



Federal Communications Commission
Washington, D.C. 20554
October 29, 2013

In Reply Refer to:
1800B3-CEG

John M. Pelkey, Esq.
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In re: **KXMZ(FM), Box Elder, SD**
Facility ID No. 164109
File No. BALH-20130620ABJ

**Applications for Assignment of License
Petitions to Deny**

Dear Counsel:

We send this letter to reiterate that the procedure for ascertaining foreign ownership outlined in our letter of inquiry (“LOI”) and accompanying attachment, sent September 23, 2013, is correct and reflects our current foreign ownership methodology. However, we clarify that to the extent that any ownership information is reportable to the Commission *or to* other federal or state agencies, such as the Securities and Exchange Commission, it should be treated as “known” under relevant caselaw and therefore subject to the disclosure requirements set forth in Item 2(a) of the LOI.¹ This clarification does not affect the deadline to respond to the LOI, which we have previously extended to November 25, 2013.

Sincerely,

Peter H. Doyle
Chief, Audio Division
Media Bureau

cc: Meredith S. Senter, Jr., Esq., counsel for ASCAP
David D. Oxenford, Esq., counsel for Connoisseur Media Licenses, LLC

¹ See *Applications of Cellco Partnership d/b/a Verizon Wireless and Atlantis Holdings LLC for Consent to Transfer Control of Licenses, Authorizations, and Spectrum Manager De Facto Transfer Leasing Arrangements and Petition for Declaratory Ruling that the Transaction is Consistent with Section 310(b)(4) of the Communications Act*, Memorandum Opinion and Order of Declaratory Ruling, 23 FCC Rcd 17444, 17545 n.794 (2008).