

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.**

In re Applications of)	
)	
HISPANIC AMERICAN CHRISTIAN NETWORK, INC.	)	File No. 0000167598
Aguila, AZ	)	Facility ID #765733
BRADSHAW MOUNTAIN BROADCASTING, INC.	)	File No. 0000166211
Crown King, AZ	)	Facility ID #762648
)	
ADVANCE MINISTRIES, INC.	)	File No. 0000167543
Prescott, AZ	)	Facility ID #766281
)	
DESER SOUL MEDIA, INC.	)	File No. 0000166533
Wickenburg, AZ	)	Facility ID #764089
)	
CHEYENNE BROADCASTING FOUNDATION, INC.	)	File No. 0000167326
Wilhoit, AZ	)	Facility ID #766518
)	
For Construction Permits for New)	
Noncommercial FM Stations)	
NCE MX Group 23)	
TO: The Secretary;		
ATTN: Chief, Audio Division,		
Media Bureau		

**JOINT REQUEST FOR APPROVAL OF
SETTLEMENT AGREEMENT (PARTIAL) AND REQUEST FOR
DISMISSAL OF PETITION TO DENY**

Desert Soul Media, Inc. (DSM) and Cheyenne Broadcasting Foundation, Inc. (CBF), collectively referred to as the Parties hereby jointly request that the Commission approve the settlement agreement between them, submitted here, and dismiss the pending Petition to Deny.

The Commission found these applications to be mutually exclusive and assigned them to MX Group 23.¹ Each application is mutually exclusive with one or more applications in MX Group 23, so that not all the applications can be granted.

On May 22, 2022, DSM submitted a petition to deny the application of CBF. The parties have entered into a settlement agreement, attached, whereby DSM will dismiss its petition prior to any Commission action thereon, and CBF will dismiss its application in this Group No. 23.² Further, DSM agrees to pay CBF the sum of \$3,000.00 in reimbursement of some of its expenses reasonably and prudently incurred in preparing and advocating its application. This partial settlement, by removing a complex engineering comparison, will simplify the proceeding and save the Parties and Commission staff time in resolving the case. It therefore will expedite new noncommercial service to the public. The Commission has indicated that settlements such as this, not resolving the entire group, are permitted:

“Universal settlements, which resolve the claims of all applications within an MX group, are encouraged but not required,” *Media Bureau Identifies Groups of Mutually Exclusive Applications*, DA 21-1476, rel. on November 29, 2021 p. 3.

1

See, *Media Bureau Identifies Groups of Mutually Exclusive Applications Submitted in the November 2021, Filing Window for Noncommercial Educational FM Stations*, DA 21-1476 (MB, Nov. 29, 2021).

2 The Parties requested and were granted until June 26, to finalize this settlement. In concert with this extension, CBF was extended time to make such responsive application to the petition to deny as it might care to. The Parties respectfully request that the time for filing such response be extended indefinitely, until action on this joint request which, with dismissal of the petition, would render the matter moot.

As required by Section 73.3525(a) of the Commission's rules, each Party hereto respectively certifies --

That the proposed agreement is in the public interest because it will conserve the resources of the Commission and the parties, and will expedite the delivery of new local noncommercial educational broadcast service;

That the party's application was not filed for the purpose of reaching or carrying out a settlement;

That, with respect to the surviving applicant, no consideration has been promised nor will be paid other than the amounts set forth expressly in this settlement agreement;

That, with respect to the dismissing applicant, that neither the applicant nor its principals has received any money or other consideration in excess of the legitimate and prudent expenses of the applicant, as set forth in a separate individual declaration.

The parties respectfully urge the Commission to approve the accompanying settlement agreement, dismiss the Petition to Deny, and resume processing of the remaining group in the normal course.

Respectfully submitted,

DESERT SOUL MEDIA, INC.

By: 

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Its: Attorney

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**CHEYENNE BROADCASTING
FOUNDATION, INC.**

By: _____/S/_____

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Its: Attorney

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