

Before the
Federal Communications Commission
Washington, D.C. 20554

In re applications of

BALLET FOLKLORICO OLLIN	)	BNPL-20131114BLZ
Panorama City, CA	)	Facility ID 196858
)	
BOYLE HEIGHTS ARTS CONSERVATORY	)	BNPL-20131114AWZ
Los Angeles, CA	)	Facility ID 194772
)	
NATIONAL HISPANIC MEDIA COALITION	)	BNPL-20131113BUH
Pasadena, CA	)	Facility ID 192043
)	
CATALYST LONG BEACH, INC.	)	BNPL-20131112BDU
Long Beach, CA	)	Facility ID 195900
)	
PRISM CHURCH OF LOS ANGELES	)	BNPL-20131114AYY
Pasadena, CA	)	Facility ID 197182
)	
LOS ANGELES ACADEMY OF ARTS	)	BNPL-20131114BQB
AND ENTERPRISE	)	Facility ID 196700
Los Angeles, CA)	
)	
THE EMPEROR'S CIRCLE OF SHEN YUN	)	BNPL-20131114BOI
El Monte, CA	)	Facility ID 196570
)	

To: Chief, Audio Division, Media Bureau

MINOR AMENDMENT: VOLUNTARY TIME SHARE AGREEMENT

The parties in the caption, by their attorney, here request the normal processing and grant of the attached minor amendment, consisting of a voluntary time share among them. The applicants were identified as tied and in first place with other applicants in Group No. 27, in the public notice released on July 9, 2014, FCC 14-96A2. This agreement is timely submitted within the 90-day widow provided by Public Notice, FCC 14-96A1, p. 6.

The attached agreement is in writing and is in full compliance with the requirements of Section

73.872(c) of the Commission's Rules and Regulations: (i) The agreement specifies the proposed hours of operation for each time share proponent. (ii) The proposal does not provide for any simultaneous operations. (iii) Each proponent proposes to operate for a minimum of 10 hours per week. Here in fact, the full 168-hour week is divided among the proponents.

Each of the parties to this agreement was tentatively awarded five points, the most points of any group member. This included a point for the affirmative representation in Section III, Question 2: “The applicant pledges to originate locally at least eight hours of programming per day.” In any multi-party time share beyond three, the hours in the day are maxed out and this becomes impossible. The Commission anticipated this at the very inception of the point system, in its Report and Order, *Creation of a Low Power Radio Service*, 15 FCC Rcd. 2205 (rel. on January 27, 2000). The order stated: “Time sharers may aggregate points under each of the three selection criteria.” Id. Para. 147. This was explained there in Id., fn. 240:

For example, two time-sharers that claimed points individually for established community presence and proposed operating hours and local program origination may claim a combined two points for each of these criteria for a total of six points. *They need not aggregate hours of operation or locally-originated programming to aggregate their points for these criteria.*

Emphasis supplied. The point tallies have undergone minor changes since 2000 but the basic policy remains. Here the individual time sharers are entitled to aggregate their points, even though not required to aggregate their hours. They share credit for the promised eight total hours of locally originated programming, one to or from another.

The Commission's policy make equitable sense because the parties are doing as much as they possibly can, here with the maximum, around-the-clock 168-hour broadcast service per week. The scoring also seems right, because the goals of localism and diversity are well served by the time share, and every member's positive role in it. In the greater Los Angeles market, the number of applicants bespeaks overwhelming unsatisfied demand for new local noncommercial radio service. A large time share such as the one we have here takes a few steps – more are needed – toward satisfying these needs in diverse ways. For these reasons, the Commission here must confirm what it said in 2000 and fully

credit the five points awarded to each time-share participant here, then aggregating them under established rules and policies.

For the foregoing reasons it is requested that the attached time share be approved.

Respectfully submitted,



Jessica J. Gonzalez
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cc. Parul Desai

October 7, 2014

VOLUNTARY TIME SHARING AGREEMENT

The parties signing this agreement are entering into a voluntary time sharing agreement, as permitted by Section 73.872(c) of the Commission's Rules and Regulations. The proposed hours of operation are as set forth below under "Broadcast Schedules."

This voluntary time share agreement will serve the public interest, because it will reduce the volume of mutually exclusive applications. By foreclosing competition between the parties, it will conserve each applicant's resources to concentrate on constructing stations and bringing new LPFM service.

Each party certifies that its application was not filed for the purpose of reaching or carrying out this time sharing agreement, or any settlement agreement.

Neither the applicants nor their principals have been promised or paid anything in exchange for entering into this time sharing agreement.

No consideration is being promised by us or to us and none will be paid.

The above document, once fully executed by the parties, constitutes the final and complete agreement as to the subject matter, and no other promises, oral or written, have been made. It may be amended only by an instrument in writing, executed by the parties. In the event that any party relinquishes or loses its rights to share time hereunder, the remaining parties shall fairly apportion and use the vacated time.

I am authorized and have full authority to enter into this agreement and to make these representations on behalf of the applicant. The foregoing is sworn to under the penalties for perjury provided in the laws of the United States.

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BROADCAST SCHEDULES

1. Ballet Folklórico Ollin
 - Sunday: 12:00AM-1:00AM; 10:00AM-1:00PM; 7:00PM-12:00AM
 - Saturday: 8:00AM-1:00PM; 7:00PM-12:00AM
2. Boyle Heights Arts Conservatory
 - Monday – Friday: 9:00PM-2:00AM
 - Saturday: 12:00AM-1:00AM
3. Catalyst Long Beach
 - Monday – Friday: 10:00AM-3:00PM
4. Los Angeles Academy of Arts & Enterprises
 - Sunday: 1:00AM-6:00AM; 1:00PM-7:00PM
 - Monday – Friday: 6:00PM-9:00PM
 - Saturday: 1:00AM-8:00AM; 3:00PM-7:00PM
5. National Hispanic Media Coalition
 - Monday – Friday: 5:00AM-10:00AM
6. Prism Church of Los Angeles
 - Sunday: 6:00AM-10:00AM
 - Monday – Friday: 2:00AM -5:00AM
7. The Emperor's Circle of Shen Yun
 - Monday – Friday: 3:00PM-6:00PM
 - Saturday: 1:00PM-3:00PM

CERTIFICATIONS


Executed this seventh day of October, 2014, by the following:

Ballet Folklorico Ollin, BNPL 20131114BLZ

By: 

Its (Title): *Co-Director Ballet Folklorico Ollin*

Boyle Heights Arts Conservatory, BNPL 20131114AWZ

By: 

Its (Title): *EXECUTIVE DIRECTOR, CARMELITA Ramirez-Sanchez*

Catalyst Long Beach, BNPL 20131114BGY

By: 

Its (Title): *President & Executive Director*

Los Angeles Academy of Arts & Enterprise, BNPL 20131114BQB

By: 

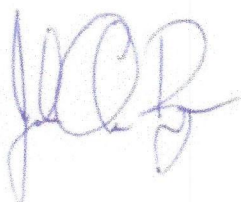
Its (Title): Founding Board member

National Hispanic Media Coalition, BNPL 20131113BUH

By: 

Its (Title): President & CEO

Prism Church of Los Angeles, BNPL 20131114AYY

By: 

Its (Title): President

The Emperor's Circle of Shen Yun, BNPL 20131114BOI

By: 

Its (Title): *Founder*
