

DECLARATION

I am Ronald A. Johnson. I have personal knowledge of the change of channels for the Canon City, Colorado FM translator from Channel 210 to Channel 211. The Commission issued a construction permit for a change in channels for the Canon City station on August 3, 2004 with a permit expiration date of August 3, 2007. In July, 2006, a full year prior to the expiration of the Canon City channel change construction permit for Station K211EW, contract engineer, Doug Wilson, made the channel change at the Canon City transmitter site located at the East Canon City Prison Complex. Mr. Wilson performed his engineering services through his company, Acoustic Projections. Attached hereto are copies of a portion of an invoice from Acoustic Projections for the second half of July 2006. They show that Doug Wilson, on July 16 and 17, 2006 visited the Canon City site and changed the translator channel. While he was there he also replaced an air conditioning unit located at the site. Acoustic Projections billed for the work that was done in invoices dated August 2, 2006 and August 28, 2006. A copy of a Quick Book Report printout is attached hereto showing the dates that the bills were processed. The August 2, 2006 entry refers to "K210BG changed to Channel 211."

Mr. Wilson, as part of the services which he rendered, was to prepare a license application, however, he, apparently, forgot to do so and put it off. Unfortunately, Doug Wilson died of a heart attack on January 19, 2007.

The translator shares space at the East Canon City Prison Complex with other broadcast entities, including Station KCME(FM), Manitou Springs, Colorado, licensed to Cheyenne Mountain Public Broadcast House ("Cheyenne Mountain"). Cheyenne Mountain received the yearly utility invoice for the East Canon City Prison Complex for the period August, 2006 to August, 2007. Attached hereto is a copy of the invoice measuring electric consumption for broadcasting facilities located at the East Canon City Prison Complex as well as a copy of a check made payable to KCME Radio to cover the translator's portion of the utility bill for this period. Since the Canon City translator broadcasts from the East Cannon City Prison Complex, many of that station's listeners are prisoners housed in that prison complex. The signal from KTLC, also licensed to Canon City which also rebroadcasts KTLF, does not penetrate the thick cement and steel

walls and structures of the prison complex from its site 25 miles north of Canon City, thus all prison inmates must listen to the signal of KTLF on FM translator K211EW, on 90.1 mHz, which is located on the prison grounds. Attached hereto is a letter, postmarked January 29, 2007, from a prisoner who is a listener of our broadcast over the Canon City translator.

In view of the above, it is clear that the Canon City FM translator station was constructed and operational in July, 2006, over one year prior to the date that the change of channel construction permit for that station expired. The foregoing statement is true and correct to the best of my knowledge, information and belief and is made under penalty of perjury.

By:



Ronald A. Johnson

February 23, 2008

7/16-31/06
TimeSheet Job Summary

Accessed on: Thu Aug 24 12:40:56 2006 MT Summary of Job #: 5441f

Use your 'Back' button to return to previous page..

Date: Mon Jul 31 21:20:26 2006 Transaction: TOut Operator: DPW
Description: pickup hardline & antenna w/trailer Note/Quan: ECCS - Longmont

Date: Mon Jul 31 19:40:40 2006 Transaction: T_In Operator: DPW
Description: pickup hardline & antenna w/trailer Note/Quan: ECCS - Longmont

This time pair = 1 hours, 39 minutes, 46 seconds

Longmont

Date: Mon Jul 31 19:35:50 2006 Transaction: TOut Operator: DPW
Description: Phone calls and paperwork Note/Quan: Both networks

Date: Mon Jul 31 19:12:50 2006 Transaction: T_In Operator: DPW
Description: Phone calls and paperwork Note/Quan: Both networks

This time pair = 0 hours, 23 minutes, 0 seconds

Split

Date: Mon Jul 31 15:49:12 2006 Transaction: Mile Operator: DPW
Description: milage for Cheyenne Mtn. Note/Quan: 72 miles - KTLF

Date: Mon Jul 31 15:49:02 2006 Transaction: TOut Operator: DPW
Description: done w/eng. Note/Quan: KTLF

Date: Mon Jul 31 09:25:46 2006 Transaction: T_In Operator: DPW
Description: start eng. - generator Chey. Mtn. Note/Quan: KTLF

This time pair = 6 hours, 23 minutes, 16 seconds

Chey mtn

Date: Sat Jul 29 19:54:53 2006 Transaction: TOut Operator: DPW
Description: done - also moved/picked up equipment Note/Quan: KTPL - Glen Eyrie

Date: Sat Jul 29 16:50:47 2006 Transaction: T_In Operator: DPW
Description: start eng. - phase 3 of cooling Glen Eyrie Note/Quan: KTPL - Glen Eyrie

This time pair = 3 hours, 4 minutes, 6 seconds

Glen

Date: Sat Jul 29 12:47:36 2006 Transaction: TOut Operator: DPW
Description: check on Rye xmtr - running 103%, correlates w/Tony's xmtr dying.. Note/Quan: KTPL

Date: Sat Jul 29 12:27:28 2006 Transaction: T_In Operator: DPW
Description: check on Rye xmtr Note/Quan: KTPL

This time pair = 0 hours, 20 minutes, 8 seconds

Rye

Date: Fri Jul 28 19:56:40 2006 Transaction: TOut Operator: DPW
Description: done w/eng. - also added circuit breaker Note/Quan: KTPL - Glen Eyrie

Date: Fri Jul 28 13:52:03 2006 Transaction: T_In Operator: DPW
Description: start eng. - phase 3 of cooling Glen Eyrie Note/Quan: KTPL - Glen Eyrie

This time pair = 6 hours, 4 minutes, 37 seconds

Glen

Date: Fri Jul 28 12:20:34 2006 Transaction: TOut Operator: DPW
Description: work on fan subassemblies for Glen Eyrie & load truck for same Note/Quan: KTPL - Glen Eyrie

Description: Phone calls about Telluride Note/Quan: KTLF - Telluride

This time pair = 0 hours, 10 minutes, 1 seconds

Telluride

Date: Mon Jul 17 22:52:04 2006 Transaction: TOut Operator: DPW
Description: Check on Chey. Mtn. xmtr - On back-up, main won't come up... Note/Quan: KTLF

Date: Mon Jul 17 22:16:14 2006 Transaction: T_In Operator: DPW
Description: Check on Chey. Mtn. xmtr - power outage.. Note/Quan: KTLF

This time pair = 0 hours, 35 minutes, 50 seconds

Chey Mtn

Date: Mon Jul 17 18:40:27 2006 Transaction: Mile Operator: DPW
Description: Trip to Canon City Note/Quan: 133 miles - ~~133~~

Date: Mon Jul 17 18:40:17 2006 Transaction: Note Operator: DPW
Description: 1 day Per Deum Note/Quan: \$30.00 - ~~133~~

Date: Mon Jul 17 18:40:07 2006 Transaction: TOut Operator: DPW
Description: End drive to C.S. Note/Quan: Both networks

Date: Mon Jul 17 17:01:01 2006 Transaction: T_In Operator: DPW
Description: drive to cs Note/Quan: both nets

This time pair = 1 hours, 39 minutes, 6 seconds

Date: Mon Jul 17 17:00:09 2006 Transaction: TOut Operator: DPW
Description: done w/eng. Note/Quan: both nets

Date: Mon Jul 17 13:32:23 2006 Transaction: T_In Operator: DPW
Description: start eng. - replace a/c Note/Quan: both nets

This time pair = 3 hours, 27 minutes, 46 seconds

Date: Mon Jul 17 13:31:15 2006 Transaction: TOut Operator: DPW
Description: done w/drive Note/Quan: both nets

Date: Mon Jul 17 11:20:50 2006 Transaction: T_In Operator: DPW
Description: Start drive to Canon City - replace A/C unit Note/Quan: Both networks

This time pair = 2 hours, 10 minutes, 25 seconds

Date: Mon Jul 17 10:55:45 2006 Transaction: TOut Operator: DPW
Description: Phone calls - A/C, Rye electric, etc. & load truck Note/Quan: Both networks

Date: Mon Jul 17 09:37:41 2006 Transaction: T_In Operator: DPW
Description: Phone calls - A/C, Rye electric, etc. Note/Quan: Both networks

This time pair = 1 hours, 18 minutes, 4 seconds

Split

Date: Sun Jul 16 13:00:13 2006 Transaction: TOut Operator: DPW
Description: Eng. paperwork - Canon City install Note/Quan: ECCS

Date: Sun Jul 16 11:57:57 2006 Transaction: T_In Operator: DPW
Description: Eng. paperwork - Canon City install Note/Quan: ECCS

This time pair = 1 hours, 2 minutes, 16 seconds

Canon C

Total job time = 78 hours, 3 minutes, 9 seconds

L. Lincoln PK/CC/KTLF

*4 hrs (or 3.75)
1 day per diem
133 miles
3.5 wk'd
7.50*

**Power and Light Radio Network
 Class QuickReport
 August 2006**

Type	Date	Num	Name	Memo	Amount
KTLF Translators					
Canon City 90.1/Prison					
Bill	8/2/2006	543lf	Acoustic Projections	.75 hrs wkld looking for a/c for prison site	-22.50
Bill	8/2/2006	543lf	Acoustic Projections	K210BG change to channel 211	-120.00
Bill	8/28/2006	544lf	Acoustic Projections	1 per diem/133m/ 3.50hr wkld/4hr drive install a/c	-233.50
Total Canon City 90.1/Prison					-376.00
Total KTLF Translators					-376.00
TOTAL					-376.00

STATE OF COLORADO

DEPARTMENT OF CORRECTIONS

Facility Management Services
2862 South Circle Drive, Suite 400
Colorado Springs, CO. 80906-4195
Phone: (719)-226-4800
Fax: (719)-226-4806



Bill Ritter, Jr.
Governor

Aristodem Zaveras
Executive Director

INVOICE

August 31, 2007

This invoice is for electricity consumption for broadcasting facilities located on the East Canon City Prison Complex known as TV Hill in Fremont County, CO.

FROM: August 31, 2006 Reading: 3852

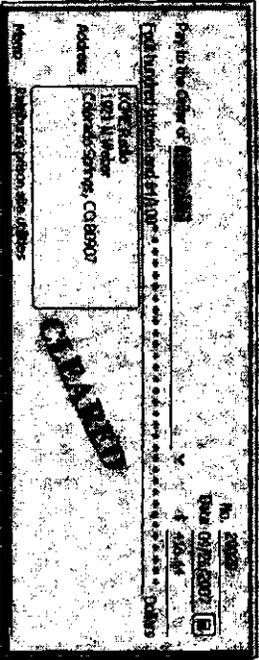
TO: August 31, 2007 Reading: 4720

Measurement: 888 X 20 = 17360 KWH

365 Days

RATE: .056/KWH X 17360 = Total Cost of \$972.16

Per the Licensing Agreement, this fourth (4th) invoice will go to Cheyenne Mountain Public Broadcast House, Inc., d.b.a. KCME-FM, 1921 N. Weber, Colorado Springs, CO 80907. Payment must be made to Aquila, 105 S. Victoria, Pueblo, CO 81002, Attention: Mary Wilson within 30 days of receipt of this invoice.



Bill Payment Information

To be printed

Pay Date Due	Vendor	Ref. No.	Bill Amt.	Am't. Due	Orig. Date	Am't. Paid
7/09/26/2007	KCE Radio	Pay: Phonographs	416.54	416.54		416.54

DEAR LYNN,

PRAISE GOD FOR PEOPLE LIKE YOU. I KNOW YOUR JOB IS VERY VERY REWARDING TO YOU.

THANK YOU VERY MUCH FOR READING MY DEVOTIONS, AND I AM SORRY THAT YOU CANNOT USE THEM IN YOUR PROGRAM. BUT I AM SURE THAT GOD HAS A SPOT FOR ME AND MY DEVOTIONS SOME WHERE.

I HAVE WRITTEN TO DIFFERENT HOUSES OF PUBLICATION. MAYBE GOD WANTS ME TO PUT THEM IN BOOK FORM, AND THEN PUT THEM IN BOOK STORES. REGARDLESS OF WHAT HAPPENS, I KNOW GOD WILL OPEN DOORS FOR ME THAT WILL BE UNBELIEVABLE.

HE HELPS ME CREATE THESE DEVOTIONS, AND I KNOW IT IS NOT TO BE KEPT IN MY POSSESSION, BUT TO SHARE IT WITH THE WORLD. GOD IS GREAT.

RESPECTFULLY
MALCOLM NICHOLS 111017
FCF 304L PO BOX 999
CANON CITY CO. 81215

P.S. THANK YOU FOR RESPONDING.

Colorado Department Of Corrections

Name MARCOLA, NICHOLS
Register Number 111017
Unit FCF 3C4L
Box Number 999
City, State, Zip CANON CITY CO. 81215

ATTENTION
THANK YOU

POWER AND LIGHT RADIO
1665 BRIAR GATE BLVD
COLORADO SPRINGS CO.
80920

80920+3447



COLORADO SPRINGS
CO 809 3 L
29 JAN 2007 PM

Pike & Fischer

Communications Regulation

☐ Call **1-800-255-8131**

☐ Email **Customer Care**

§73.3598 Period of construction.

(a) Each original construction permit for the construction of a new TV (including full-power DTV), AM, FM or International Broadcast; low power TV; TV translator; TV booster; FM translator; or FM booster station, or to make changes in such existing stations, shall specify a period of three years from the date of issuance of the original construction permit within which construction shall be completed and application for license filed. Each original construction permit for the construction of a new LPFM station shall specify a period of eighteen months from the date of issuance of the construction permit within which construction shall be completed and application for license filed.

(b) The period of construction for an original construction permit shall toll when construction is prevented by the following causes not under the control of the permittee:

(1) Construction is prevented due to an act of God, defined in terms of natural disasters (e.g., floods, tornados, hurricanes, or earthquakes);

(2) The grant of the permit is the subject of administrative or judicial review (i.e., petitions for reconsideration and applications for review of the grant of a construction permit pending before the Commission and any judicial appeal of any Commission action thereon), or construction is delayed by any cause of action pending before any court of competent jurisdiction relating to any necessary local, state or federal requirement for the construction or operation of the station, including any zoning or environmental requirement; or

(3) A request for international coordination, with respect to an original construction permit for a new DTV station, has been sent to Canada or Mexico on behalf of the station and no response from the country affected has been received, or the licensee or permittee is challenging the response from Canada or Mexico on the grounds that the facility as approved would not permit the station to serve the population that is both approved by the Commission and served by the station's TV (analog) facility to be vacated by February 17, 2009.

(c) A permittee must notify the Commission as promptly as possible and, in any event, within 30 days, of any pertinent event covered by paragraph (b) of this section, and provide supporting documentation. All notifications must be filed in triplicate with the Secretary and must be placed in the station's local public file.

(d) A permittee must notify the Commission promptly when a relevant administrative or judicial review is resolved. Tolling resulting from an act of God will automatically cease six months from the date of the notification described in paragraph (c) of this section, unless the permittee submits additional notifications at six month intervals detailing how the act of God continues to cause delays in construction, any construction progress, and the steps it has taken and proposes to take to resolve any remaining impediments.

(e) Any construction permit for which construction has not been completed and for which an application for license has not been filed, shall be automatically forfeited upon expiration without any further affirmative cancellation by the Commission.

Historical Note

Section amended effective July 13, 1970, 35 FR 9008, 19 RR 2d 1578.

Section amended effective August 2, 1974, 39 FR 24368. For Report see 30 RR 2d 901.

Section revised by order (FCC 85-647) effective December 10, 1985, 50 FR 52777. For Opinion see 59 RR 2d 595.

Section revised by order in Docket No. 98-43, effective February 16, 1999, 63 FR 70040. For Report see 14 CR 351.

Subsection (a) amended by order in Docket No. 99-25, effective April 17, 2000, 65 FR 7615. For Report see 19 CR 597.

Subsection (a) amended by order (FCC 02-298) in Docket No. 01-75, effective April 16, 2003, 68 FR 12743. For Report see 27 CR 1126.

Corrected by Erratum (DA 04-2056) released July 8, 2004 and effective July 22, 2004, 69 FR 43772, 53352. Subsections (a) and (b) amended by order (FCC 07-228) in Docket No. 07-91, effective January 30, 2008, 73 FR 5633. For Report see 43 CR 683.

Subsection (b) amended effective July 13, 1971, 36 FR 12904.

Subsection (b) amended by order in Docket No. 78-253, effective June 17, 1982, 47 FR 21468. For Report see 51 RR 2d 476.

Subsection (b) amended by order in Docket No. 87-13, effective September 21, 1987, 52 FR 31398. For Report see 63 RR 2d 761.

Subsection (c) added by order in Docket No. 87-267, effective midnight April 19, 1992, 56 FR 64842, 57 FR 11689. For Report see 69 RR 2d 1395.

© 2008, IOMA, Inc., Published by Pike & Fischer