

NOTE: The failure to include an explanatory exhibit providing full particulars in connection with a "No" response may result in dismissal of the application. See Instructions, paragraph L for additional information regarding completion of explanatory exhibits.

Section II - Legal and Financial

1. **Certification.** Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets. ☒ Yes ☐ No

2. **Eligibility.** Each applicant must answer "Yes" to one and "No" to two of the three following certifications. An applicant should not submit an explanatory exhibit in connection with these Question 2 "No" responses.

The applicant certifies that it is:

- a. a nonprofit educational institution; or ☐ Yes ☒ No
- b. a governmental entity other than a school; or ☐ Yes ☒ No
- c. a nonprofit educational organization, other than described in a. or b. ☒ Yes ☐ No
3. For applicants checking "Yes" to question 2(c) and applying for a new noncommercial educational television station only, the applicant certifies that the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural, and civic segments of the principal community to be served. ☐ Yes ☐ No ☒ N/A

4. a. The applicant certifies that the Commission has previously granted a broadcast application identified here by file number that found this applicant qualified as a noncommercial educational entity with a qualifying educational program, and that the applicant will use the proposed station to advance a program similar to that the Commission has found qualifying in applicant's previous application. ☒ Yes BML-20061215ACV
☐ No FCC File Number

b. Applicants who answered "No" to Question 4(a), must include an exhibit that describes the applicant's educational objective and how the proposed station will be used to advance an educational program that will further that objective according to 47 C.F.R. Section 73.503 (for radio applicants) or 47 C.F.R. Section 73.621 (for television applicants).

Exhibit No.

5. The applicant certifies that its governing documents (e.g., articles of incorporation, by-laws, charter, enabling statute, and/or other pertinent organizational document) permit the applicant to advance an educational program and that there is no provision in any of those documents that would restrict the applicant from advancing an educational program or complying with any Commission rule, policy, or provision of the Communications Act of 1934, as amended. ☒ Yes ☐ No

6. a. **Parties to the Application.** List separately each party to the application including, as applicable, the applicant, its officers, directors, five percent or greater stockholders, non-insulated partners, members, and all other persons and entities with attributable interests. If another entity holds an attributable interest in the applicant, list separately, as applicable, its officers, directors, five percent or greater stockholders, non-insulated partners, and board members. Create a separate row for each individual or entity. Attach additional pages if necessary.

Name and Residence/Headquarters Address(es) (a)	Citizenship (b)	Positional Interest: Officer, director, investor/creditor attributable under the Commission's equity/debt plus standard, etc. (c)	Director or Member of Governing Board		% of: Ownership (O) or Voting Stock (VS) or Membership (M) (e)	% of: of Total Assets (equity plus debt) (f)
			Yes	No		
James E. O'Laughlin 7725 NW Westside Weatherby Lake, MO 64152	USA	President/Director	Yes		n/a	0
Carolyn O'Laughlin 7725 NW Westside Weatherby Lake, MO 64152	USA	Sec./Treas./Dir.	Yes		n/a	0
Jim Kafka 12341 Summit Kansas City, MO 64145	USA	Director	Yes		n/a	0

- b. Applicant certifies that any equity and financial interests not set forth above are non-attributable pursuant to 47 C.F.R. Section 73.3555 and that there are no agreements or understandings with any non-party that would give influence over the applicant's programming, personnel, or finances to that non-party. ☐ Yes ☐ No See Explanation in Exhibit No. there are no such interests.

7. **Other Authorizations.** List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest pursuant to the notes to 47 C.F.R. Section 73.3555.

Exhibit No,
A

☐ N/A

8. **Character Issues.** Applicant certifies that neither applicant nor any party to the application has or has had any interest in, or connection with:

☒ Yes ☐ No

See Explanation
in Exhibit No.

- a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or
- b. any pending broadcast application in which character issues have been raised.

9. **Adverse Findings.** Applicant certifies that, with respect to the applicant, any party to the application, and any non-party equity owner in the applicant, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.

☒ Yes ☐ No

See Explanation
in Exhibit No.

If the answer is "No," attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and a description of the disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 C.F.R. Section 1.65, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) the disposition of the previously reported matter.

10. **Alien Ownership and Control.** Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.

☒ Yes ☐ No

See Explanation
in Exhibit No.

11. **Program Service Certification.** Applicant certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.

☒ Yes ☐ No

12. **Local Public Notice.** Applicant certifies compliance with the public notice requirements of 47 C.F.R. Section 73.3580.

☐ Yes ☐ No not applicable

13. **Anti-Drug Abuse Act Certification.** Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.

☒ Yes ☐ No

14. **Equal Employment Opportunity (EEO).** If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A.

☐ Yes ☐ No ☒ N/A

QUESTIONS 15,16 AND 17 APPLY ONLY TO APPLICATIONS FOR NEW STATIONS. OTHER APPLICANTS CAN PROCEED TO QUESTION 18.

15. **Financial.** The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.

☐ Yes ☐ No

See Explanation
in Exhibit No.

not applicable

If "No" to 15., answer questions 16. and 17.

16. Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration? ☐ Yes ☒ No

17. Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision? ☐ Yes ☒ No

NOTE: If Yes to 16. or 17., the application cannot be granted unconditionally until all of the necessary funds are committed or appropriated. In the case of grants from the National Telecommunications and Information Administration, no further action on the applicant's part is required. If the applicant relies on funds from a source specified in Question 17., **the applicant must advise the Commission when the funds are committed or appropriated.** This should be accomplished by letter amendment to the application. Applicants should take note that the Commission's construction period is not considered "tolled" by funding difficulties and that any permit granted conditionally on funding will expire if the station is not constructed for any reason, including lack of funding.

QUESTIONS 18 AND 19 DO NOT APPLY TO APPLICATIONS FOR NEW STATIONS. APPLICANTS FOR NEW FM STATIONS CAN PROCEED TO SECTION 111. APPLICANTS FOR NEW TV STATIONS CAN PROCEED TO SECTION IV.

Holding Period.

18. Applicant certifies that this application does not propose a modification to an authorization that was awarded on the basis of a preference for fair distribution of service pursuant to 47 U.S.C. Section 307(b). ☒ Yes ☐ No

If "No," answer a. and b. below. If applicant answers "No" to 18. above and cannot answer "Yes" to either a. or b. below, the application is unacceptable.

a. Applicant certifies that the proposed modification will not downgrade service to the area on which the Section 307(b) preference was based. ☐ Yes ☐ No

b. Applicant certifies that although it proposes to downgrade service to the area on which the Section 307(b) preference was based, applicant has provided full service to that area for a period of four years of on-air operations. ☐ Yes ☐ No

19. Applicant certifies that this application does not propose a modification to an authorized station that received a credit for superior technical parameters under the point system selection method in 47 C.F.R. Section 73.7003. ☒ Yes ☐ No

If "No," applicant must be able to answer "Yes" to a. below or provide an exhibit that makes a compelling showing that the downgrade would be in the public interest.

a. Applicant certifies that the population and area within the proposed service contour (60 dBu (FM) or Grade B (TV)) are greater than or equivalent to those authorized. ☐ Yes ☐ No

Exhibit No.

Section III

Fair Distribution of Service Pursuant to 47 U.S.C. Section 307(b) (New and Major Changes to FM Radio Only) (Other

NOT APPLICABLE

1. Applicant certifies that the proposed station will provide a first noncommercial educational aural service to (a) at least 10 percent of the people residing within the station's 60 dBu (1 mV/m) service contour and (b) to a minimum of 2,000 people. Applicants answering "Yes" must provide an Exhibit. ☐ Yes ☐ No

Exhibit No.

2. Applicant certifies that the proposed station will provide a second noncommercial educational aural service to (a) at least 10 percent of the people residing within the station's 60 dBu (1 mV/m) service contour and (b) to a minimum of 2,000 people. Applicants answering "Yes" must provide an Exhibit. ☐ Yes ☐ No

Exhibit No.

OTHER MEDIA INTERESTS

Catholic Radio Network, Inc. is licensee of the following non-commercial stations:

- KEXS(AM), Excelsior Springs, Missouri, FCC FIN 14620
- KAHS(AM), El Dorado, Kansas, FCC FIN 48538
- KFEL(AM), Pueblo, Colorado, FCC FIN 23151

In addition to KEXS-FM, Catholic Radio Network, Inc. is permittee of a new FM Broadcast Station at Pleasanton, Kansas, FCC FIN 165947.

Catholic Radio Network, Inc. is licensee of FM Translator Station K294BE, St. Joseph, MO, FCC FIN 144031.

**REQUEST FOR "SATELLITE STATUS"
AND
FOR WAIVER OF MAIN STUDIO LOCATION RULE**

Catholic Radio Network, Inc. (formerly Kansas City Catholic Network, Inc.) seeks the following relief: (1) that the Commission grant "satellite" status for station KEXS-FM to be a satellite of co-owned non-commercial station KEXS(AM), Excelsior Springs, Missouri; and (2) that the Commission grant a waiver of Section 73.1125 of the Commission's Rules so that the main studio for station KEXS-FM can be co-located with the main studio of KEXS(AM) at 201 North Industrial Park Road, Excelsior Springs, Missouri; the program material for KEXS-FM would be delivered via satellite or terrestrial means (microwave, ISDN or internet) from the Excelsior Springs location to the KEXS-FM transmitter site 5.5 miles west-southwest of Parnell, Missouri.

Preliminary Statement.

Catholic Radio Network, Inc. is a non-stock, non-profit corporation chartered in Missouri with tax-exempt status granted by the Internal Revenue Service pursuant to 26 U.S.C. §501(c)(3). Catholic Radio Network, Inc. has converted the licenses of its stations KEXS(AM) and KAHS(AM), El Dorado, Kansas, from commercial to non-commercial status, File Nos. BMP-20061215ACV and BMP-20061215ACW, respectively. The KAHS(AM) application included a request for "satellite" status and main studio waiver virtually identical to this request. Catholic Radio Network, Inc. is also the licensee of non-commercial station KFEL(AM), Pueblo, Colorado.

Satellite Status/Main Studio Location Rule Waiver

The KEXS(AM) studio site (at NAD27 coordinates 39-20-25 N, 94-14-26 W) is approximately 73.515 airline miles (118.312 km) from the Ravenwood reference coordinates in the national atlas (40-21-08 N, 94-40-25 W). The applicant seeks that KEXS-FM be designated as a "satellite" of KEXS and that a waiver of Section 73.1125 be granted. In addition to the waiver granted to KAHS(AM) described above, this relief was also granted to another non-commercial broadcaster, IHR Educational Broadcasting, in the following cases: (1) KPJP(FM), Greenville, California, File No. BMPED-20030226ACH, granted July 17, 2003; (2) KWG(AM), Stockton, California, File No. BML-20040618ABC, granted October 7, 2004; (3) KSMH(AM), West Sacramento, California, File No. BML-20040618ABB, granted September 21, 2004; (4) KJPG(AM),

Frazier Park, California, File No. BML-20040618ABD, granted December 21, 2004; and (5) KXXQ(FM), Milan, New Mexico, Ref. No. 20051223ACA, granted July 17, 2006.

The requested waiver would be invaluable to assisting Catholic Radio Network, Inc. in preserving scarce resources derived from its listener support in order to continue to provide the unique high-quality program service that Catholic Radio Network, Inc. provides to Ravenwood, Maryville and surrounding areas in northwest Missouri and southwest Iowa.

As far as public interest benefits to be achieved by a “satellite operation”, by consolidating the operation at Catholic Radio Network’s studios in Excelsior Springs, we estimate that we can save at least \$30,000 per year in rent, salaries and other related costs. With the money we save, we can improve the program service that we will provide to Ravenwood, Maryville and the surrounding region. Catholic Radio Network, Inc. is a section 501(c)(3) corporation, and its revenues come from donations.

In order to better ascertain the needs and interests of the Ravenwood area and to provide programming to address the unique problems, needs and interests of Ravenwood and the KEXS-FM service area, the applicant proposes to take the following steps: (1) the applicant will subscribe to *The Maryville Daily Forum*, the local newspaper serving Ravenwood and surrounding Nodaway County; (2) on a quarterly basis, the applicant will conduct interviews with Ravenwood leaders and residents; (3) the applicant will form an advisory council with at least one resident of the Ravenwood area serving on it; (4) the applicant will develop periodic local programming for Ravenwood, Maryville and Nodaway County including coverage of news and cultural events; and (5) the applicant will provide the broadcast of local public service announcements of interest to Ravenwood, Maryville and KEXS-FM service area residents.

To facilitate listener input, we maintain (1) a “contact us” feature on our website, www.kexs.org, and (2) a local toll-free telephone number which can be used by the residents of Ravenwood and the KEXS-FM service area, 877-630-1090.

The Commission has on previous occasions waived the Main Studio Rule to permit “satellite” operation. See *e.g. American Family Association (Marksville, Louisiana)*, 12 FCC Rcd 15128 (1997).

The instant waiver request meets the good cause standard applied in previous cases and should therefore be granted.