

**REASON FOR 2<sup>nd</sup> AMENDMENT**

The instant license application is being further amended to include a timeline prior to the previously submitted explanatory Declaration. *See attached.*

### **Amendment – Timeline**

- **June 27, 2023** – Reduction of power to fix the transmitter.
- **September 25, 2023** – Resumption at full power.

*See attached Declaration of Matthew Davidge.*

## **DECLARATION**

**Re: KXCC-LD, Corpus Christi, TX  
Facility ID No. 48834  
LMS File No. 0000218484**

Matthew Davidge, Chief Financial Officer of Roseland Broadcasting, Inc. (“Roseland”), hereby states, under penalty of perjury, the following:

With respect to KXCC-LD (the “Station”), the following should be noted:

On September 30, 2022, KXCC-LD lost its tower site. Accordingly, KXCC-LD filed an STA to go silent, which was granted. On November 15, 2022, a minor mod was filed to relocate the station to a new site. In December of 2022, the station was built, pursuant to the approved mod. On February 1, 2023, the station commenced broadcasting from the new site. Roseland's RF engineer and attorneys Shainis & Peltzman, filed a resumption of operations (a note in that application referred to the new site) It was not until later, on July 25, 2023, that the station filed a license to cover. *See* LMS File No. 0000218484. The license to cover contained the following, in an attachment entitled Notification of Late Filing Exhibit:

“The applicant, Roseland Broadcasting, Inc. (“Roseland”), hereby notifies the FCC that this application for a license to cover is not timely filed. As specified in the “Resumption of Operations of LPTV Station” filed by Roseland on February 6, 2023 (LMS File Number 0000210344) Station KXCC-LD, Channel 16, Corpus Christi, Texas, commenced operations on 2/1/2023 after being silent due to a loss of tower site. A reference was made, in that Resumption notice, to the minor modification construction permit granted on 1/4/2023 (LMS File No. 0000203596), however, Roseland overlooked filing a license to cover application at that time. Roseland respectfully requests the commission grant this late-filed license to cover *nunc pro tunc* to February 1, 2023, notwithstanding the approximately 4-month delay by Roseland in filing this application.

After the license to cover application is granted, Roseland intends to immediately file an application for Special Temporary Authority

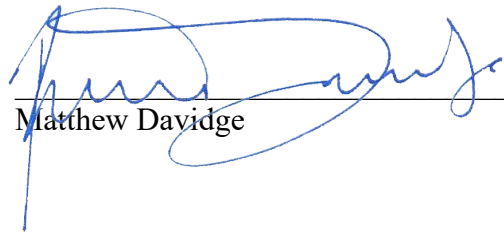
to operate KXCC-LD at reduced power (one-half of authorized ERP) while the station's transmitter is being repaired.”

The foregoing was candidly reported to the Commission, the license to cover having been late filed. Moreover, it also served to put the Commission on notice of what was intended.

After the station commenced broadcasting from the new site, a transmitter repair became necessary. Power was reduced accordingly and an STA was not sought due to the pendency of the license to cover. My attorney was concerned that the LMS database would associate the requested STA with the former site and create confusion.

Since the Commission had been alerted, through the filing of the license to cover, that the licensee intended to reduce power, it was assumed that, once the license to cover was granted, should it be necessary, Roseland would have filed the Request for STA. However, it was not contemplated that the Commission would keep the license to cover in pending status.

Accordingly, any confusion is regretted.

  
Matthew Davidge

October 23, 2023