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Assignment of License for **KFXV-LP**
MESA, AZ
SAN TAN EDUCATIONAL MEDIA
Assignor
KWSF RADIO
Proposed Assignee

LPFM SPECIFIC QUALIFICATIONS

§73.853 Compliance

Station is located inside of a Nielsen Audio top-50 media market.

§73.853(a) – Applicant certifies that:

it is a nonprofit educational organization	YES
it is a Tribe or Tribal organization	NO
it is a state or local government or a non-government entity that proposes a noncommercial public safety radio service to protect the safety of life, health or property.	NO

§73.853(b) – Applicant certifies that:

it is a nonprofit educational organization that is physically headquartered or has a campus within 16.1 kilometers (10 miles), if applicant is in the top 50 urban markets, or 32.1 kilometers (20 miles) if applicant is outside the top 50 urban markets, of the proposed transmitting antenna site specified in this application.	YES
it is a nonprofit educational organization that has 75 percent of its board members residing within 16.1 kilometers (10 miles), if applicant is in the top 50 urban markets, or 32.1 kilometers (20 miles) if applicant is outside the top 50 urban markets, of the proposed transmitting antenna site specified in this application.	NO
it is a Tribe and its Tribal Lands, as that term is defined in Section 73.7000 of the Commission's rules, are within the service area of the proposed LPFM station; or it is a Tribal organization owned or controlled by a Tribe (or Tribes) and such Tribe's (or Tribes') Tribal Lands, as that term is defined in Section 73.7000 of the Commission's rules, are within the service area of the proposed LPFM station. See 47 C.F.R. Sections 73.853(c) and 73.7000.	NO
it proposes a public safety radio service and has jurisdiction within the service area of the proposed LPFM station.	NO

Ownership

Applicant certifies that it and all parties to the application comply with the multiple ownership limits set forth in Section 73.855 of the Commission's rules. See 47 C.F.R. Section 73.855.	YES
Applicant certifies that it and all parties to the application comply with the cross-ownership limits set forth in Section 73.860 of the Commission's rules. See 47 C.F.R. Section 73.860.	YES
Applicant certifies that it and all parties to the application comply with the Commission's policies relating to media interests of immediate family members.	YES
Applicant certifies that it and all parties to the application comply with the Commission's policies relating to investor insulation and the non-participation of non-party investors or creditors.	YES

Unlicensed operation

The applicant certifies, under penalty of perjury, that neither the applicant nor any party to the application has engaged in any manner, individually or with other persons, groups, organizations, or other entities, in the unlicensed operation of any station in violation of Section 301 of the Communications Act of 1934, as amended, 47 U.S.C. Section 301.	YES
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ASSIGNMENT TERMS

§73.865(a)(1) of the Commission's Rules require that for assignments of LPFM authorizations, consideration involved may not exceed legitimate and prudent expenses reasonably incurred by the assignor in obtaining and construction of the station.¹

In the instant application, the total consideration involved is **\$775.43**, which includes the following items purchased from SCMS in relation to the construction of the station and will be enjoyed by the proposed assignee:

Nicom BKG-77 broadband circular polarized antenna	\$694.12
Type N female connector – positive stop	\$24.40
(Qty 3) Type N male connector – positive stop	\$56.91
Total	\$775.43

¹ 47 C.F.R. §73.865(a)(1).

EDUCATIONAL STATEMENT

It is the intention of the licensee of KWSF Radio to utilize and focus its broadcast format on educational programming in the following areas:

- Intercultural Language and Arts consisting of, but not limited to, Hispanic and Italian cultural teachings including dialect, interpersonal relations and translation of spoken words.
- Interpersonal relations between English American, Hispanic and Italian. Covering coping strategies with social challenges such as assimilating to the U.S., managing social anxieties, and recognizing traditions within a family construct.

Additional programming public services content will provide local information on job related work placement and opportunities in Mesa and Gilbert, Arizona. Programming and announcements offering information on health & safety including multi language announcements with regards to vaccinations, travel and local traffic infrastructure via The Arizona Department of Transportation. Finally, the aforementioned licensee proposes to broadcast content designed to advise and educate parents of adolescent children about after school programs, to and from safety and community outreach activities, including information on water hydration and nutrition.

ASSIGNOR'S OTHER ATTRIBUTABLE INTERESTS

The assignor is currently the permittee of the following facilities:

Fac ID# 766804	File# 0000166357	Alma, Colorado
Fac ID# 766822	File# 0000166363	Buena Vista, Colorado
Fac ID# 766825	File# 0000166301	Craig, Colorado

These are all full-service NCE FM unbuilt construction permits. Program test authority for these facilities is contingent on the consummation of the instant application.

SAN TAN EDUCATIONAL MEDIA CONSENT DECREE

San Tan Educational Media (STEM) is currently under a *Consent Decree*.² At paragraph 15(b) of the *Decree*, it states that STEM *shall comply with* §73.865 of the Rules which provides that the Station's license cannot be assigned until the station has operated on-air for three years.³ While the station has not yet completed three years of operation, it should be noted that since the *Decree* was adopted, the Commission amended §73.865, to permit assignments and transfers of LPFM authorizations without the three-year holding period, but instead, replacing it with a requirement that within the first four years, if the grant of the original permit was awarded on the basis of the

² See *San Tan Educational Media*, Consent Decree and Order, 34 FCC Red. 7624 *et. seq.* ("Decree") (MB/EB 2019).

³ *Decree* at 7632. (*emphasis added*)

comparative point system provisions of §73.872 of the Rules, that the proposed assignee must meet or exceed those points originally awarded.⁴

In the instant application, the original construction permit was filed in the 2013 LPFM Filing Window and was mutually exclusive with one other applicant and was assigned to MX Group No. 14.⁵ On December 18, 2013, the CP Application was amended to make a technical change that resolved the mutual exclusivity.⁶ The application was then accepted for filing as a singleton and granted on February 2, 2014.⁷ As the CP Application was no longer mutually exclusive after the amendment, it is not subject to the four-year holding period as adopted in the Administrative Order. Therefore, as this proposed assignment is being done in compliance with §73.865 of the Commission's Rules, as amended, it meets the requirements of paragraph 15(b) of the *Decree*.

STEM has obtained three full-service original construction permits from the 2021 NCE Filing Window.⁸ Program testing of the new facilities is conditioned on the divestiture of the instant facility. On May 5, 2022, Ryan Greig, president of STEM, Michelle Bradley, CBT, founder of REC Networks and acting Compliance Officer for STEM and Tom Hutton of Media Bureau staff had a discussion regarding the state of the *Decree* given the need for the assignment of license as well as the changes in the regulations from the time when the *Decree* was adopted to the filing of the instant application. There was a general understanding that the remainder of time in the *Decree* would “follow” STEM to their new facilities.⁹ Pursuant to Section 15(a) of the *Decree*, STEM will provide the required documentation for the Colorado Stations upon the filing of the license applications.¹⁰

⁴ See *Reexamination of the Comparative Standards and Procedures for Licensing Noncommercial Educational Broadcast Stations and Low Power FM Stations*, Report and Order, 34 FCC Rcd. 12519, 12545-12547 (*Adopted* Dec. 10, 2019; *Enacted* Oct. 30, 2020, 85 F.R. 7889 (2020)) (“Administrative Order”).

⁵ See File No. BNPL-20131017AAJ. (“CP Application”).

⁶ See *Id.*, amendment dated Dec. 18, 2013.

⁷ See *Id.*

⁸ See File Numbers 0000166357 (Alma, Colorado; *granted*, Apr. 26, 2022); 0000166363 (Buena Vista, Colorado, *granted*, Feb. 16, 2022) and 0000166301 (Craig, Colorado; *granted*, Dec. 20, 2021).

⁹ The length of the *Decree* is set for three years from the effective date, which pursuant to the definition of “Effective Date” (*Decree* at 7266), which was signed by the Bureaus on Sep. 4, 2019. This would put the expiration date of the *Decree* at Sep. 5, 2022.

¹⁰ *Decree* at 7630.

INVOICE FROM SCMS TO JUSTIFY CONSIDERATION AMOUNT

Date		Quote #	
12/13/2019		QT16524	
Description	MSRP	Unit ...	Ext.
FSK ID Keyer as standard for translators removes the need for external hardware or hourly audible announcements and offers broadcasters a one-box solution for their translator sites. External reference support for both 1pps and 10MHz GPS sync inputs are at the rear of the unit, letting you integrate with other products for an SFN (single frequency network) environment. Hot-pluggable, simple to replace switch-mode power supplies have an extremely wide AC input range and 96% AC DC efficiency. Combining rock-solid performance with minimal maintenance to keep you on the air.			
BKG77 Broadband Circular Antenna Stainless Steel N Connector. 1 KW	775.00	694.12	694.12
Packing Fee for all antennas			25.00
Type N Female Positive Stop	24.40	24.40	24.40
Type N Male Positive Stop	23.53	18.97	56.91
B... ND 10MHz TO 1GHz N-FEM...	51.55	15.55	800.00
-03 Bird Technologies 75-A-MFN-03 Attenuator 75W 3dB N(m) to N(f) DC-3.0 GHz	235.00	195.83	195.83
Shipping Fee	0.00	159.60	159.60
Credit Card Fee		138.71	138.71
Subtotal			4,762.32
Shipping Cost (UPS® Ground)			0.00
Total			\$4,762.32

IN ESTIMATE OF ACTUAL FREIGHT COST TO BE BILLED****

f the purchaser. If a signature for proof of delivery is required, please specify.

) days with the exception of price increases from the manufacturer. All prices are FOB Origin. Taxes, e-procurement fees, and or payment within terms only, otherwise list price shown will be due. Net 30 Days terms are subject to credit approval. tages are shown above. Partial invoicing for partial shipments will be allowed. All items remain the property of SCMS until