

FCC Form 340
EXHIBIT 1

SECTION II - Legal and Financial

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| 1. | <p>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.</p> | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 2. | <p>Eligibility. Each application 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.</p> <p>The applicant certifies that it is:</p> <p>a. a nonprofit educationl institution; or</p> <p>b. a governmental entity other than a school; or</p> <p>c. a nonprofit educationl organization, other than described in a. or b.</p> | <div style="margin-bottom: 10px;"><input type="radio"/> Yes <input checked="" type="radio"/> No</div> <div style="margin-bottom: 10px;"><input type="radio"/> Yes <input checked="" type="radio"/> No</div> <div><input checked="" type="radio"/> Yes <input type="radio"/> No</div> |
| 3. | <p>For applicants checking "Yes" to question 2(c) and applying for a new noncommercial educationl 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.</p> | <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A |
| 4. | <p>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.</p> <p>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) and 47 C.F.R. Section 73.621 (for television applicants).</p> | <div style="margin-bottom: 20px;"><input type="radio"/> Yes <input checked="" type="radio"/> No</div> <div>FCC FileNumber -</div> <div>[Exhibit 2]</div> |
| 5. | <p>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.</p> | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 6. | <p>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 hold 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.</p> <p>[Enter Parties/Owners Information]</p> | |

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| | <hr/> <hr/> <p>b. Applicant certifies that 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.</p> | <input checked="" type="radio"/> Yes <input type="radio"/> No [Exhibit 3] |
| 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. | <input type="checkbox"/> N/A [Exhibit 4] |
| 8. | Character Issues. Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with: <p>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</p> <p>b. any pending broadcast application in which character issues have been raised.</p> | <input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 5] |
| 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 any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another government unit; or discrimination. <p>If the answer is "No," attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the 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.</p> | <input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 6] |
| 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. | <input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 7] |
| 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. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 12. | Local Public Notice. Applicant certifies compliance with the public notice requirements of 47 C.F.R. Section 73.3580. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 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. | <input checked="" type="radio"/> Yes <input type="radio"/> 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. | <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A |

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

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| 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. If "No" to 15., answer question 16. and 17. | <input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 8] |
| 16. | Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration? | <input type="radio"/> Yes <input type="radio"/> 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? | <input type="radio"/> Yes <input type="radio"/> 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 III. APPLICANTS FOR NEW TV STATIONS CAN PROCEED TO SECTION IV.

Holding Period.

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| 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). 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. 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. | <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> 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. 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. | <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No [Exhibit 9] |

Exhibits

Exhibit 2

Description: EDUCATIONAL OBJECTIVES

THIS EXHIBIT PROVIDES ADDITIONAL INFORMATION CONCERNING INDIANAPOLIS COMMUNITY TELEVISION, INC. (ICT), PROPOSED ASSIGNEE OF WTBU-TV AND ITS OFFICERS AND DIRECTORS. ICTS PRESIDENT, MARCUS LAMB, AND VICE PRESIDENT, JONI LAMB, ARE VERY FAMILIAR WITH THE FCCS STANDARDS FOR NON-COMMERCIAL STATIONS, SINCE THEY ARE ALSO PRESIDENT AND VICE PRESIDENT IN NON-PROFIT CORPORATIONS WHICH HAVE BEEN APPROVED BY THE FCC FOR THE FOLLOWING NON-COMMERCIAL STATIONS:

KL TJ (TV), GALVESTON, TX (FILE NO. BALET-19990729IA)
WTSF (TV, ASHLAND, KY (FILE NO. BALCT-20030729ADC)
KDTN (TV), DENTON, TX (FILE NO. BALET-20030818ABI)
KRMT (TV), DENVER, CO (FILE NO. BALET-19970226IA)
KKAP (TV), LITTLE ROCK, AR (FILE NO. BTCET-20010309AAT)
WYDN (TV), WORCESTER, MA (FILE NO. BTCET-20000602AGO)
KDTP (TV), PHOENIX, AZ (FILE NO. BLET-20010205ABS)
KWBN (TV), HONOLULU, HI (FILE NO. BTCET-20000914AAAY)
KWDK (TV), TACOMA, WA (FILE NO. BTCET-19991202ABV)

SPECIFICALLY, THIS EXHIBIT: (I) PROVIDES DETAILS CONCERNING ICTS EDUCATIONAL OBJECTIVES; AND (II) DEMONSTRATES THAT ITCS BOARD MEMBERS ARE REPRESENTATIVE OF THE EDUCATIONAL, CULTURAL AND CIVIC GROUPS IN THE INDIANAPOLIS COMMUNITY.

I. EDUCATIONAL OBJECTIVES

AS STATED IN THE INSTANT APPLICATION, ICT IS A NON-PROFIT, NON-STOCK, NON-COMMERCIAL ENTITY FORMED UNDER THE TEXAS NON-PROFIT CORPORATION ACT AND AUTHORIZED TO DO BUSINESS IN THE STATE OF INDIANA FOR THE PRIMARY PURPOSE OF PROVIDING RELIGIOUS AND EDUCATIONAL PROGRAMMING TO SERVE THE EDUCATIONAL NEEDS OF INDIANAPOLIS. FOR THESE REASONS, ICT IS QUALIFIED TO BE THE ASSIGNEE OF THE STATION UNDER SECTION 73.621 OF THE RULES AND POLICIES OF THE FEDERAL COMMUNICATIONS COMMISSION (FCC RULES), 47 C.F.R. 73.621.

II. REPRESENTATION OF THE COMMUNITY

THE FOLLOWING INFORMATION DEMONSTRATES THAT A MAJORITY OF ICTS BOARD MEMBERS ARE BROADLY REPRESENTATIVE OF THE EDUCATIONAL, CULTURAL AND CIVIC GROUPS IN THE COMMUNITY OF INDIANAPOLIS, INDIANA. THESE INDIVIDUALS: (I) RESIDES IN INDIANAPOLIS, INDIANA, THE STATIONS COMMUNITY OF LICENSE; (II) UNDERSTAND THE NEEDS AND INTERESTS OF THE WTBU-TV VIEWING PUBLIC; AND (III) WILL DIRECT THE PROGRAMMING OF WTBU-TV TO BE RESPONSIVE TO THOSE NEEDS.

BOARD MEMBERS

ROB PRICE, DIRECTOR
809 SUMMITCREST
INDIANAPOLIS, IN 46241

ROB PRICE HAS A MASTERS DEGREE IN FILM/TV FROM REGENT UNIVERSITY. HE IS A PART-TIME INSTRUCTOR AT INDIANA WESLEYAN UNIVERSITY IN THE FIELD OF COMMUNICATIONS. HE IS A

FEATURED SPEAKER AT LOCAL PRISONS AND HOMELESS SHELTERS AND A COMMUNITY COUNSELOR. HE IS THE PRODUCER OF A LOCAL INDIANAPOLIS TV PROGRAM.

PETER KEENAN, DIRECTOR
4646 N. MICHIGAN ROAD
INDIANAPOLIS, IN 46228

PETER KEENAN HAS A MASTERS DEGREE FROM SOUTHERN METHODIST UNIVERSITY. HE IS A FORMER TEACHER AT PURDUE UNIVERSITY AT INDIANAPOLIS. HE IS AN AFRICAN AMERICAN AND THE PRODUCER FOR LIVING FOR THE CITY, A PUBLIC AFFAIRS TV PROGRAM HIGHLIGHTING MINORITY ISSUES. HE IS ALSO INVOLVED IN COMMUNITY PROJECTS LIKE CANCER PATIENT SUPPORT AND WORKS WITH JUVENILE OFFENDERS.

VERNON PIERCEY, DIRECTOR
10706 STILLCREEK DRIVE
INDIANAPOLIS, IN 46239

VERNON PIERCEY HAS A MASTERS DEGREE FROM BUTLER UNIVERSITY IN INDIANAPOLIS. HE IS THE DIRECTOR OF FINE ARTS INCLUDING MUSIC, DRAMA, AND MEDIA AT A LOCAL INDIANAPOLIS ORGANIZATION. HE SPEAKS AT LOCAL INDIANAPOLIS YOUTH EVENTS, BOYS SCHOOL OF INDIANAPOLIS, AND INDIANAPOLIS WOMENS PRISON. HE IS THE PRODUCER OF A LOCAL INDIANAPOLIS TV SHOW.

BRYON WILKES, DIRECTOR
6001 KENTUCKY AVENUE
INDIANAPOLIS, IN 46221

BYRON WILKES IS A LEE UNIVERSITY GRADUATE. HE WAS A PROFESSOR OF MUSIC AT EMMANUEL COLLEGE. HE IS THE DIRECTOR OF MUSIC AND MEDIA IN A LOCAL INDIANAPOLIS ORGANIZATION. HE ALSO PRODUCES A LOCAL INDIANAPOLIS TV PROGRAM.

MARCUS D. LAMB, PRESIDENT/TREASURER/DIRECTOR
5000 WESTGROVE LANE
COLLEYVILLE, TX 76034

MARCUS LAMB GRADUATED MAGNA CUM LAUDE FROM LEE COLLEGE. HE IS THE PRESIDENT/CEO OF DAYSTAR TELEVISION NETWORK. HE IS ON THE BOARD OF SEVERAL NON-PROFIT ORGANIZATIONS THAT ARE THE LICENSEES OF NON-COMMERCIAL EDUCATIONAL TV STATIONS.

JONI T. LAMB, VICE PRESIDENT/SECRETARY/DIRECTOR
5000 WESTGROVE LANE
COLLEYVILLE, TX 76034

JONI LAMB FINISHED THE MONTGOMERY SCHOOL OF FINE ARTS. SHE HAS RECORDED SIX MUSIC ALBUMS. SHE HOSTS A DAILY WOMENS TV PROGRAM THAT IN 2004 WAS VOTED THE TV TALK SHOW OF THE YEAR AWARD. SHE IS INVOLVED IN MANY COMMUNITY OUTREACHES. SHE IS ON THE BOARD OF SEVERAL LICENSEES OF NON-COMMERCIAL, EDUCATIONAL TV STATIONS.

DR. ALAN BULLOCK, DIRECTOR
7301 OAK RIDGE DRIVE
NORTH RICHLAND HILLS, TX 76180

ALAN BULLOCK HAS A DOCTORATE FROM VANGUARD UNIVERSITY. HE HAS BEEN THE DIRECTOR OF SEVERAL TEEN CHALLENGE CENTERS IN DIFFERENT PARTS OF THE NATION THAT REHABILITATE YOUNG PEOPLE FROM DRUGS AND ALCOHOL. ALAN HAS BEEN AN OFFICER AND

BOARD MEMBER IN THE PAST OF SEVERAL ORGANIZATIONS THAT WERE LICENSEES OF NON-COMMERCIAL, EDUCATIONAL TV STATIONS. HE IS CURRENTLY A BOARD MEMBER OF A FEW OTHER GROUPS THAT ARE LICENSEES OF NON-COMMERCIAL, EDUCATIONAL TV STATIONS.

Attachment 2

Exhibit 4**Description: BROADCAST INTERESTS**

DR. AND MRS. MARCUS LAMB ARE HUSBAND AND WIFE. THEY BOTH HAVE VOTING INTERESTS IN THE FOLLOWING TELEVISION STATIONS. THEY DO NOT HAVE ANY STOCK INTERESTS, SINCE THESE ARE ALL OWNED BY NON-PROFIT, NON-STOCK CORPORATIONS.

STATION KWDK, TACOMA, WA (FACILITY ID #35419)
STATION KLTJ, GALVESTON, TX (FACILITY ID #24436)
STATION KOCM, NORMAN, OK (FACILITY ID #84225)
STATION WYDN, WORCESTER, MA (FACILITY ID #18783)
STATION WTSF, ASHLAND, KY (FACILITY ID #67798)
STATION KWBN, HONOLULU, HI (FACILITY ID #27425)
STATION KRMT, DENVER, CO (FACILITY ID #20476)
STATION KDTS-CA, STOCKTON, CA (FACILITY ID #64990)
STATION KDTP, PHOENIX, AZ (FACILITY ID #83491)
STATION KKAP, LITTLE ROCK, AR (FACILITY ID #58267)
STATION KDTN, DENTON, TX (FACILITY ID #49326)

Attachment 4
