

Kanza Society, Inc.
Application for New Noncommercial Educational Broadcast Station
Dalhart, TX, CH 207, CLASS A
FCC Form 340
October 12, 2007

EXHIBIT 12: Diversity of Ownership

Documentation for Form 340, Section IV, Item 2

a. Existing authorizations within proximity to the proposed application

The following are the closest authorized stations in which any party to this application has an attributable interest, along with the degree of separation or overlap of the their 70 dBu (3.16 mV/m) contours:

Station (Community)	Distance from proposed station (km)	Proposed bearings from/to existing station	70 dBu contour of existing station along bearing	70 dBu contour of proposed station along bearing	Contour separation
K205CR (Guymon, OK)	115.6	234.9 54.2	4.7	8.9	102.0
KTOT-FM (Spearman, TX)	133.1	272.7 91.8	48.5	9.5	75.1
KJJP-FM (Amarillo, TX)	108.7	326.9 146.5	36.5	9.4	62.8

No contours are within 16 km (10 miles) or less so no map has been provided.

b. Governance documents related to maintaining diversity qualifications

On the following pages are two revisions to the governing documents of the Kanza Society Inc. ensuring that it will maintain its diversity qualifications for this application. These consist of:

1. An amendment to the Articles of Incorporation establishing that the qualifications for members of the Board of Directors be defined in the By-laws.
2. An amendment to the By-Laws that specifically addresses maintaining the diversity qualifications of this application in accordance with the FCC's rules and regulations.

41-357-5

Contact Information

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**KANSAS SECRETARY OF STATE
Nonprofit Corporation Certificate of Amendment**

AN

53-13

All information must be completed or this document will not be accepted for filing.

1. Name of the corporation:

KANZA Society Incorporated

Name must match the name on record with the secretary of state

2. The articles of incorporation are amended as follows:

See attached

10-10-2007	10:49:00
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02062063

The amendment was adopted in accordance with the provisions of K.S.A. 17-6602.

I declare under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct.

Executed on the 29th of September, 2007.
Day Month Year

Authorized officer

FILED
SECRETARY OF STATE
KANSAS
2007 OCT -9 PM 4: 57

I hereby certify this to be a true and correct copy of the original on file.
Certified on this date: Oct 9, 2007
Ron Thornburgh, Secretary of State

Instruction

Submit this form with the \$20 filing fee.
Notice: There is a \$25 service fee for all returned checks.

1. Name of the corporation:

Kanza Society Incorporated

Name must match the name on record with the secretary of state

2. The articles of incorporation are amended as follows:

Item 1.:

The THIRD section of the Kanza Society Incorporated's existing Articles of Incorporation covering the nature of the corporation's business and purpose, as previously amended on August 2, 1977, be entirely replaced by the wording given here as Attachment A.

Attachment A

THIRD: This corporation is organized NOT for profit and the nature of its business or purposes to be conducted or promoted is:

- 1) To provide means of communications, visual and aural, electronic, mechanical and natural, for all people of the High Plains region and in particular for those persons with interests both in human communications and in the life and times, past, present and future, of the people of the High Plains.
- 2) To actively produce and direct programming for use by all available media that is of service to all persons of the High Plains and that concerns a wide range of interests from across the High Plains as well as broader issues of awareness and appreciation of the world at large.
- 3) To draw upon the resources of persons, property, and money within as well as outside the High Plains area that are necessary to pursue and perpetuate the purposes of the Kanza Society Incorporated.
- 4) The specific and primary business or purpose of the Kanza Society Incorporated shall be to establish and operate a noncommercial educational radio broadcast station or stations on the High Plains. The corporation may seek whatever authorizations and hold whatever licenses necessary to operate such station or stations. It may also seek funding for the construction and operation of the station or stations from whatever government or private sources available.
- 5) No part of the contributions received by the corporation or any net earnings made by the corporation shall inure to the benefit of, or be distributed to its members, board of directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article THIRD parts 1,2,3, and 4 hereof. No substantial part of the activities of the corporation

shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation.

6) Upon the dissolution of the corporation. the Board of Directors shall, after paying or making provisions for the payment of all the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for educational or public service purposes as shall at that time qualify as an exempt organization or organizations under section 501 (c) (3) of .the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law), as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by the District Court of the county in which the principle office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated for such purpose.

Item 2.:

The FIFTH section of the Kanza Society Incorporated's existing Articles of Incorporation, as originally established on July 9, 1975, be entirely replaced by the wording given here as Attachment B.

Attachment B

FIFTH: The conditions of membership and the qualifications of Directors shall be fixed by the by-laws.

The amendment was adopted in accordance with the provisions of K.S.A. 17-6602.

I declare under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct.

Executed on the 29th of September, 2007
day month year

President, Board of Directors, Kanza Society, Incorporated
Authorized officer

RESOLUTIONS OF BOARD OF DIRECTORS
AMENDING THE BYLAWS
OF
KANZA SOCIETY INCORPORATED

The undersigned, being the directors of the Kanza Society Incorporated (the "Corporation"), hereby adopt, at a meeting of the Board of Directors held this 29th day of September, 2007, the following resolutions amending the Bylaws of the Corporation:

WHEREAS, the Corporation, in furtherance of its educational and cultural purposes, wishes to file applications for a permits to construct new noncommercial educational FM radio stations, hereinafter the "Proposed Stations," to serve one or more of the following communities: St. Francis, KS, Atwood, KS, Goodland, KS, Colby, KS, Brewster, KS, Gem, KS, Menlo, KS, Rexford, KS, Oakley, KS, Russell Springs, KS, Winona, KS, Sharon Springs, KS, Tribune, KS, Ness City, KS, Dodge City, KS, Liberal, KS, Kismet, KS, Elkhart, KS, Ashland, KS, Hooker, OK, Guymon, OK, Burlington, CO, Lamar, CO, Hasty, CO, Wiley, CO, Dalhart, TX, Childress, TX, Clarendon, TX, Hedley, TX, Washburn, TX, Claude, TX, Happy, TX, and Tulia, TX, hereinafter referred to as the "Communities"; and

WHEREAS, in the event that competing applications are received, the Federal Communications Commission ("FCC") favors applicants that are, and that will commit to provide, "local diversity of ownership" pursuant to the attached portions of Sections 73.7000, Section 73.7003(b)(2), and Section 73.7005 of the FCC's Rules; and

WHEREAS, neither the Corporation nor any member of its Board of Directors has any attributable interest in any radio station or authorized construction permit for a radio station whose principal community contour overlaps the principal community contour of the Proposed Stations; and

WHEREAS, the directors of the Corporation seek to amend the Bylaws of the Corporation to preserve its qualifications to provide local diversity of ownership for the applicable holding period in the FCC's Rules.

NOW THEREFORE, BE IT RESOLVED, that the Bylaws of the Corporation are hereby amended to add a section titled Section 6.06 –FCC Compliance under Article VI of the existing By-laws to read as follows:

The Corporation shall not hold any other FCC-defined attributable interest in any other radio broadcast station or authorized construction permit for a radio station the FCC-defined principal community contour of which overlaps that of the Corporation's proposed or, if applicable, constructed station(s) in St. Francis, KS, Atwood, KS, Goodland, KS, Colby, KS, Brewster, KS, Gem, KS, Menlo, KS, Rexford, KS, Oakley, KS, Russell Springs, KS, Winona, KS, Sharon Springs, KS, Tribune, KS, Ness City, KS, Dodge City, KS, Liberal, KS, Kismet, KS, Elkhart, KS, Ashland, KS, Hooker, OK, Guymon, OK, Burlington, CO, Lamar, CO, Hasty, CO,

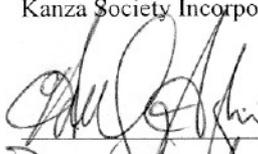
Wiley, CO, Dalhart, TX, Childress, TX, Clarendon, TX, Hedley, TX, Washburn, TX, Claude, TX, Happy, TX, and Tulia, TX, hereinafter referred to as the "Communities".

No director shall hold any FCC-defined attributable interest in any other radio broadcast station or authorized construction permit for a radio station the FCC-defined principal community contour of which overlaps that of the Corporation's proposed or, if applicable, constructed stations in these Communities.

The Bylaws of the Corporation shall not be amended in any manner that causes the Corporation to lose its qualifications for local diversity of ownership under FCC Rule 73.7003(b)(2), or any successor provisions, for as long as the Corporation has an application for a new noncommercial education radio station pending for these Communities, and, if applicable, for the holding period under FCC Rule 73.7005, or any successor provision.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned, being the members of the Board of Directors, have adopted this Resolution of Board of Directors Amending the Bylaws of the Kanza Society Incorporated.



President 9/29/07



GARY P. TRENCH, SECRETARY
9/29/07

FCC Rules Referenced in Resolutions and Bylaw Amendments

§73.7000 Definition of terms (as used in Subpart K only).

Attributable interest. An interest of an applicant, its parent, subsidiaries, their officers, and members of their governing boards that would be cognizable under the standards in the notes to §73.3555. Also an interest of an entity providing more than 33 percent of an applicant's equity and/or debt that also either (1) supplies more than 15% of the station's weekly programming, or (2) has an attributable interest pursuant to §73.3555 in media in the same market.

Established local applicant. An applicant that has, for at least the two years (24 months) immediately preceding application, met the definition of local applicant.

Local applicant. An applicant physically headquartered, having a campus, or having 75% of board members residing within 25 miles of the reference coordinates for the community to be served, or a governmental entity within its area of jurisdiction.

On-air operations. Broadcast of program material to the public pursuant to Commission authority, generally beginning with program test authority, for periods of time that meet any required minimum operating schedule, e.g. §73.561(a).

§73.7003 Point system selection procedures.

(b) Based on information provided in each application, each applicant will be awarded a predetermined number of points under the criteria listed:

(1) Established local applicant. Three points for local applicants as defined in §73.7000 who have been local continuously for no fewer than the two years (24 months) immediately prior to application, if the applicant's own governing documents (e.g. by-laws, constitution, or their equivalent) require that such localism be maintained.

(2) Local diversity of ownership. Two points for applicants with no attributable interests as defined in §73.7000, in any other broadcast station or authorized construction permit (comparing radio to radio and television to television) whose principal community (city grade) contour overlaps that of the proposed station, if the applicant's own governing documents (e.g. by-laws, constitution, or their equivalent) require that such diversity be maintained. The principal community (city grade) contour is the 5 mV/m for AM stations, the 3.16 mV/m for FM stations calculated in accordance with §73.313(c), and the contour identified in §73.685(a) for TV. Radio applicants will count commercial and noncommercial AM, FM, and FM translator stations other than fill-in stations. Television applicants will count UHF, VHF, and Class A stations.

§73.7005 Holding period.

(a) Assignments/Transfers. NCE stations awarded by use of the point system in §73.7003 shall be subject to a holding period. From the grant of the construction permit and continuing until the facility has achieved four years of on-air operations, an applicant proposing to assign or transfer the construction permit/license to another party will be required to demonstrate the following two factors: that the proposed buyer would qualify for the same number of or greater points as the assignor or transferor originally received; and that consideration received and/or promised does not exceed the assignor's or transferor's legitimate and prudent expenses. For purposes of this section, legitimate and prudent expenses are those expenses reasonably incurred by the assignor or transferor in obtaining and constructing the station (e.g. expenses in preparing an application, in obtaining and installing broadcast equipment to be assigned or transferred, etc.). Costs incurred in operating the station are not recoverable (e.g. rent, salaries, utilities, music licensing fees, etc.). Any successive applicants proposing to assign or transfer the construction permit/license prior to the end of the aforementioned holding period will be required to make the same demonstrations.

(b) Technical. In accordance with the provisions of §73.7002, an NCE applicant receiving a decisive preference for fair distribution of service is required to construct and operate technical facilities substantially as proposed, and can not downgrade service to the area on which the preference is based for a period of four years of on-air operations.

(c) The holding period in this section does not apply to construction permits that are awarded on a non-comparative basis, such as those awarded to non-mutually exclusive applicants or through settlement.

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