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Airen Broadcasting Company

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Character Issues

The information set forth herein concerns Rocky Mountain Broadcasting Company ("RMBC"), which is one-sixth owned by Airen's sole shareholder and includes Suzanne E. Rogers and Brian J. Plant as attributable interest holders. While the below-mentioned pleadings do not appear to raise reportable matters, the following information is provided in the nature of full disclosure.

Issues Raised in Connection with Dismissed Broadcast Applications:

On February 13, 2004, MMM License, LLC ("MMM") filed a Petition to Revoke and Deny the Licenses, Authorizations and Applications of RMBC ("Petition to Revoke"), concerning RMBC's Application for Television Translator Station Channel 28, Great Falls, Montana (Facility ID 131183), FCC File No. BNPTT-20000828BIK ("Translator Application"), and RMBC's Application for On-Channel Booster Station Channel 10, Great Falls, Montana (Facility ID 159494), FCC File No. BNPTVB-20000930BBS ("Booster Application").¹ In the Petition to Revoke, MMM alleged that RMBC lacked the necessary financial resources to complete construction on any of the above-referenced Applications, that RMBC made material misrepresentations concerning its financial qualifications, and that it violated the FCC's multiple ownership rule (47 C.F.R. § 73.3555). On March 30, 2004, MMM filed a First Supplement to the Petition to Revoke in which MMM put forth additional speculative arguments as to the issues it raised initially in the Petition to Revoke ("First Supplement"). Through counsel, RMBC filed its Opposition to the Petition to Revoke on February 26, 2004, and its Motion to Strike and Opposition to First Supplement of MMM License, LLC on April 13, 2004. In both of these responsive pleadings, RMBC demonstrates that MMM offered only speculative claims concerning RMBC that were wholly unsupported by anyone with personal knowledge, and were in no way supported by the Commission's rules and application procedures. RMBC has been consistently diligent in its filings before the Commission, and has attempted in all respects to comply with the Commission's processing rules. Additionally, on August 18, 2014, MMM withdrew these pleadings.

¹ Both the Translator Application and the Booster Application have been dismissed by the Commission following RMBC's decision not to amend them to digital channels as required by DA 10-496, released March 25, 2010, for continued processing. No decision on the pleadings addressed herein has been issued by the Commission.

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On January 16, 2004, KRTV Communications, Inc. (“Cordillera”) filed an Informal Objection to RMBC’s Translator Application alleging that RMBC violated Commission policy with respect to site availability. On May 17, 2004, Cordillera filed a Petition to Deny the Booster Application of RMBC restating essentially the same items as in its prior filings. In late May of 2004, RMBC responded to the Cordillera pleadings reiterating that neither the Cordillera nor the MMM statements in their various pleadings hold any merit and that all should be dismissed by the Commission. Both the MMM Petition and the Cordillera pleadings include allegations that were rejected by the Commission in its January 11, 2011 Memorandum Opinion and Order regarding Channel 20, Idaho Falls, Idaho, and Meridian Communications of Idaho, Inc. (File No. BPCT-1950306KF).