

Guam Power II, Inc.
Facility ID: 160742
File No. BNP-20041029AHS
August 11, 2005

Minor Amendment

Guam Power II, Inc. (“Guam Power II” or “Applicant”) hereby amends its previously filed construction permit application (File No. BNP-20041029AHS) to include a request that the construction permit be granted under the condition that subsequent modification may be necessary depending on obligations which may arise from the ITU notification process.

47 C.F.R. § 73.23 (AM broadcast station applications affected by international agreements) (d) states:

(d) In some circumstances, special international considerations may require that the FCC, in acting on applications, follow procedures different from those established for general use. In such cases, affected applicants will be informed of the procedures to be followed.

Guam, (and the Northern Marianas), is located in International Telecommunication Union (“ITU”) Region 3 unlike the rest of United States which is located in ITU Region 2. This has resulted in several anomalies with this application. 47 C.F.R. § 73.23 is not addressed in Form 301 however must be addressed in this Amendment.

The Federal Communications Commission (“Commission”) does not maintain a data base regarding existing AM Broadcast Station in ITU Region 3. This requires ITU notification and concurrence of broadcast allocations in Guam and the Northern Marianas. This process is slow and not in the control of the Commission.

Guam Power II was informed that the Commission provided notice to the ITU on February 10, 2005 and is still awaiting ITU approval prior to completing the processing of the instant application. Guam Power II was also informed that a conditional grant could be considered at the Applicant’s risk.

Besides the Northern Marianas which are also U.S. territories, the next nearest island to Guam is Yap Federated States of Micronesia (“FSM”) which is over 500 miles from Guam. Listed below are all licensed radio stations or pending applications for AM Broadcast Licenses within 1000 miles (1014 Miles) of Guam (including Guam).

Guam, U.S.A.

KGUM	AM 567 kHz
KU	AM 612 kHz
NEW	AM 675 kHz
KTWG	AM 801 kHz
NEW	AM 1020 kHz
NEW	AM 1170 kHz
NEW	AM 1170 kHz
NEW	AM 1350 kHz
NEW	AM 1530 kHz (Current Application)

Northern Marianas, U.S.A. - 138 Miles (222 Km) from Guam

KCNM	AM 1080 kHz
NEW	AM 1440 kHz

Yap FSM - 522 Miles (841 Km) from Guam

V6AK	AM 1494 kHz (4 Channels below pending application 1530 kHz)
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Chuuk (Truk) FSM - 640 Miles (1,031 Km) from Guam

V6A	AM 1350 kHz
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Koror Republic of Palau - 805 Miles (1,295 Km) from Guam

T8AA	AM 1584 kHz (6 Channels above pending application 1530 kHz)
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Pohnpei FSM- 1014 Miles (1,633 Km) from Guam

V6AH	AM 1449 kHz
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There are currently no AM stations with a cochannel frequency or 1st 2nd or 3rd adjacent channel frequencies from 1530 kHz that are broadcasting nor are there any currently pending applications that would impact the issuance of Guam Power II's application.

Therefore, Guam Power II requests that the Commission issue a Construction Permit under the condition that subsequent modification may be necessary depending on obligations which may arise from the ITU notification process. Guam Power II acknowledges that the authorization will be conditional and expressly accepts the risk of constructing the facilities specified in this application pending completion of the ITU notification process. Guam Power II will accept the grant of this application subject to any subsequent modification that might be required to meet ITU obligations.