

### **Contract Schedules Not Filed**

Nassau Broadcasting Holdings, Inc. ("Nassau") has filed a true and correct copy of the Asset Purchase Agreement between Nassau and Pamal Broadcasting Ltd. and 6 Johnson Road Licenses, Inc. (the "APA") for the sale of the station. However, it has not filed the following schedules to the APA, which are not material to the Commission's consideration of the application, and were omitted:

#### **Agreement Schedules**

Schedule 2.1.2 – Leased Transmitter Sites: Questions about ownership of and title to the transmitter sites is not a matter related to the Commission's public interest determination of the qualifications of Nassau and Assignee. In any event, there are no such sites. See Solar Broadcasting Company, Inc. (Assignor) and Cumulus Licensing Corp. (Assignee), 17 FCC Rcd 5467, 5488-89 (2002).

Schedule 2.1.5 – Studio Sites: There are no studio sites.

Schedule 2.3 – Assumed Contracts: Issues about which agreements are to be assigned or assumed is generally not a matter that the Commission considers. See generally Transcontinent Television Corp., 44 FCC 2451 (1961). LUJ, 17 FCC Rcd 16980, 16983 (2002).

Schedule 3.5 – Allocation of Purchase Price: This item has not been completed. In addition, Nassau believes that this exhibit when completed would contain information that is of a proprietary nature and thereby are eligible for confidential treatment. See 47 C.F.R. § 0.459.

Schedule 4.3 – Consents and Approvals: To the extent that this schedule relates to representations by Nassau about obtaining Commission consent, the Assignment Application itself is that consent. Any consents from any other governmental agency or a third party are generally not matters that the Commission considers. LUJ, 17 FCC Rcd at 16983.

Schedule 4.7 – Tangible and Personal Property Assets: This schedule relates to representations and warranties by Nassau with respect to assets other than the FCC licenses and therefore is not material to the Commission's review of the application. Solar, 17 FCC Rcd at 5488-89.

Schedule 4.8 – Pending Applications: This relates to matters that are already disclosed in the Assignment Application.

Schedule 4.9 – Outstanding Reports: This schedule has not been completed. However, any reports to the Commission covered by this representation are on file with the Commission. Other reports covered, such as income tax filings, either relate to

representations and warranties by Nassau with respect to assets other than the FCC licenses and therefore are not material to the Commission's review of the application. Solar, 17 FCC Rcd at 5488-89, or would contain information which is of a proprietary nature and thereby are eligible for confidential treatment. See 47 C.F.R. § 0.459.

Schedule 4.11 – Environmental Matters. This schedule has not been completed. However, it relates to representations and warranties by Nassau with respect to assets other than the FCC licenses and, therefore, is not material to the Commission's review of the application. Solar, 17 FCC Rcd at 5488-89.

Schedule 4.15 – Third Party Consents: To the extent that this relates to representations by Nassau about obtaining Commission consent, the Assignment Application itself is that consent. Any consents from any other governmental agency or a third party are generally not matters that the Commission considers. LUJ, 17 FCC Rcd at 16983.

Schedule 7.5 – Required Consents: To the extent that this relates to representations by Nassau about obtaining Commission consent, the Assignment Application itself is that consent. Any consents from any other governmental agency or a third party are generally not matters that the Commission considers. LUJ, 17 FCC Rcd at 16983.