections from FCC Form at Time of Upload

This material was entered June 8, 2008 for filing electronically. Since the FCC's electronic filing system may be accessed by anyone with the applicant's name and password, and electronic data may otherwise be altered in an unauthorized fashion, we cannot be responsible for changes made subsequent to our entry of this data and related attachments.

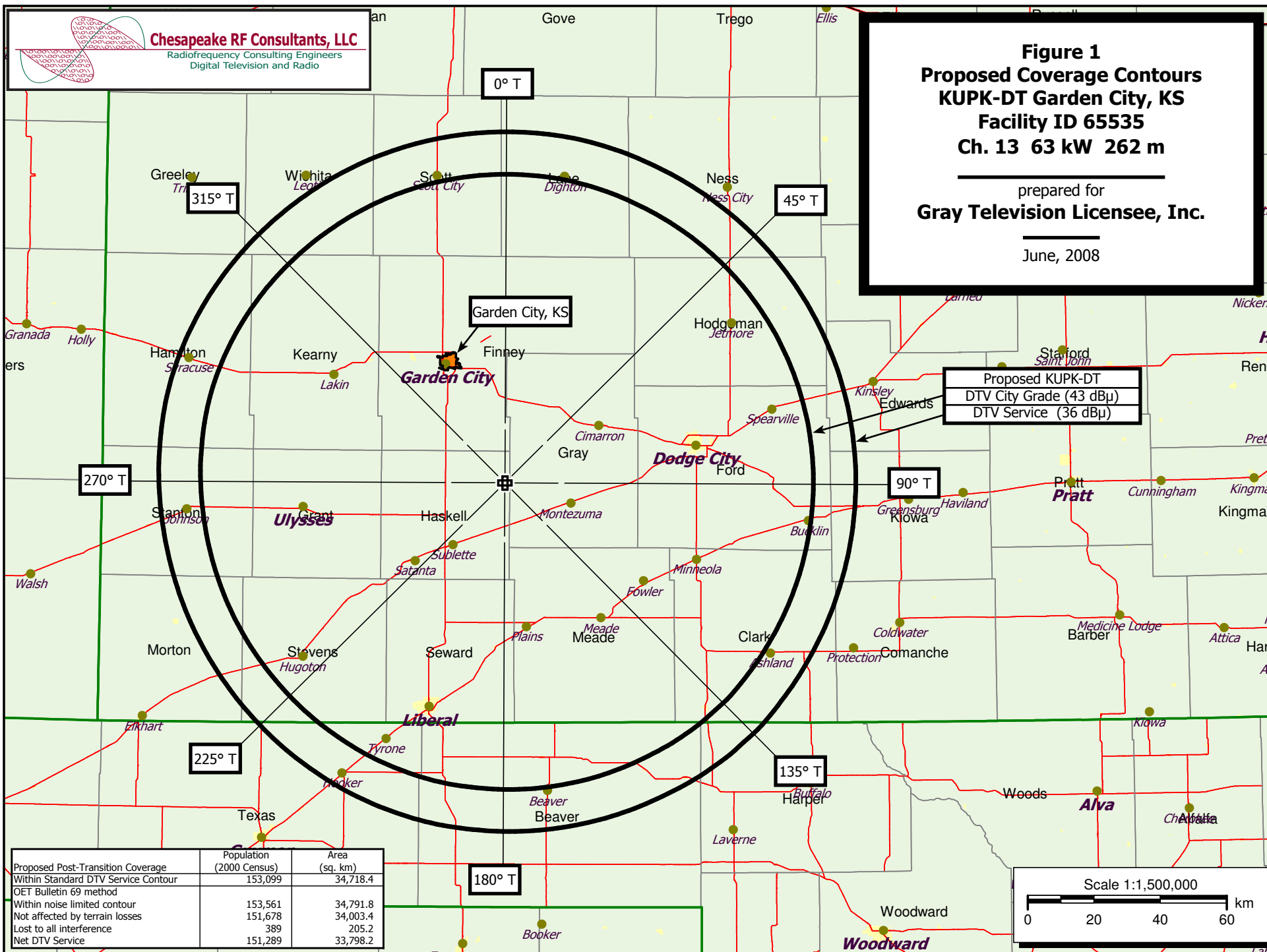


Table 1 KUPK-DT OET Bulletin 69 Interference Study
(worst-case scenarios shown page 1 of 5)

TW Census data selected 2000
Post Transition Data Base Selected /space/software/cdbs/pt_tvdb.sff

TV INTERFERENCE and SPACING ANALYSIS PROGRAM

Date: 06-08-2008 Time: 14:20:53

Record Selected for Analysis

KUPK-DT USERRECORD-01 GARDEN CITY KS US
Channel 13 ERP 63. kW HAAT 262. m RCAMSL 01124 m
Latitude 037-39-01 Longitude 0100-40-06
Status APP Zone 2 Border
Last update Cutoff date Docket
Comments
Applicant

Cell Size for Service Analysis 2.0 km/side

Distance Increments for Longley-Rice Analysis 1.00 km

Facility meets maximum height/power limits

Azimuth (Deg)	ERP (kW)	HAAT (m)	36.0 dBu F(50,90) (km)
0.0	63.000	272.1	105.8
45.0	63.000	273.0	105.8
90.0	63.000	270.5	105.7
135.0	63.000	283.9	106.4
180.0	63.000	256.9	105.0
225.0	63.000	237.1	103.7
270.0	63.000	242.0	104.1
315.0	63.000	263.9	105.4

Evaluation toward Class A Stations

No Spacing violations or contour overlap to Class A stations

Class A Evaluation Complete

Proposed facility OK to FCC Monitoring Stations

Proposed facility OK toward West Virginia quiet zone

Proposed facility OK toward Table Mountain

Proposed facility is beyond the Canadian coordination distance

Proposed facility is beyond the Mexican coordination distance

Proposed station is OK toward AM broadcast stations

Table 1 KUPK-DT OET Bulletin 69 Interference Study
(worst-case scenarios shown page 2 of 5)

Start of Interference Analysis

Channel	Proposed Station Call	City/State	ARN
13	KUPK-DT	GARDEN CITY KS	USERRECORD01

Stations Potentially Affected by Proposed Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
13	WSWS-CA	NORTH PLATTE NE	388.1	LIC	BLTTV	-19891010JS
13	KETA-TV	OKLAHOMA CITY OK	363.9	PLN	DTVPLN	-DTVP0463
13	KETA-TV	OKLAHOMA CITY OK	366.8	CP	BPEDT	-20080318ADA

Analysis of Interference to Affected Station 1

Analysis of current record

Channel	Call	City/State	Application	Ref. No.
13	WSWS-CA	NORTH PLATTE NE	BLTTV	-19891010JS

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
13	KUPK-TV	GARDEN CITY KS	388.1	LIC	BLCT	-19840406KG
13	KUPK-TV	GARDEN CITY KS	388.2	PLN	DTVPLN	-DTVP0436
13	KUPK-TV	GARDEN CITY KS	388.1	CP	BPCDT	-20080317ABQ
13	KTNE-TV	ALLIANCE NE	206.4	LIC	BLET	-19781103KU
13	KTNE-TV	ALLIANCE NE	206.4	PLN	DTVPLN	-DTVP0455
13	KTNE-TV	ALLIANCE NE	206.4	CP	BPEDT	-20080317ACQ
13	KHGI-TV	KEARNEY NE	167.7	LIC	BMLCT	-20020107ABG
13	KPLO-TV	RELIANCE SD	327.8	LIC	BLCDT	-20030519AER
13	KPLO-TV	RELIANCE SD	327.8	PLN	DTVPLN	-DTVP0473
13	KUPK-DT	GARDEN CITY KS	388.1	APP	USERRECORD-01	

Proposed station is beyond the site to
nearest cell evaluation distance

Analysis of Interference to Affected Station 2

Analysis of current record

Channel	Call	City/State	Application	Ref. No.
13	KETA-TV	OKLAHOMA CITY OK	DTVPLN	-DTVP0463

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
12	KXII	SHERMAN TX	185.0	PLN	DTVPLN	-DTVP0409
12	KXII	SHERMAN TX	185.0	CP	BPCDT	-20080401AXO
13	KUPK-TV	GARDEN CITY KS	363.9	PLN	DTVPLN	-DTVP0436
13	KFJX	PITTSBURG KS	307.4	CP	BPCDT	-20080314ABS
13	KFJX	PITTSBURG KS	307.4	PLN	DTVPLN	-DTVP0437
13	WIBW-TV	TOPEKA KS	399.6	PLN	DTVPLN	-DTVP0438
13	WIBW-TV	TOPEKA KS	399.6	CP	BPCDT	-20080414AAI

Table 1 KUPK-DT OET Bulletin 69 Interference Study

(worst-case scenarios shown page 3 of 5)

13 KUPK-DT GARDEN CITY KS 363.9 APP USERRECORD-01

Total scenarios = 2

Result key: 1
Scenario 1 Affected station 2
Before Analysis

Results for: 13A OK OKLAHOMA CITY DTVPLN DTVP0463 PLN
HAAT 465.0 m, ATV ERP 26.4 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	1460629	40023.9
not affected by terrain losses	1456182	38984.0
lost to NTSC IX	0	0.0
lost to additional IX by ATV	91	64.5
lost to ATV IX only	91	64.5
lost to all IX	91	64.5

Potential Interfering Stations Included in above Scenario 1

13A KS PITTSBURG	BPCDT	20080314ABS	CP
13A KS TOPEKA	DTVPLN	DTVP0438	PLN
13A KS GARDEN CITY	DTVPLN	DTVP0436	PLN

After Analysis

Results for: 13A OK OKLAHOMA CITY DTVPLN DTVP0463 PLN
HAAT 465.0 m, ATV ERP 26.4 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	1460629	40023.9
not affected by terrain losses	1456182	38984.0
lost to NTSC IX	0	0.0
lost to additional IX by ATV	220	116.9
lost to ATV IX only	220	116.9
lost to all IX	220	116.9

Potential Interfering Stations Included in above Scenario 1

13A KS PITTSBURG	BPCDT	20080314ABS	CP
13A KS TOPEKA	DTVPLN	DTVP0438	PLN
13A KS GARDEN CITY	USERRECORD01		APP

Percent new IX = 0.0089%

Worst case new IX 0.0089% Scenario 1

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Analysis of Interference to Affected Station 3

Analysis of current record
Channel Call City/State Application Ref. No.
13 KETA-TV OKLAHOMA CITY OK BPEDT -20080318ADA

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application Ref. No.
12	KXII	SHERMAN TX	180.2	PLN	DTVPLN -DTVP0409
12	KXII	SHERMAN TX	180.2	CP	BPCDT -20080401AXO

Table 1 KUPK-DT OET Bulletin 69 Interference Study

(worst-case scenarios shown page 4 of 5)

13	KUPK-TV	GARDEN CITY KS	366.8	PLN	DTVPLN	-DTVP0436
13	KFJX	PITTSBURG KS	311.2	CP	BPCDT	-20080314ABS
13	KFJX	PITTSBURG KS	311.2	PLN	DTVPLN	-DTVP0437
13	WIBW-TV	TOPEKA KS	404.9	PLN	DTVPLN	-DTVP0438
13	WIBW-TV	TOPEKA KS	405.0	CP	BPCDT	-20080414AAI
13	KUPK-DT	GARDEN CITY KS	366.8	APP	USERRECORD-01	

Total scenarios = 4

Result key: 5
Scenario 3 Affected station 3
Before Analysis

Results for: 13A OK OKLAHOMA CITY BPEDT 20080318ADA CP
HAAT 465.0 m, ATV ERP 26.4 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	1476781	40230.8
not affected by terrain losses	1468969	39142.0
lost to NTSC IX	0	0.0
lost to additional IX by ATV	194	28.2
lost to ATV IX only	194	28.2
lost to all IX	194	28.2

Potential Interfering Stations Included in above Scenario 3

12A TX SHERMAN	BPCDT	20080401AXO	CP
13A KS PITTSBURG	BPCDT	20080314ABS	CP
13A KS TOPEKA	DTVPLN	DTVP0438	PLN
13A KS GARDEN CITY	DTVPLN	DTVP0436	PLN

After Analysis

Results for: 13A OK OKLAHOMA CITY BPEDT 20080318ADA CP
HAAT 465.0 m, ATV ERP 26.4 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	1476781	40230.8
not affected by terrain losses	1468969	39142.0
lost to NTSC IX	0	0.0
lost to additional IX by ATV	737	56.5
lost to ATV IX only	737	56.5
lost to all IX	737	56.5

Potential Interfering Stations Included in above Scenario 3

12A TX SHERMAN	BPCDT	20080401AXO	CP
13A KS PITTSBURG	BPCDT	20080314ABS	CP
13A KS TOPEKA	DTVPLN	DTVP0438	PLN
13A KS GARDEN CITY	USERRECORD01		APP

Percent new IX = 0.0370%

Worst case new IX 0.0370% Scenario 3

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Analysis of Interference to Affected Station 4

Analysis of current record
Channel Call City/State Application Ref. No.
13 KUPK-DT GARDEN CITY KS USERRECORD-01

Table 1 KUPK-DT OET Bulletin 69 Interference Study
(worst-case scenarios shown page 5 of 5)

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
13	KETA-TV	OKLAHOMA CITY OK	363.9	PLN	DTVPLN	-DTVP0463
13	KETA-TV	OKLAHOMA CITY OK	366.8	CP	BPEDT	-20080318ADA

Total scenarios = 2

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Result key:      7
Scenario        1 Affected station      4
Before Analysis
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Results for: 13A KS GARDEN CITY USERRECORD01 APP
 HAAT 262.0 m, ATV ERP 63.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	153561	34791.8
not affected by terrain losses	151678	34003.4
lost to NTSC IX	0	0.0
lost to additional IX by ATV	389	205.2
lost to ATV IX only	389	205.2
lost to all IX	389	205.2

Potential Interfering Stations Included in above Scenario 1

13A OK OKLAHOMA CITY	DTVPLN	DTVP0463	PLN
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SECTION III-D - DTV Engineering	
Complete Questions 1-5, and provide all data and information for the proposed facility, as requested in Technical Specifications, Items 1-13.	
<p>Pre-Transition Certification Checklist: An application concerning a pre-transition channel must complete questions 1(a)-(c), and 2-5. A correct answer of "Yes" to all of the questions will ensure an expeditious grant of a construction permit application to change pre-transition facilities. However, if the proposed facility is located within the Canadian or Mexican borders, coordination of the proposal under the appropriate treaties may be required prior to grant of the application. An answer of "No" will require additional evaluation of the applicable information in this form before a construction permit can be granted.</p> <p>Post-Transition Expedited Processing. An application concerning a post-transition channel must complete questions 1(a), (d)-(e), and 2-5. A station applying for a construction permit to build its post-transition channel will receive expedited processing if its application (1) does not seek to expand the noise-limited service contour in any direction beyond that established by Appendix B of the Seventh Report and Order in MB Docket No. 87-268 establishing the new DTV Table of Allotments in 47 C.F.R. § 73.622(i) ("new DTV Table Appendix B"); (2) specifies facilities that match or closely approximate those defined in the new DTV Table Appendix B facilities; and (3) is filed within 45 days of the effective date of Section 73.616 of the rules adopted in the Report and Order in the Third DTV Periodic Review proceeding, MB Docket No. 07-91.</p>	
1. The proposed DTV facility complies with 47 C.F.R. Section 73.622 in the following respects:	
(a) It will operate on the DTV channel for this station as established in 47 C.F.R. Section 73.622.	<input checked="" type="radio"/> Yes <input type="radio"/> No
(b) It will operate a pre-transition facility from a transmitting antenna located within 5.0 km (3.1 miles) of the DTV reference site for this station as established in 47 C.F.R. Section 73.622.	<input type="radio"/> Yes <input type="radio"/> No
(c) It will operate a pre-transition facility with an effective radiated power (ERP) and antenna height above average terrain (HAAT) that do not exceed the DTV reference ERP and HAAT for this station as established in 47 C.F.R. Section 73.622.	<input type="radio"/> Yes <input type="radio"/> No
(d) It will operate at post-transition facilities that do not expand the noise-limited service contour in any direction beyond that established by Appendix B of the Seventh Report and Order in MB Docket No. 87-268 establishing the new DTV Table of Allotments in 47 C.F.R. § 73.622(i) ("new DTV Table Appendix B").	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
(e) It will operate at post-transition facilities that match or reduce by no more than five percent with respect to predicted population from those defined in the new DTV Table Appendix B.	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
2. The proposed facility will not have a significant environmental impact, including exposure of workers or the general public to levels of RF radiation exceeding the applicable health and safety guidelines, and therefore will not come within 47 C.F.R. Section 1.1307. Applicant must submit the Exhibit called for in Item 13.	<input checked="" type="radio"/> Yes <input type="radio"/> No
3. Pursuant to 47 C.F.R. Section 73.625, the DTV coverage contour of the proposed facility will encompass the allotted principal community.	<input checked="" type="radio"/> Yes <input type="radio"/> No
4. The requirements of 47 C.F.R. Section 73.1030 regarding notification to radio astronomy installations, radio receiving installations and FCC monitoring stations have either been satisfied or are not applicable.	<input checked="" type="radio"/> Yes <input type="radio"/> No
5. The antenna structure to be used by this facility has been registered by the Commission and will not require registration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely effect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7.	<input checked="" type="radio"/> Yes <input type="radio"/> No

SECTION III-D - DTV Engineering	
TECHNICAL SPECIFICATIONS	
Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.	
TECH BOX	
1.	Channel Number: DTV 13 Analog TV, if any 13
2.	Zone: <input type="radio"/> I <input checked="" type="radio"/> II <input type="radio"/> III
3.	Antenna Location Coordinates: (NAD 27) Latitude: Degrees 37 Minutes 39 Seconds 1 <input checked="" type="radio"/> North <input type="radio"/> South Longitude: Degrees 100 Minutes 40 Seconds 6 <input checked="" type="radio"/> West <input type="radio"/> East
4.	Antenna Structure Registration Number: 1033277 <input type="checkbox"/> Not Applicable <input type="checkbox"/> Notification filed with FAA
5.	Antenna Location Site Elevation Above Mean Sea Level: 865.6 meters
6.	Overall Tower Height Above Ground Level: 268.5 meters
7.	Height of Radiation Center Above Ground Level: 258.4 meters
8.	Height of Radiation Center Above Average Terrain : 262.4 meters
9.	Maximum Effective Radiated Power (average power): 63 kW
10.	Antenna Specifications:

a. Manufacturer RCA Model TF-12AH	
b. Electrical Beam Tilt: degrees <input checked="" type="checkbox"/> Not Applicable	
c. Mechanical Beam Tilt: degrees toward azimuth degrees True <input checked="" type="checkbox"/> Not Applicable	
Attach as an Exhibit all data specified in 47 C.F.R. Section 73.625(c).	[Exhibit 42]
d. Polarization: <input checked="" type="radio"/> Horizontal <input type="radio"/> Circular <input type="radio"/> Elliptical	
e. Directional Antenna Relative Field Values: <input checked="" type="checkbox"/> Not applicable (Nondirectional)	
[For a composite directional (not off-the-shelf) antenna, press the following button to fill in the relative field values subform.] [Relative Field Values]	
If a directional antenna is proposed, the requirements of 47 C.F.R. Sections 73.625(c) must be satisfied. Exhibit required.	[Exhibit 43]
11. Does the proposed facility satisfy the pre-transition interference protection provisions of 47 C.F.R. Section 73.623(a) (Applicable only if Certification Checklist Items 1(a), (b), or (c) are answered "No.") and/or the post-transition interference protection provisions of 47 C.F.R. Section 73.616?	<input checked="" type="radio"/> Yes <input type="radio"/> No [Exhibit 44]
If "No," attach as an Exhibit justification therefor, including a summary of any related previously granted waivers.	
12. If the proposed facility will not satisfy the coverage requirement of 47 C.F.R. Section 73.625, attach as an Exhibit justification therefore. (Applicable only if Certification Checklist item 3 is answered "No.")	[Exhibit 45]
13. Environmental Protection Act. Submit in an Exhibit the following: If Certification Checklist Item 2 is answered "Yes," a brief explanation of why an Environmental Assessment is not required. Also describe in the Exhibit the steps that will be taken to limit RF radiation exposure to the public and to persons authorized access to the tower site. By checking "Yes" to Certification Checklist Item 2, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines. If Certification Checklist Item 2 is answered "No," an Environmental Assessment as required by 47 C.F.R Section 1.1311.	[Exhibit 46]
PREPARERS CERTIFICATION ON SECTION III MUST BE COMPLETED AND SIGNED.	

SECTION III - PREPARER'S CERTIFICATION

I certify that I have prepared Section III (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 JOSEPH M. DAVIS, P.E.	Relationship to Applicant (e.g., Consulting Engineer) CONSULTING ENGINEER	
Signature	Date 6/8/2008	
Mailing Address CHESAPEAKE RF CONSULTANTS, LLC 11993 KAHNS ROAD		
City MANASSAS	State or Country (if foreign address) VA	Zip Code 20112 -
Telephone Number (include area code) 7036509600	E-Mail Address (if available) JOSEPH.DAVIS@RF-CONSULTANTS.COM	

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).