

Conversion to a Noncommercial Educational (NCE) FM Broadcast Station

Central Florida Educational Foundation, Inc. (“CFEF”), the proposed Assignee of WHGV(FM) (formerly WGMW), La Crosse, Florida (Facility ID No. 76433) (“WHGV”) (*See* LMS File No. 0000195845) (the “Assignment Application”), intends to operate WHGV as a noncommercial educational (“NCE”) broadcast station upon its acquisition of that station. Attached hereto is Section II of FCC Form 340 demonstrating CFEF’s qualifications to operate an NCE station such as WHGV. Accordingly, WHGV’s conversion to an NCE station is contingent upon the consummation of WHGV’s proposed assignment to CFEF pursuant to the Assignment Application.

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-19881207MA
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)	Citizenship	Positional Interest: Officer, director, investor/creditor attributable under the Commission's equity/debt plus standard, etc.	Director or Member of Governing Board		% of: Ownership (O) or Voting Stock (VS) or Membership (M)	% of: of Total Assets (equity plus debt)
			Yes	No		
			(d)			
(a)	(b)	(c)			(e)	(f)
See Exhibit 1						

- 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. 2 Exhibit No, ☐ 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 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 ☐ Yes ☐ No
Section 307(b)
for a period of four years of on-air operations.
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.

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.

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.

Exhibit 1

Parties to the Application

<u>Name & Address</u> (a)	<u>Citizenship</u> (b)	<u>Positional Interest</u> (c)	<u>Director or</u> <u>Member of the</u> <u>Governing Board</u> <u>(Yes/No)</u> (d)	<u>Voting Interest</u> (e)	<u>Equity Interest</u> (f)
James S. Hoge 443 Timber Ridge Drive Longwood, FL 32779	U.S.	Officer/ Director	Yes	20.0%	0.0%
Dean Chapman 119 East Wyndham Court Longwood, FL 32779	U.S.	Officer	No	0.0%	0.0%
Judy Q. Stephan 131 Golf Club Drive Longwood, FL 32779	U.S.	Officer/ Director	Yes	20.0%	0.0%
Stuart Kinniburgh 376 Serena Lane Clermont, FL 34711	U.S.	Director	Yes	20.0%	0.0%
Judy L. Wise 351 Conch Key Drive Lady Lake, FL 32159	U.S.	Director	Yes	20.0%	0.0%
Timothy DeTellis 35454 Pinegate Trail Eustis, FL 32736	U.S.	Director	Yes	20.0%	0.0%
Cathy Ligato 112 Olive Tree Circle Altamonte Springs, FL 32714	U.S.	Officer	No	0.0%	0.0%

Exhibit 2

Other Authorizations

Central Florida Educational Foundation, Inc., is currently the licensee of the following noncommercial educational (“NCE”) broadcast stations:

<u>Call Sign</u>	<u>Service</u>	<u>Community of License</u>	<u>State</u>	<u>Facility ID No.</u>
W227CP	FX	Sanford	FL	143886
W240BV	FX	Orlando	FL	157091
W245AZ	FX	The Villages	FL	142461
W250BH	FX	Melbourne	FL	142447
W273CA	FX	Orlando	FL	157099
W274BB	FX	Haines City	FL	142441
W274BR	FX	The Villages	FL	157096
W275BZ	FX	Port Orange	FL	142468
W278BP	FX	Palm Coast	FL	157073
W279CT	FX	Clermont	FL	142410
W292DZ	FX	Orlando	FL	40157
W298BO	FX	Winter Haven	FL	142420
W300CL	FX	Lakeland	FL	142414
WDOZ	FM	Pierson	FL	176311
WHYZ	FM	Palm Coast	FL	92508
WMYZ	FM	The Villages	FL	27291
WPOZ	FM	Orlando	FL	9876

CFEF is also the proposed assignee of the following commercial broadcast stations:

<u>Call Sign</u>	<u>Service</u>	<u>Community of License</u>	<u>State</u>	<u>Facility ID No.</u>
WHGV	FM	La Crosse	FL	76433
WCYZS	FM	Silver Springs Shore	FL	191546

CFEF shall operate both WHGV and WCYZ as NCE stations upon its acquisition of those stations.

DECLARATION

I, **Judy Q. Stephan**, hereby attest to the following:

1. I am the Treasurer/ Director of Central Florida Educational Foundation, Inc. ("CFEF").
2. CFEF is the proposed Assignee of WGHV(FM) (formerly WGMW), La Crosse, Florida (Facility ID No. 76433) ("WGHV") (See LMS File No. 0000195845) (the "Assignment Application").
3. On behalf of CFEF, RDA Broadcast Holdings, LLC is filing the instant license modification application (the "NCE Conversion Application") to convert WHGV to a noncommercial educational FM broadcast station contingent upon the closing of the Assignment Application.
4. I have personal knowledge of the facts set forth in the NCE Conversion Application with respect to CFEF.
5. I have read the NCE Conversion Application, and the statements therein with respect to CFEF are truthful and correct to the best of my knowledge, information, and belief.

I hereby certify that to the best of my knowledge, information, and belief, under penalty of perjury, the foregoing statements are true and correct.



Judy Q. Stephan

Dated: _____

9/9/2022