

Oklahoma Fellowship of Catholic Men
Eligibility Exhibit
LPFM Application

The instant application seeks an authorization for a new LPFM construction permit for the Oklahoma Fellowship of Catholic Men (the “Applicant”).

The Applicant is eligible for an LPFM station authorization under 47 C.F.R. Section 73.503 of the Commission’s rules, which applies to LPFM stations pursuant to 47 C.F.R. Section 73.801. 47 C.F.R. Section 73.503 provides that a noncommercial educational (“NCE”) FM broadcast station “will be licensed only to a nonprofit educational organization and upon showing that the station will be used for the advancement of an educational program.”

The Commission has previously determined that the three basic NCE eligibility requirements are: (1) nonprofit educational organization; (2) an educational goal or purpose; and (3) use of station programming to further that educational purpose. As more fully described below, the Applicant identified in the instant application and the proposed use of the LPFM station meets each of the NCE eligibility requirements.

The Applicant is a nonprofit educational organization

The applicant is a nonprofit education organization incorporated in the State of Oklahoma. The Applicant’s corporate paperwork is attached hereto.

The Applicant possesses an educational goal or purpose

The Applicant is a ministry that seeks to encourage men to participate in the Sacramental life of the Catholic Church; show men how they can use the Bible and Catechism of the Catholic Church to guide their lives and the lives of their families, support men in their attempts at spiritual growth and personal holiness, aid men in becoming the spiritual leaders of their families, turn the hearts of fathers to their children; and invite men to join or start a small group.

The Commission has made it clear that an applicant organization such as a church or ministry may operate channels reserved for NCE stations.¹ In *Way of the Cross*, the Commission stated that “noncommercial, educational organizations, even though religiously oriented, can qualify upon an appropriate showing for licenses on reserved channels.”

The Applicant will use the station to further the Applicant’s educational purpose.

The station and its programming will further the Applicant’s educational purpose.

The requirement that NCE licensees provide programming that advances an educational objective may be satisfied by a variety of programs, including, but not limited to, “instructional programs, programming selected by students, bible study, cultural programming, in-depth news coverage, and children's programs such as *Sesame Street* that entertain as they teach.”²

Here, the Applicant will program the station with spoken-word religious teaching programs, the Applicant’s Bible studies, and worship services.

The Applicant is prepared to submit additional information regarding its educational purpose and the proposed use of the station upon request. However, it is respectfully submitted that the foregoing establishes its eligibility pursuant to established precedent to apply for the facility proposed in the instant Application.

¹ *Way of the Cross of Utah, Inc.*, Memorandum Opinion and Order, 101 FCC 2d 1368 (1985) (“*Way of the Cross*”).

² *In the Matter of Reexamination of the Comparative Standards for Noncommercial Educational Applicants*, Further Notice of Proposed Rulemaking, 13 FCC Rcd 21167, 21169 (1998).

**CERTIFICATE OF INCORPORATION
(NOT FOR PROFIT)**



TO: OKLAHOMA SECRETARY OF STATE
2300 N. Lincoln Blvd., Room 101, State Capitol Building
Oklahoma City, Oklahoma 73105-4897
(405) 522-4560

The undersigned, for the purpose of forming an Oklahoma not for profit corporation pursuant to the provisions of Title 18, Section 1001 *et. seq.*, do hereby execute the following certificate of incorporation:

1. The name of the corporation is as follows:
Oklahoma Fellowship of Catholic Men, Inc.
2. The name of the registered agent and the street address of the registered office in the State of Oklahoma is as follows:

William W. Bawden, III
900 S. Littler
Edmond, OK 73034
3. In the event the corporation is a church, the street address of its location is:
NA
4. The duration of the corporation is as follows:
Perpetual
5. The purpose or purposes for which the corporation is formed are as follows:

To, without limitation, engage in any lawful act or activity for which a not for profit corporation may be organized under the Oklahoma General Corporation Act.
6. This corporation does not have authority to issue capital stock.
7. This corporation is not for profit, and as such the corporation does not afford pecuniary gain, incidentally or otherwise, to its members.
8. The number of trustees or directors to be elected at the first meeting is as follows:

Three (3)
9. The name and mailing address of each person who will serve as trustee or director are;

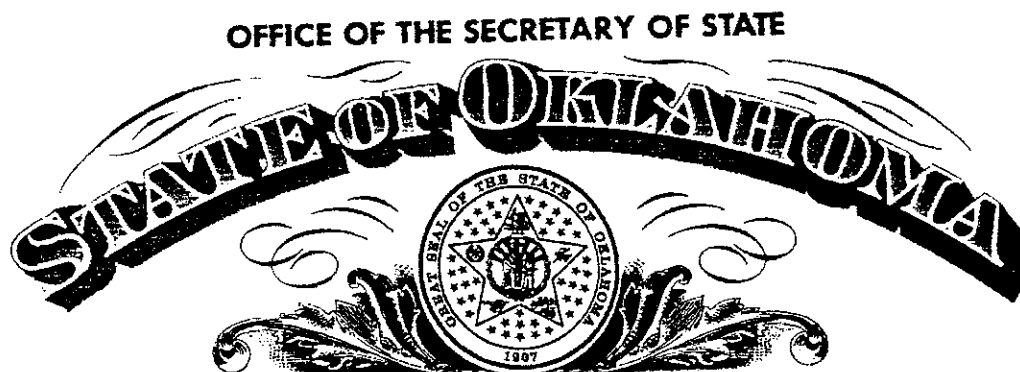
Name
William W. Bawden, III
Roy L. Forsythe
Joseph A. Elbow, Jr.

Mailing Address
1105 Janna's Trail, Edmond, OK 73003
3805 Ridgewood Dr., Edmond, OK 73013
828 Pacific Grove Dr., Edmond, OK 73003

RECEIVED

JUL 20 2004

**OKLAHOMA SECRETARY
OF STATE**



**NOT FOR PROFIT
CERTIFICATE OF INCORPORATION**

WHEREAS, the Not For Profit Certificate of Incorporation of

OKLAHOMA FELLOWSHIP OF CATHOLIC MEN, INC.

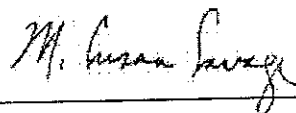
has been filed in the office of the Secretary of State as provided by the laws of the State of Oklahoma.

NOW THEREFORE, I, the undersigned, Secretary of State of the State of Oklahoma, by virtue of the powers vested in me by law, do hereby issue this certificate evidencing such filing.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the Great Seal of the State of Oklahoma.



*Filed in the city of Oklahoma City this
20th day of July, 2004.*

A handwritten signature in cursive script, reading "M. Susan Savage".

Secretary of State

10. The name and mailing address of the undersigned incorporators:

<u>Name</u>	<u>Mailing Address</u>
William W. Bawden, III	1105 Janna's Trail, Edmond, OK 73003
Roy L. Forsythe	3805 Ridgewood Dr., Edmond, OK 73013
Joseph A. Elbow, Jr.	828 Pacific Grove Dr., Edmond, OK 73003

INCORPORATORS MUST SIGN BELOW

WE, THE UNDERSIGNED, for the purpose of forming a not for profit corporation under the laws of the State of Oklahoma, certify that the facts herein stated are true, and have accordingly hereunto set our hands this 14th day of July, 2004.

William W. Bawden III
Roy L. Forsythe, MD.
Joseph A. Elbow Jr.

RECEIVED

JUL 20 2004

OKLAHOMA SECRETARY
OF STATE