

KLEIN BROADCAST ENGINEERING, L.L.C.

dedicated to improving the science and technology of radio & television communications

JUNE 2009

**ADDENDUM/AMENDMENT TO REQUEST
FOR
SPECIAL TEMPORARY AUTHORITY
(STA)
TO OPERATE WITH TEMPORARY FACILITY
MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT
KBAQ(FM)
(FCC Facility ID# 40096)
FM CHANNEL 208C1 / 89.5mHz.
PHOENIX, ARIZONA**

INTRODUCTION and STATEMENT

The Commission has before it a request for Special Temporary Authority to operate Station KBAQ with a Temporary Facility to all for the implementation of construction of modified facilities authorized by the Commission in FCC FM Broadcast Station Construction Permit BPED-20060227AHT. The permittee/licensee, Maricopa County Community College District (MCCCD) wishes to update the Commission on several material facts that have occurred over the past several months since the formal STA request was originally filed with the Commission. When taken into consideration these facts make it considerably easier for the Commission staff to evaluate the request for STA and grant the request as filed.

STA Request cont'd page two: KBAQ(FM)

The following facts are true of my own knowledge:

1. I prepared and filed an application on behalf of MCCCCD with the South Mountain Users Association to evaluate the location of the facility authorized by the Commission in BPED-20060227AHT on February 20, 2009. On March 25, 2009, The South Mountain Users Association approved the location of the KBAQ facilities as authorized in the above captioned construction permit on the South Mountain Electronic Communications Site. (please see Exhibit E-1 attached)

2. I prepared and filed an application on behalf of MCCCCD with the City of Phoenix Parks Board to locate Station KBAQ(FM) on the South Mountain Electronic Communication Site as authorized by the Commission for the facility as specified in the above caption FCC FM Broadcast Station Construction Permit on or about February 20, 2009. On Thursday April 23, 2009, The City of Phoenix Parks Board approved the relocation of Station KBAQ(FM) to the South Mountain Electronic Communication Site as proposed with the facility authorized in FCC FM Broadcast Station Construction Permit, BPED-20060227AHT.(please see exhibit E-2,attached)

3. On Wednesday, April 15, 2009, MCCCCD issued an email sent to Mr. Jim Cole of KTVK, Inc., terminating the lease held for Station KBAQ at its presently licensed transmitter site atop White Tanks Mountain, near Phoenix, Arizona. (please see Exhibit E-3, attached)

STA Request cont'd page three: KBAQ(FM)

4. On May 27, 2009, the Governing Board of Directors approved the purchase of the ERI Directional Antenna needed to implement the relocation of Station KBAQ(FM) to the authorized South Mountain Electronic Communications Site.

(please see Exhibit E-4)

5. On June 4, 2009, MCCCCD issued a Purchase Order to Klein Broadcast Engineering, L.L.C., for the purchase and installation of the Directional Antenna System Authorized by the Commission in BPED-20060227AHT. On the 5th of June an order was placed with the antenna manufacturer, Electronics Research, Inc. for the KBAQ Directional Antenna. The antenna is to be delivered in Phoenix at the KBAQ site on or before August 30, 2009. (please see Exhibits E-5 and E-6,

attached)

STA Request cont'd page four: KBAQ(FM)

It is for the compelling reasons filed in the original STA Request for Station KBAQ and now the updated information and this amendment filed for the STA Request for informational purposes, the permittee/licensee of FM Broadcast Station KBAQ, The Maricopa County Community College District, requests the Commission consider and GRANT the request for Special Temporary Authority to operate FM Station KBAQ with the temporary facility as specified to facilitate and allow the permittee/licensee to construct the facility for Station KBAQ authorized in FCC FM Broadcast Station Construction Permit, BPED-20060227AHT.

Respectfully submitted,

**Elliott Kurt Klein,
Consulting Broadcast Engineer
Maricopa County Community College District
NCE FM Station KBAQ
Phoenix, Arizona**

20 June 2009

DoubleR Consulting, Inc.

P. O. Box 42277 • Mesa, Arizona 85274-2277



March 25, 2009

Cheryl Rohrs
Management Assistant I
City of Phoenix
Parks, Recreation and Library Dept.
200 W. Washington Street, #16F
Phoenix, AZ 85003-1611

Dear Ms. Rohrs:

The South Mountain Technical Committee has determined there is little or no chance of interference to existing land mobile channels and other users on South Mountain by approving the request from Maricopa Community College District for a power increase and directional antenna for KBAQ-FM to operate on site 11 collocated with KJZZ-FM at an ERP of 30 kW H & V. Therefore, it Committee's recommendation to approve the application by Maricopa Community College District as applied. No comments were received from other users of the site.

Best Regards,

A handwritten signature in black ink, appearing to read "Robert Reymont". The signature is fluid and cursive, with a long horizontal line extending from the end.

Robert Reymont, Chairman
SMUA Technical Committee

CC: Gary Smith, Chairman SMUA (via Email)

EXHIBIT E-2

Good morning Elliot-

Cheryl and I are pleased to let you know the Parks Board approved your request last night at the meeting. (We like classical also). If you have additional questions, please feel free to call us. Have a great day!!

Linda Dunkin
Parks and Recreation Department
602-534-6986

"Elliott Kurt Klein" <elliott@kleinbroadcast.com>

04/22/2009 12:15 AM

To Cheryl Rohrs/PKS/PHX@PHXENT

cc Linda Dunkin/PKS/PHX@PHXENT, "Jim Paluzzi" <jpaluzzi@kjzz.org>, "carl matthusen" <cmatthusen@kjzz.org>, "Ralph Hogan" <rhogan@kjzz.org>, "Dennis Gilliam" <dennisgilliam@gmail.com>

Subject Re: Parks Board Meeting

EXHIBIT E-3**Elliott Kurt Klein**

From: "Jim Paluzzi" <jpaluzzi@kjzz.org>
To: <Jim_cole@azfamily.com>
Cc: <elliott@kleinbroadcast.com>; <dgilmore@emfbroadcasting.com>; <jmiller@emfbroadcasting.com>; <davidoxenford@dwt.com>; "carl matthusen" <cmatthusen@kjzz.org>; "Ralph Hogan" <rhogan@kjzz.org>; "Margaret McConnell" <margaret.mcconnell@domail.maricopa.edu>
Sent: Wednesday, April 15, 2009 4:43 PM
Subject: MCCCED EMF WHITE TANKS TERMINATION INFORMAL NOTICE
To: Jim Cole
From: Jim Paluzzi

Dear Mr. Cole:

By way of introduction, I am the new General Manager for KBAQ, and am in my first month on the job.

I want to let you know on an informal basis that KBAQ will move its antenna and transmitter back to South Mountain in the near future. We have secured a CP to do this and now await an STA to proceed. Recently we have been working on acquiring a new antenna that is a part of the project. We are now in the final stages, and expect to issue a purchase order to the successful bidder no later than April 30th. We expect delivery time to be 5-6 weeks.

Elliott Klein has prepared an STA request for the FCC which would allow us to utilize an existing 4-bay antenna from South Mountain during the time it takes to install the new antenna. Elliott's contacts in the FCC have indicated that it will be approved, but that they do not want to have to issue an extension. The STA request is actually at the FCC, and is being held pending our submission of a date, which is dependent on the antenna, which we are about to accomplish.

The approval of the STA would allow us to vacate the space we have been using on your tower and in your building making that tower and building space it available to EMF Broadcasting for their facility to transmit Station KLVK from your White Tank Mountain Site. I'm writing now to let you know that it would be a good time to commence negotiations with EMF Broadcasting.

A formal letter of Termination will be forthcoming from the Maricopa County Community College District as soon as it is drafted by our legal department.

Sincerely,
James V. Paluzzi

James V. Paluzzi
General Manager, KJZZ/KBAQ/Sun Sounds
2323 W 14th St., Tempe, AZ - (480) 834-5627

EXHIBIT E-4**Elliott Kurt Klein**

From: "Shelley Randall" <shelley.randall@domail.maricopa.edu>
To: "Yolanda Soliz" <y.soliz@riomail.maricopa.edu>; "J Paluzzi" <j.paluzzi@riomail.maricopa.edu>;
"Doug McCarthy" <doug.mccarthy@pcmail.maricopa.edu>
Cc: "Paul DeRose" <paul.derose@pcmail.maricopa.edu>; "Ronnie Elliott"
<ronnie.elliott@pcmail.maricopa.edu>; "Devi Bala" <devi.bala@riomail.maricopa.edu>; "Gloria
Toscano" <gloria.toscano@domail.maricopa.edu>
Sent: Wednesday, May 27, 2009 8:52 AM
Subject: CDAC/Board Items were Approved

Good Morning, The following CDAC and Board items were approved yesterday. You're set to start generating the corresponding reqs and POs. (These won't need to be forwarded through FP&D for additional approval, btw).

- 1) PC Contract Award for Rigging Renovations in the John Paul Theater
- 2) PC JOC Contract Award for the Replacement of Ball Field Irrigation

4) RSC KBAQ Antenna Purchase and Installation

Thanks.



District Support Services Center
 2411 West 14th Street
 Tempe, Arizona 85281-6942
 (480) 731-8520

VENDOR: KLEIN BROADCAST ENGINEERING
 5529 EAST SAPPHIRE LANE
 PARADISE VALLEY, AZ 85253-2525

Purchase Order

PURCHASE ORDER NO. 378107 REVISION 0 PAGE

SHIP TO
 KJZZ/KBAQ RADIO
 2323 W 14TH ST
 TEMPE, AZ 85281-6950

BILL TO
 MARICOPA COMM COLLEGE DIST
 ATTN: ACCOUNTS PAYABLE
 2411 W 14TH ST
 TEMPE, AZ 85281-6942

THE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CARTONS, AND CORRESPONDENCE RELATED TO THIS ORDER. FOR YOUR CONVENIENCE, INVOICES MAY BE EMAILED TO: accounts.payable@domail.maricopa.edu

| | | |
|----------------------------|----------------------------|----------------------------------|
| VENDOR NO. 9801 | DATE OF ORDER 04-JUN-09 | REVISION DATE |
| PAYMENT TERMS Immediate | FOB Destination | REQUESTOR SOLIZ, YOLANDA PENA |

| ITEM | DESCRIPTION | DELIVERY DATE | QUANTITY | UNIT | UNIT PRICE | EXTENSION |
|------|--|---------------|----------|------|-------------|-------------|
| 1 | [Per IFB 2905-4] Freight Charges-FOB Destination (Antenna to be delivered to KBAQ job site at the South Mountain Electronic Communications Site) | | | | | (7,610.55) |
| 2 | FM Directional Antenna- Electronics Research Inc. Model MP-10AC-DA-HW-SP | | .00 | EACH | (44,312.29) | (44,312.29) |
| | Engineering services at test range | | | | | (15,000.00) |
| 4 | Engineering services for installation support & supervision | | | | | (32,980.00) |
| | tax | | | | | (3,677.92) |

PAYMENT: To be paid, Contractor must submit an itemized invoice referencing a valid Purchase Order number.

Total 100,580.76

BY ACCEPTING THIS PURCHASE ORDER THE VENDOR AGREES TO THE TERMS AND CONDITIONS CONTAINED ON THE PURCHASING WEBSITE
www.dist.maricopa.edu/purchasing/t&c.html

Yolanda Soliz
 AUTHORIZED SIGNATURE
 BUYER: G TOSCANO

EXHIBIT E-6

Electronics Research Inc.
7777 GARDNER ROAD
CHANDLER, IN 47610

| | | |
|--------------|--------|--------|
| ORDER No. | 24551 | Page 1 |
| CUSTOMER No. | 002169 | |

06/11/2009 12 10:06:50 AM

SOLD TO:

KLEIN BROADCAST ENGINEERING, L.L.C.
 5529 EAST SAPPHIRE LANE
 PARADISE VALLEY, AZ 85253-2525
 USA

SHIP TO:

KLEIN BROADCAST ENGINEERING, L.L.C.
 TBD
 KBAQ TOWER SITE
 PHOENIX, AZ

6/11/2009

SHIP VIA

COMMON CARRIER

F.O.B.

PREPAID

TERMS

Net 30

CUSTOMER P.O. REFERENCE No.

20321

DESIRED SHIP DATE

8/10/2009

QUESTIONS?

CONTACT ORDER ADMINISTRATION

END USER: KBAQ - PHOENIX, AZ
 89.5 MHZ

Part ID/

| <u>Line #</u> | <u>Order Qty</u> | <u>Shipped Qty</u> | <u>Job No.</u> | <u>Description</u> |
|---------------|------------------|--------------------|--------------------------|--|
| 1 | 1.00 EA | 0.00 | AA-MP10AC-C00 24551/1 | MP-10AC-DA-HW-SP ON 89.5 MHZ Ship by 8/10/2009 MOUNTING PER DA PROOF HALF WAVE SPACED 0.585 DEGREE BEAM TILT 40) PARASITIC ELEMENTS 10) ANTI-ROTATION BRACKETS |
| 2 | 1.00 EA | 0.00 | PAT-001 24551/2 | DA PROOF Ship by 7/10/2009 |
| 3 | 1.00 | 0.00 | | FREIGHT COST Ship by 8/10/2009 |