

**TRI-STATE CHRISTIAN TV, INC.
FCC FORM 316
SECTION II, QUESTION 6A**

EXHIBIT 5

PRO FORMA VOLUNTARY ASSIGNMENT OF LICENSES

1. Tri-State Christian TV, Inc. (“Tri-State”) is seeking approval for a *pro forma* voluntary assignment of its WTCT(TV), Marion, Illinois broadcast license to its affiliated ministry organization Radiant Life Ministries, Inc. (“Radiant Life”). Both Tri-State and Radiant Life are Ohio non-profit church corporations and share the same officers and directors:¹

Garth W. Coonce, President/Director
Christian M. Coonce, Vice President/Director
Charles Payne, Treasurer/Director
Julie A. Nolan, Ass’t Secretary/Director
Victoria M. Clark, Director
Thomas C. Nolan, Director
Michael J. Daly, Secretary

2. Commission Rule 73.3540(f)(5), 47 C.F.R. §73.3540(f)(5), Application for Voluntary Assignment or Transfer of Control, provides that assignment or transfer applications between organizations with the same ownership are *pro forma* and may be filed on FCC “Short Form” 316.² The rule reads:

§73.3540(f) - The following assignment or transfer applications may be filed on FCC “Short Form” 316:

(5) Assignment or transfer from a corporation to a wholly owned subsidiary thereof or vice versa, or where there is an assignment from a corporation to a corporation owned or controlled by the assignor stockholders without substantial change in their interests.³

¹ See, e.g., 1) Tri-State’s Ownership Report (Form 323) File Number: 0000046351 (3-2-2018), and Radiant Life Ownership Report (Form 323) File Number: 0000046463 (3-2-2018). The broadcast authorizations for Tri-State and Radiant Life are listed in paragraph 4, *infra.*, and a list of attributable broadcast interests for all directors is appended as Attachment 1.

² Short form applications are routinely processed by the Commission and are not subject to the thirty-day waiting period of section 309(b) of the Act, 47 USC §309(b).

³ See also, Instructions for FCC Form 316, Section A.5. (Form 316 used when “There is an assignment or transfer: (a) from a corporation to a wholly owned subsidiary thereof; (b) from a wholly owned subsidiary to the corporate parent; (c) from one wholly owned subsidiary to another; or (d) from one corporation to another corporation owned or controlled by the assignor’s/ transferor’s stockholders in substantially similar proportions.”)

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Control of a non-profit organization with a self-perpetuating board, which is the case for Tri-State and Radiant Life, is determined based on the voting directors.⁴ Tri-State and Radiant Life share the same officers and directors, meaning other than a change in the corporate entity and name, no ultimate change in control will occur by allowing Tri-State to assign its WTCT(TV) broadcast license to Radiant Life. Both organizations are recognized by the IRS as tax-exempt church organizations pursuant to section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. §501(c)(3).⁵ As such, there is no equity or “ownership” interest in either Tri-State or Radiant Life, and control is determined based on the organizations voting directors.

4. Tri-State holds the following full- and low-power licenses:

<u>Call Sign</u>	<u>Community of License</u>	<u>Fac. ID No.</u>
WTCT	Marion, Illinois	67786
WINM	Angola, Indiana	67787
KXTF	Twin Falls, Idaho	1255
WEIJ-LD	Fort Wayne, Indiana	67788
WLNМ-LD	Lansing, Michigan	67779
WNIB-LD	Rochester, New York	67785
WIGL-LD	Athens, Georgia	181474

Radiant Life is currently the licensee of:

<u>Call Sign</u>	<u>Community of License</u>	<u>Fac. ID No.</u>
WLXI	Greensboro, North Carolina	27407
WRLM	Canton, Ohio	43870
WRAY-TV	Wake Forest, North Carolina	10133
KDMI	Des Moines, Iowa	78915
WJFB-LP	Lebanon, Tennessee	31394

5. For the foregoing reasons, the applicants respectfully request that the Commission approve the *pro forma* voluntary assignment of the WTCT(TV) full-power television license from Tri-State to Radiant Life.⁶

⁴ *Transfer of Control of Certain Licensed Non-Stock Entities*, 4 FCC Rcd 3403, FCC 89-90 (released April 11, 1989); *Foundation for the Annunciation Monastery of Clear Creek*, FCC DA 11-735 (released April 25, 2011).

⁵ Confirmation of Tri-State’s and Radiant Life’s tax-exempt standing with the IRS and a copy of their current listings in Publication 78 (the *Cumulative Listing of Organizations Described in Internal Revenue Code of 1986, Section 170(c), Entitled to Receive Tax Deductible Contributions*) are provided in Attachment 2.

⁶ *Pro forma* assignments will also be filed with the Commission in the near future for Faith Broadcasting Network, Inc. to assign its WNYB, Jamestown, New York license, and TCT of Michigan, Inc. to assign its WAQP, Saginaw and WTLJ, Muskegon, Michigan licenses to Radiant Life.

ATTACHMENT 1

OTHER BROADCAST INTERESTS

RADIANT LIFE MINISTRIES, INC.

OTHER BROADCAST INTERESTS

The officers and directors of Radiant Life Ministries, Inc. are officers and directors in the following organizations:

- I. **Radiant Life Ministries, Inc.**
 1. WLXI Greensboro, North Carolina 54452
 2. WRLM Canton, Ohio 43870
 3. WRAY-TV Wake Forest, North Carolina 10133
 4. KDMI Des Moines, Iowa 78915
 5. WJFB-LP Lebanon, Tennessee 31394

- II. **TCT of Michigan, Inc.**
 1. WAQP Saginaw, Michigan 67792
 2. WTLJ Muskegon, Michigan 67781
 3. WJGP-LD Kalamazoo, Michigan 67780

- III. **Tri-State Christian TV, Inc.**
 1. WTCT Marion, Illinois 67786
 2. WINM Angola, Indiana 67787
 3. KXTF Twin Falls, Idaho 1255
 4. WEIJ-LD Fort Wayne, Indiana 67788
 5. WLNМ-LD Lansing, Michigan 67779
 6. WNIB-LD Rochester, New York 67785
 7. WIGL-LD Athens, Georgia 181474

- IV. **Faith Broadcasting Network, Inc.**
 1. WNYB Jamestown, New York 30303

ATTACHMENT 2

IRS PUBLICATION 78

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Radiant Life Ministries

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- [Exempt Organizations Business Master File Extract \(EO BME\)](#): a list of organizations recognized as exempt by the IRS
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