

Alien Ownership and Control

In the instant modification of construction permit application, Applicant, America-CV Station Group, Inc., Debtor-in-Possession (“ACV”) has certified its compliance with the provisions of Section 310(b)(4) of the Communications Act of 1934, as amended (the “Act”),¹ relating to the interests of aliens and foreign governments in ACV.

On August 21, 2020, however, ACV filed a Petition for Declaratory Ruling (“Petition”) pursuant to Section 310(b)(4) of the Act to request an increase in its indirect foreign ownership interests for certain individuals and entities – and also to transfer control of ACV to Vasallo TV Group, LLC.²

As set forth in its Petition, on May 14, 2019, ACV filed a voluntary chapter 11 petition in the United States Bankruptcy Court for the Southern District of Florida (“Bankruptcy Court”) to effectuate restructuring of the companies’ debt obligations.³ On June 18, 2019, ACV filed a pro forma assignment of license application with the Commission to reflect its debtor-in-possession status.⁴ The Commission granted that application on July 17, 2019, and ACV is currently operating as debtor-in-possession pursuant to that grant. On June 2, 2020, the Bankruptcy Court issued an order permitting ACV to emerge from bankruptcy with a restructured corporate ownership.⁵ As a result of ACV’s bankruptcy reorganization, ACV proposed in its Petition to increase its indirect foreign ownership interests for certain individuals and entities to from a combined pre-bankruptcy 21.9% to a post-bankruptcy 100.0%.

ACV’s Petition, and related transfer of control application, remain pending as of the date of this instant application.

¹ 47 U.S.C. § 310(b)(4).

² See File No. BTCCDT-20200821AAH.

³ See *In re America-CV Station Group, Inc.*, Case No. 19-16355-AJC (chapter 11) (Bankr. S.D. Fla. May 14, 2019).

⁴ ACV’s Petition was filed in conjunction with a transfer of control application seeking Commission approval of the post-bankruptcy reorganization proposed therein. See File No. BALCDT-20190618AAK.

⁵ See *In re America-CV Station Group, Inc.*, Case No. 19-16355-AJC (chapter 11) (Bankr. S.D. Fla. June 2, 2020).