

Broken Arrow Catholic Radio, Inc.
Eligibility Exhibit
LPFM Application

The instant application seeks an authorization for a new LPFM construction permit for the Broken Arrow Catholic Radio (the “Applicant”).

The Applicant is eligible for an LPFM station authorization under 47 C.F.R. Section 73.503 of the Commission’s rules, which applies to LPFM stations pursuant to 47 C.F.R. Section 73.801. 47 C.F.R. Section 73.503 provides that a noncommercial educational (“NCE”) FM broadcast station “will be licensed only to a nonprofit educational organization and upon showing that the station will be used for the advancement of an educational program.”

The Commission has previously determined that the three basic NCE eligibility requirements are: (1) nonprofit educational organization; (2) an educational goal or purpose; and (3) use of station programming to further that educational purpose. As more fully described below, the Applicant identified in the instant application and the proposed use of the LPFM station meets each of the NCE eligibility requirements.

The Applicant is a nonprofit educational organization

The applicant is a nonprofit education organization incorporated in the State of Oklahoma. The Applicant’s corporate paperwork is attached hereto.

The Applicant possesses an educational goal or purpose

The Applicant is a ministry that seeks to faithfully broadcast the message of Jesus Christ through the medium of radio and to educate listeners to the depth and richness of the Catholic Faith, encourages and inspires those already Catholic to learn more about the Faith and to pass on those teachings to their children.

The Commission has made it clear that an applicant organization such as a church or ministry may operate channels reserved for NCE stations.¹ In *Way of the Cross*, the Commission stated that “noncommercial, educational organizations, even though religiously oriented, can qualify upon an appropriate showing for licenses on reserved channels.”

The Applicant will use the station to further the Applicant’s educational purpose.

The station and its programming will further the Applicant’s educational purpose.

The requirement that NCE licensees provide programming that advances an educational objective may be satisfied by a variety of programs, including, but not limited to, “instructional programs, programming selected by students, bible study, cultural programming, in-depth news coverage, and children's programs such as *Sesame Street* that entertain as they teach.”²

Here, the Applicant will program the station with spoken-word religious teaching programs, the Applicant’s Bible studies, and worship services.

The Applicant is prepared to submit additional information regarding its educational purpose and the proposed use of the station upon request. However, it is respectfully submitted that the foregoing establishes its eligibility pursuant to established precedent to apply for the facility proposed in the instant Application.

¹ *Way of the Cross of Utah, Inc.*, Memorandum Opinion and Order, 101 FCC 2d 1368 (1985) (“*Way of the Cross*”).

² *In the Matter of Reexamination of the Comparative Standards for Noncommercial Educational Applicants*, Further Notice of Proposed Rulemaking, 13 FCC Rcd 21167, 21169 (1998).