

From: [Francisco Montero](#)
To: [Rolanda Faye Smith](#); [Travis Andring](#)
Cc: [Jorge Garcia](#); [Victoria McCauley](#); [Sharon Bertelsen](#)
Subject: RE: KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900 and KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904
Date: Monday, December 4, 2023 11:11:36 AM
Attachments: [image002.png](#)
[image004.png](#)

Yes Rolanda. Technical issues made it impossible to return KEPS back on the air.

Frank



Francisco R. Montero
Co-Managing Partner
Fletcher, Heald & Hildreth, P.L.C.
1300 N. 17th Street, Suite 1100 | Arlington, VA 22209
Tel: 703.812.0480 | Fax: 703.812.0486 | Mobile: 202.841.6358
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From: Rolanda Faye Smith <Rolanda-Faye.Smith@fcc.gov>
Sent: Monday, December 04, 2023 10:28 AM
To: Travis Andring <andring@fhhlaw.com>; Francisco Montero <montero@fhhlaw.com>
Cc: Jorge Garcia <jgarcia@mdtlaw.com>; Victoria McCauley <Victoria.McCauley@fcc.gov>; Sharon Bertelsen <Sharon.Bertelsen@fcc.gov>
Subject: KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900 and KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904

Good morning,

KEPS(AM) must be removed. Are you requesting that we cancel KEPS(AM) license?

We cannot proceed with the processing of the assignment of license applications, File Nos. 0000214900 and 0000214904 until this issue is resolved.

Rolanda Faye Smith

Rolanda Faye Smith
Paralegal Specialist
Federal Communications Commission
Media Bureau, Audio Division
(202) 418-2054
Rolanda-Faye.Smith@fcc.gov



From: Travis Andring <andring@fhhlaw.com>
Sent: Monday, December 4, 2023 9:20 AM
To: Rolanda Faye Smith <Rolanda-Faye.Smith@fcc.gov>; Francisco Montero <montero@fhhlaw.com>
Cc: Jorge Garcia <jgarcia@mdtlaw.com>
Subject: RE: KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904 and KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900

Good morning Rolanda,

There is no LMA.

KEPS(AM) did not return to the air in time. We left it on the application because we are not able to remove authorizations through an amendment. Can the application be processed as is, or does KEPS need to be removed?

Thank you,
Travis

Travis Andring
Associate
Fletcher, Heald & Hildreth, P.L.C.
1300 N. 17th Street, Suite 1100 | Arlington, VA 22209
Tel: 703.812.0425 | Fax: 703.812.0486

From: Rolanda Faye Smith <Rolanda-Faye.Smith@fcc.gov>
Sent: Friday, December 01, 2023 4:30 PM
To: Travis Andring <andring@fhhlaw.com>; Francisco Montero <montero@fhhlaw.com>
Cc: Jorge Garcia <jgarcia@mdtlaw.com>
Subject: RE: KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904 and KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900

Good afternoon,

I am writing this correspondence to inquire whether there is a local marketing agreement, as discussed in section 8(c) of the Asset Purchase Agreement, and First Amendment and Assignment to Asset Purchase Agreement. If so, we request amendment to the applications, File Nos. 0000214904 and 0000214900, to submit the local marketing agreement, if any.

Additionally, KEPS(AM), Fac. ID No. 18107, Eagle Pass, Texas went silent on June 30, 2022 and thus must resume broadcast operations by 12:01 a.m., July 1, 2023. On June 12, 2023, the Audio Division granted special temporary authority (File No. BSTA-20230608AAA) to station KEPS(AM) to operate with temporary facilities from an alternate site location that expire December 9, 2023. Did the station resume operations? If so, we request the filing of the resume operations application.

We cannot proceed with the processing of the application until we receive a response to our inquiry.

Rolanda Faye Smith

Rolanda Faye Smith
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From: Travis Andring <andring@fhhlaw.com>
Sent: Thursday, November 30, 2023 10:52 AM
To: Rolanda Faye Smith <Rolanda-Faye.Smith@fcc.gov>; Francisco Montero <montero@fhhlaw.com>
Cc: Jorge Garcia <jgarcia@mdtlaw.com>
Subject: RE: KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904 and KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900

Good morning Rolanda,

Apologies for the delay on this. We appreciate your patience. We filed the requested amendments. I am attaching as-filed copies to this email for your convenience. If there are any other questions or amendments needed, please don't hesitate to contact me or Frank.

Thank you,
Travis

Travis Andring
Associate
Fletcher, Heald & Hildreth, P.L.C.
1300 N. 17th Street, Suite 1100 | Arlington, VA 22209
Tel: 703.812.0425 | Fax: 703.812.0486

From: Rolanda Faye Smith <Rolanda-Faye.Smith@fcc.gov>
Sent: Tuesday, October 10, 2023 3:41 PM
To: Francisco Montero <montero@fhhlaw.com>
Cc: Travis Andring <andring@fhhlaw.com>; Jorge Garcia <jgarcia@mdtlaw.com>
Subject: RE: KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904 and KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900

Good afternoon,

I am writing this follow-up correspondence to check the status of the requested amendment to the assignment of license applications, File Nos. 0000214904 and 0000214900.

We request amendment to both applications, as follows:

1. Assignor incorrectly certified "N/A" to the Anti-discrimination Certification. For transactions only involving the sale or transfer of noncommercial educational FM stations, noncommercial educational TV stations, or broadcast stations in the AM, Class A TV, or international broadcast services that are operated on a non-commercial basis, the assignor should select "N/A" in response to this question. We request amendment to the certification to correct the response.
2. Submit Exhibit A-1, Exhibit A-2, and Exhibit C of the Asset Purchase Agreement (APA), Promissory Note, and Security Agreement that must state that the licenses will not be used as collateral; and the Local Marketing Agreement pursuant to Section 8(c) of APA, if applicable.

We cannot proceed with the processing of the applications until amendment is filed.

Rolanda Faye Smith

Rolanda Faye Smith
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From: Francisco Montero <montero@fhhlaw.com>
Sent: Wednesday, August 9, 2023 8:55 PM
To: Rolanda Faye Smith <Rolanda-Faye.Smith@fcc.gov>
Cc: Travis Andring <andring@fhhlaw.com>; Jorge Garcia <jgarcia@mdtlaw.com>

Subject: RE: [EXTERNAL]: RE: KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904 and KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900

Hello Rolanda:

I greatly apologize that this has taken so long.

I have been in contact with the local counsel to obtain copies of the Promissory Note, Security Agreement, and Local Marketing Agreement.

He informs me that those documents are still being negotiated and they are not ready yet.

He could not give me a timetable but he says that they are working on it and he hopes to have that information for us as soon as possible.

I apologize for the delay.

Frank

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----- Original message -----

From: Rolanda Faye Smith <Rolanda-Faye.Smith@fcc.gov>

Date: 8/9/23 2:35 PM (GMT-06:00)

To: Francisco Montero <montero@fhhlaw.com>

Cc: Travis Andring <andring@fhhlaw.com>, Jorge Garcia <jgarcia@mdtlaw.com>

Subject: RE: [EXTERNAL]: RE: KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904 and KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900

Good afternoon,

I am writing this follow-up correspondence to check the status of the requested amendment to the assignment of license applications, File Nos. 0000214904 and 0000214900.

We request amendment to both applications, as follows:

1. Assignor incorrectly certified "N/A" to the Anti-discrimination Certification. For transactions only involving the sale or transfer of noncommercial educational FM stations, noncommercial educational TV stations, or broadcast stations in the AM, Class A TV, or international broadcast services that are operated on a non-commercial basis, the assignor should select "N/A" in response to this question. We request amendment to the certification to correct the response.
2. Submit Exhibit A-1, Exhibit A-2, and Exhibit C of the Asset Purchase Agreement (APA), Promissory Note, and Security Agreement that must state that the licenses will not be used as collateral; and the Local Marketing Agreement pursuant to Section 8(c) of APA, if applicable.

We cannot proceed with the processing of the applications until amendment is filed.

Rolanda Faye Smith

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Paralegal Specialist
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Rolanda-Faye.Smith@fcc.gov



From: Francisco Montero <montero@fhhlaw.com>
Sent: Wednesday, July 5, 2023 1:53 PM
To: Rolanda Faye Smith <Rolanda-Faye.Smith@fcc.gov>
Cc: Travis Andring <andring@fhhlaw.com>; Jorge Garcia <jgarcia@mdtlaw.com>
Subject: [EXTERNAL]: RE: KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904 and KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900

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Hi Rolanda:

I apologize for the delay. We are waiting to receive from the client copies of the Promissory Note and Security Agreement.

We were waiting on amending the anti-discrimination certification until we had received

those, but we can proceed with making that one change while we wait to receive the APA exhibits.

Frank



Francisco R. Montero
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From: Rolanda Faye Smith <Rolanda-Faye.Smith@fcc.gov>
Sent: Wednesday, July 05, 2023 1:16 PM
To: Francisco Montero <montero@fhhlaw.com>
Subject: RE: KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904 and KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900

Good afternoon,

I am writing this follow-up correspondence regarding the requested amendment to the assignment of license applications, File Nos. 0000214904 and 0000214900.

We request amendment to both applications, as follows:

1. Assignor incorrectly certified "N/A" to the Anti-discrimination Certification. For transactions only involving the sale or transfer of noncommercial educational FM stations, noncommercial educational TV stations, or broadcast stations in the AM, Class A TV, or international broadcast services that are operated on a non-commercial basis, the assignor should select "N/A" in response to this question. We request amendment to the certification to correct the response.
2. Submit Exhibit A-1, Exhibit A-2, and Exhibit C of the Asset Purchase Agreement (APA), Promissory Note, and Security Agreement that must state that the licenses will not be used as collateral; and the Local Marketing Agreement pursuant to Section 8(c) of APA, if applicable.

We cannot proceed with the processing of the applications until amendment is filed.

Rolanda Faye Smith

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Rolanda-Faye.Smith@fcc.gov



From: Rolanda Faye Smith
Sent: Monday, June 5, 2023 3:49 PM
To: Francisco Montero <montero@fhhlaw.com>
Subject: KVOU-FM, FID 69621, UVALDE, TX, File No. 0000214904 and KUVA(FM), FID 43438, UVALDE, TX, File No. 0000214900

Good afternoon,

I am writing this correspondence to request amendment to the assignment of license applications, File Nos. 0000214904 and 0000214900.

We request amendment to both applications, as follows:

1. Assignor incorrectly certified "N/A" to the Anti-discrimination Certification. For transactions only involving the sale or transfer of noncommercial educational FM stations, noncommercial educational TV stations, or broadcast stations in the AM, Class A TV, or international broadcast services that are operated on a non-commercial basis, the assignor should select "N/A" in response to this question. We request amendment to the certification to correct the response.
2. Submit Exhibit A-1, Exhibit A-2, and Exhibit C of the Asset Purchase Agreement (APA), Promissory Note, and Security Agreement that must state that the licenses will not be used as collateral; and the Local Marketing Agreement pursuant to Section 8(c) of APA, if applicable.

Special Temporary Authority was granted to permit these stations involved in the sale transaction to remain silent until June 30, 2023. Notwithstanding the grant of this Special Temporary Authority, the broadcast licenses for these stations will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., July 1, 2023.

We cannot proceed with processing of the applications until amendment is filed.

Rolanda Faye Smith

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