

## JOHN LOW DECLARATION

I am John Low, president of Rocket Radio Corporation, licensee of FM Translator station K246CH/K275CL Tuba City, Arizona.

Rocket Radio leases K275CL tower site space in Mesa, Arizona, from Action Tower Company. Bart Henderschott, president of Action Tower Company, advised me that Dap-com is the site management team for the Action Tower Site. I hired Dap-com to construct K275CL facilities according to all parameters specified in BPFT-20160129AVI, to monitor ongoing station operations, to maintain station equipment/operations in full compliance with FCC requirements, and keep me advised. I believed that Dap-com familiarity with the tower site might facilitate K275CL construction and operation. I reside in California and have never personally visited the K275CL installation authorized by in BPFT-20160129AVI. I have relied on Action Tower Company and Dap-com to advise me as to communications site issues.

In early April 2016, Dap-com told me that the K275CL construction permit facilities were constructed as authorized, all conditions were satisfied, and the station was ready to commence automatic program test operation. At that time, based on my relationship with Action Tower Company I had no reason to doubt these representations. I asked Dap-com to supply required information to my consulting broadcast engineer, Joe DiPietro, so that he could prepare the necessary FCC application for broadcast license to cover the construction permit. K275CL commenced program test authority on April 4, 2016, and Rocket Radio filed a license application in File No. BLFT-20160404ACM certifying that the station was constructed as authorized.

In September 2016, Linda Corso, licensee of station KRDE San Carlos, Arizona filed a Petition to Deny the K275CL license application pending in FCC File No. BLFT-20160404ACM. The petition makes a number of claims, including that K275CL was not constructed or operating as authorized and that I falsely certified to that effect in FCC File No. BLFT-20160404ACM. After review of KRDE's petition, I called Bart Henderschott, and asked for his participation to review the current status, advise me as to his findings and, if needed, correct any issues that may exist at his site.

After he investigated, Mr. Henderschott informed me that the K275CL antenna had been mounted at height lower than authorized by the station construction permit, and oriented at an incorrect azimuth.

I was astounded to learn that, despite what was previously told to me and lead me to believe, K275CL had not been constructed or operated as authorized. In my position as president of Rocket Radio, I certified that statements contained in the applications for broadcast license of station K275CL (FCC file No BLFT-20160404ACM) were true, complete and correct to the best of my knowledge and belief. I would like to emphasize that when I filed the subject application that I believed all of the statements contained therein were true, complete and correct based on Dap-com's representations to me.

Mr. Hendershott told me that he was working on scheduling a tower climber to hang the antenna correctly pursuant to the construction permit and verify the compliance of all station operating parameters. Mr. Henderschott advised me that all corrections were completed, supervised by him, and verified with the parameters specified in FCC Construction Permit File No. BPFT-20160129AVI, on October 7, 2016. Mr. Henderschott confirms that K275CL has operated with compliant program test authority since that date.

As I reside in California and want to ensure ongoing K275CL compliance with FCC rules, Rocket Radio has implemented a compliance program with Action Tower Company and has taken other steps to guarantee that such events do not reoccur and that Rocket Radio implements the requisite degree of care expected of Commission licensees.

Rocket Radio has entered into understanding with the owner of Action Tower Site wherein Mr. Henderschott will supervise, install, and regularly review K275CL installations to make sure Rocket Radio equipment is always within compliance. Any future installation or modification will be done under supervision by Mr. Henderschott and he will send written verification to me that will include photos, showing any installation is within compliance with any given construction permit.

Mr. Henderschott will also implement remedial training with regard to FCC licensing procedures to assure adequate management responsibility and supervision for installations at his site., Mr. Henderschott has assured me if any Action Tower or management team employee is found to be involved in any violation of its or the FCC's rules and policies, such individuals will be subject to strict disciplinary action, including termination.

I recognize that, while I did not intentionally seek to mislead the Commission, my certification contained material mistakes and misstatements of fact. I sincerely regret any misstatements which were contained in my certification to the Commission and am embarrassed that I mistakenly provided incorrect information.

This statement is made under penalty of perjury as true and correct to the best of my personal knowledge and belief.



John Low

Date: June 22, 2017