

## EXHIBIT 1

On October 10, 2003, LibCo, Inc. filed an amendment to the pending application for a new television station to serve Myrtle Beach, South Carolina (FCC File No. BPCT-19960920WV) (the "Amendment"). At the direction of a Commission staff member, the amendment was filed on paper with responses to all questions provided.

Due to a subsequent request of the Commission's staff, we now are refileing the Amendment electronically. The instant electronic version of the Amendment substantively is identical to the paper version in all respects except the following:

- At the request of Commission staff, Section II, Question 3, Exhibit 3 (Other Authorizations), footnote 1 has been revised to clarify the disclosures with regard to Mario J. Gabelli's media interests.
- In Section III-C, Comprehensive Technical Exhibit, the section entitled "Paired DTV Channel" has been removed. That section analyzed a paired DTV Channel 14 for the new Myrtle Beach television station.
- Section II, Question 2.a., Exhibit 2 (Parties to the Application) has been updated to reflect changes in officers.

The Amendment was filed to substitute LibCo, Inc., the wholly-owned subsidiary of Cosmos Broadcasting Corporation ("Cosmos"), as the applicant and provided updated ownership information. A full explanation, as reflected in the Amendment, follows:

Cosmos, with the consent of Marri Broadcasting, L.P., hereby amends Section II, Question 6 of its application for a new television station to serve Myrtle Beach, South Carolina (the "Myrtle Beach Application"), to reflect LibCo, Inc., Cosmos' wholly-owned subsidiary, as the applicant of the Myrtle Beach Application and to update the certification of Edward E. Crutchfield, a director of Liberty Corporation, the parent company of Cosmos. As LibCo, Inc. is wholly owned by Cosmos and there has been no change in the ownership or control of Cosmos, this application constitutes a minor amendment to the Myrtle Beach Application.

At the direction of a Commission staff member, this amendment is being filed on paper with responses to all questions provided. The FCC Form 301, of course, has changed since the Myrtle Beach Application initially was filed, so the responses herein are not entirely identical to those previously filed. The ownership information being amended is found at Section II, Question 2(a) of the instant application.

Because the Commission's staff requested a complete application, this amendment effectively withdraws a prior request for a waiver of the Commission's duopoly rule with respect to WIS(TV) (Columbia, South Carolina) as changes in the Commission's rules have rendered the waiver request moot. Likewise, this amendment effectively withdraws a prior request for a

waiver for protection of an allotment on Channel 32 in High Point, North Carolina. With the dismissal of the single applicant for that allotment,<sup>1</sup> protection of that allotment no longer is required.<sup>2</sup>

Also, this amendment effectively withdraws a prior request for DTV “short-spacing” waivers with respect to WFXB-DT (Myrtle Beach, SC), WRLK-DT (Columbia, SC), and WTAT-DT (Charleston, SC). The Commission ultimately determined that applications such as the instant one for new NTSC stations need only satisfy the *de minimis* interference standard of Section 73.623(c)(2) of the Commission’s rules.<sup>3</sup>

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<sup>1</sup> FCC File No. BPET-19960920WL.

<sup>2</sup> Achernar Broadcasting Company, *Memorandum Opinion and Order*, 15 FCC Rcd 7808 n.45 (2000) (“...absent extraordinary circumstances, an existing NTSC allotment that becomes vacant is routinely deleted from Table”); Dorothy O. Schulze, *Memorandum Opinion and Order*, 13 FCC Rcd 3259, 3262-63 ¶¶ 10-11 (1998) (finding allotted Channel 52 at Blanco, Texas, “exempt from the general provisions of the Sixth Report and Order deleting vacant NTSC allotments”); Waverly, New York and Altoona, Pennsylvania, 15 FCC Rcd 2193, 2194 ¶ 4 (2000) (explaining that effect of Sixth DTV Report and Order was to “delete” vacant allotments and prohibit new applications for vacant NTSC allotments”); Kansas City, Missouri, 14 FCC Rcd 3487 n.3 (describing vacant noncommercial NTSC allotment as “considered as deleted”); Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, *Sixth Report and Order*, 12 FCC Rcd 14588, 14639 ¶ 112 (1997) (explaining that vacant NTSC allotments would be treated as deleted).

<sup>3</sup> *Public Notice*, DA 99-2605, at p.3 (Nov. 22, 1999).