

*Schedule 2.1(b)*  
*Authorizations*

KBMT-TV:	renewal granted June 21, 2007; expiration date, August 1, 2014 (copy attached)
KBMT-DT (Channel 50):	license granted July 12, 2007; expiration date, August 1, 2014 (copy attached); Commission letter granting STA until August 18, 2009 <sup>1</sup>
BPCDT-20080317ABX:	Appendix B (attached)
BMPCDT-20080616AEJ:	Construction Permit for Maximization (attached)
BEPCDT-20090129ACC:	Application for Extension of Time for the Construction Permit for Maximization
BSTA-20090202AGG:	Application for Special Temporary Authorization
WQGX 550:	auxiliary
WHE 863:	auxiliary
WHY 841:	auxiliary
KB 55074:	auxiliary
WQJQ369:	auxiliary
KLA93:	auxiliary <sup>2</sup>
WGZ649:	auxiliary <sup>3</sup>

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<sup>1</sup> Pre-transition operation is not authorized beyond the analog termination date (June 12, 2009) irrespective of the date set forth on the license. The Commission, however, has granted Special Temporary Authority to the licensee to operate on digital Channel 50 to August 18, 2009 (copy attached).

<sup>2</sup> While the FCC's consolidated database system reflects seven auxiliaries, this auxiliary station is not being used and is in the process of being deleted.

<sup>3</sup> While the FCC's consolidated database system reflects seven auxiliaries, this auxiliary station is not being used and is in the process of being deleted.

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In return for the grant of the KBMT-TV license renewal in June, 2007, the licensee entity entered into a Tolling Agreement with the Federal Communications Commission extending the Statute of Limitations for a two-year time period from the renewal grant date (relative to pending indecency complaints directed against ABC network programming). A copy of the Tolling Agreement is attached.

DTV Channel 50 is the licensee's pre-transition digital channel and will continue digital operation on Channel 50 (if necessary) until digital operation is commenced on the licensee's post-transition Channel 12.

LICENSE RENEWAL AUTHORIZATION

THIS IS TO NOTIFY YOU THAT YOUR APPLICATION FOR RENEWAL OF FULL-POWER TELEVISION LICENSE, BRCT-20060330AOE, WAS GRANTED ON 06/21/2007 FOR A TERM EXPIRING ON 08/01/2014 AND IS SUBJECT TO THE CONDITION THAT NO LATER THAN FEBRUARY 17, 2009 THE LICENSEE SHALL SURRENDER EITHER ITS ANALOG OR ITS DIGITAL TELEVISION CHANNEL FOR REALLOCATION OR REASSIGNMENT PURSUANT TO COMMISSION REGULATIONS. THE CHANNEL RETAINED BY THE LICENSEE WILL BE USED TO BROADCAST DIGITAL TELEVISION ONLY AFTER THIS DATE.

CHANNEL 12 OF BEAUMONT, INC.  
525 INTERSTATE HIGHWAY, 10 SOUTH  
BEAUMONT, TX 77701

CHANNEL: 12

THIS IS YOUR LICENSE RENEWAL AUTHORIZATION FOR STATION KBMT.

FACILITY ID: 10150

LOCATION: BEAUMONT, TX

THIS CARD MUST BE POSTED WITH THE STATION'S LICENSE CERTIFICATE AND ANY SUBSEQUENT MODIFICATIONS.

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United States of America  
FEDERAL COMMUNICATIONS COMMISSION  
DIGITAL/TELEVISION BROADCAST STATION LICENSE

Authorizing Official:

Official Mailing Address:

CHANNEL 12 OF BEAUMONT, INC.  
525 INTERSTATE HIGHWAY, 10 SOUTH  
BEAUMONT TX 77701

Clay C. Pendarvis  
Associate Chief  
Video Division  
Mass Bureau

Facility Id: 10150

Grant Date: July 12, 2007

This license expires 3:00 a.m.  
local time, August 01, 2014.

Analog Call Sign: KBMT

Digital Call Sign: KBMT-DT

Analog License File Number: BMLCT-20060619AAQ

Digital License File Number: BLCDT-20060918AHX

This license covers Analog Permit No.: BLCT-19820802KF

This license covers Digital Permit No.: BMPCDT-20051202AIQ

Subject to the provisions of the Communications Act of 1934, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this license, the licensee is hereby authorized to use and operate the radio transmitting apparatus herein described.

This license is issued on the licensee's representation that the statements contained in licensee's application are true and that the undertakings therein contained so far as they are consistent herewith, will be carried out in good faith. The licensee shall, during the term of this license, render such broadcasting service as will serve the public interest, convenience, or necessity to the full extent of the privileges herein conferred.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the license nor the right granted hereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934. This license is subject to the right of use or control by the Government of the United States conferred by Section 606 of the Communications Act of 1934.

ANALOG TELEVISION ENGINEERING DATA

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Call sign: KBMT-DT

License No.: BLCDT-20060918AIX

Name of Licensee: CHANNEL 12 OF BEAUMONT, INC.

Station Location: TX-BEAUMONT

Frequency (MHz): 204 - 210

Carrier Frequency (MHz): 205.24 Visual 209.74 Aural

Channel: 12

Hours of Operation: Unlimited

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Antenna type: (directional or non-directional): Directional

Description: RCA, TF-12EH

Major lobe directions (degrees true): 45 135 225 315

Antenna Coordinates: North Latitude: 30 deg 11 min 26 sec

West Longitude: 93 deg 53 min 08 sec

Transmitter output power: 29 kW  
14.62 DBK

Maximum effective radiated power (Peak): 316 kW  
25 DBK

Height of radiation center above ground: 302.7 Meters

Height of radiation center above mean sea level: 311 Meters

Height of radiation center above average terrain: 305 Meters

Antenna structure registration number: 1047437

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 This is to notify you that your application for license is subject to the condition that on February 17, 2009, or by such other date as the Commission may establish in the future under Section 309(j)(14)(a) and (b) of the Communications Act, the licensee shall surrender either its analog or digital television channel for reallocation or reassignment pursuant to Commission regulations. The Channel retained by the licensee will be used to broadcast digital television only after this date.

DIGITAL TELEVISION DATA

# Schedule 2.1 (b)

Call sign: KBMT-DT

License No.: BLCDT-29060918AHX

Name of Licensee: CHANNEL 12 OF BEAUMONT, INC.

Station Location: TX-BEAUMONT

Frequency (MHz): 686 - 692

Channel: 50

Hours of Operation: Unlimited

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Antenna type: (directional or non-directional): Directional

Description: DTE, TLP-24H (C)

Beam Tilt: 1 Degree Electrical

Major lobe directions 180  
(degrees true):

Antenna Coordinates: North Latitude: 30 deg 11 min 26 sec

West Longitude: 93 deg 53 min 08 sec

Transmitter output power: 1.45 kW  
1.61 DBK

Maximum effective radiated power (Average): 35.5 kW  
15.49 DBK

Height of radiation center above ground: 274 Meters

Height of radiation center above mean sea level: 282 Meters

Height of radiation center above average terrain: 276 Meters

Antenna structure registration number: 1047437

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 This is to notify you that your application for license is subject to the condition that on February 17, 2009, or by such other date as the Commission may establish in the future under Section 309(j)(14)(a) and (b) of the Communications Act, the licensee shall surrender either its analog or digital television channel for reallocation or reassignment pursuant to Commission regulations. The Channel retained by the licensee will be used to broadcast digital television only after this date.

\*\*\* END OF AUTHORIZATION \*\*\*

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1264-068 A



Federal Communications Commission  
Washington, D.C. 20554  
SEP 29 2008

Blow Right

Channel 12 of Beaumont, Inc.  
525 Interstate Highway 10 South  
Beaumont, TX 77701

In Re: Request For Phased Transition  
Relief  
For Station KBMT-DT  
Beaumont, Texas  
BDSTA-20080818ACE  
Fac Id: 10150

Dear Licensee:

This is in reference to your request filed on August 18, 2008, for special temporary authority (STA) for phased transition relief for KBMT-DT, Beaumont, Texas, pursuant to the policy set forth in the *Third Periodic DTV Review Report and Order*, 23 FCC Rcd 2994, ¶¶92-94 (2007). After a thorough review of your request, we conclude that the station should be permitted to continue to operate on its pre-transition DTV channel after February 17, 2009, while it completes construction of its post-transition DTV facilities on a different DTV channel. You have demonstrated that the station will: (1) serve at least the same population that receives their current analog TV and DTV service so that over-the-air viewers will not lose TV service; and (2) they do not cause impermissible interference to other stations or prevent other stations from making their transition. Therefore, the public interest will be served by a grant of your request. Wherefore, the deadline by which KBMT-DT must complete construction of its full, authorized post-transition facilities is extended until August 18, 2009. With respect to radio frequency radiation (RFR), we expect compliance with Section 1.1307(b) of the Commission's Rules to be achieved.

In light of the above, your request for phased transition relief for KBMT-DT, Beaumont, Texas (File No. BDSTA-20080818ACE) IS GRANTED.

Sincerely,

A handwritten signature in black ink, appearing to read "Clay Pendarvis".

Clay C. Pendarvis  
Associate Division Chief  
Video Division  
Media Bureau

cc: Robert Jacobi, Esq.

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United States of America  
FEDERAL COMMUNICATIONS COMMISSION  
DIGITAL TELEVISION BROADCAST STATION  
CONSTRUCTION PERMIT

Authorizing Official:

Official Mailing Address:

CHANNEL 12 OF BEAUMONT, INC.  
525 INTERSTATE HIGHWAY, 10 SOUTH  
BEAUMONT TX 77701

Clay C. Pendarvis  
Associate Chief  
Video Division  
Media Bureau

Facility Id: 10150

Grant Date: April 16, 2008

This permit expires 3:00 a.m.  
local time, February 17, 2009.

Call Sign: KBMT-DT

Permit File Number: BPCDT-20080317ABX

Appendix B

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of Permittee: CHANNEL 12 OF BEAUMONT, INC.

Station Location: TX-BEAUMONT

Frequency (MHz): 204 - 210

Channel: 12

Hours of Operation: Unlimited

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Call sign: KBMT-DT

Permit No.: BPCDT-20080317ABX

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Antenna type: (directional or non-directional): Non-Directional

Description: RCA, TF-12BH

Major lobe directions (degrees true): Not Applicable

Antenna Coordinates: North Latitude: 30 deg 11 min 26 sec

West Longitude: 93 deg 53 min 08 sec

Transmitter output power: As required to achieve authorized ERP.

Maximum effective radiated power (Average): 11.1 kW  
10.5 DBK

Height of radiation center above ground: 302.7 Meters

Height of radiation center above mean sea level: 311 Meters

Height of radiation center above average terrain: 305 Meters

Antenna structure registration number: 1047437

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 The grant of this construction permit is subject to the condition that, with ample time before commencing operation, you make a good faith effort to identify and notify health care facilities (e.g., hospitals, nursing homes, see 47 CFR 15.242(a)(1)) within your service area potentially affected by your DTV operations. Contact with state and/or local hospital associations and local governmental health care licensing authorities may prove helpful in this process. During this pre-broadcast period, you must provide all notified entities with relevant technical details of your operation, such as DTV channel, targeted on-air date, effective radiated power, antenna location, and antenna height. You are required to place in the station's public inspection file documentation of the notifications and contacts made and you may not commence operations until good faith efforts have been made to notify affected health care facilities. During this pre-broadcast period and for up to twenty (20) days after commencing operations, should you become aware of any instances of medical devices malfunctioning or that such devices are likely to malfunction due to your DTV operations, you must cooperate with the health care facility so that it is afforded a reasonable opportunity to resolve the interference problem. At such time as all provisions of this condition have been fulfilled, and either upon the expiration of twenty (20) days following commencement of operations or when all known interference problems have been resolved, whichever is later, this condition lapses.

\*\*\* END OF AUTHORIZATION \*\*\*

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United States of America  
**FEDERAL COMMUNICATIONS COMMISSION**  
**DIGITAL TELEVISION BROADCAST STATION**  
**CONSTRUCTION PERMIT**

Authorizing Official:

Official Mailing Address:

CHANNEL 12 OF BEAUMONT, INC.  
525 INTERSTATE HIGHWAY, 10 SOUTH  
BEAUMONT TX 77701

Clay C. Pendarvis  
Associate Chief  
Video Division  
Media Bureau

Facility Id: 10150

Grant Date: November 12, 2008

Call Sign: KBMT-DT

This permit expires 3:00 a.m.  
local time, February 17, 2009.

Permit File Number: BNPCT-20080615AEBJ

*Maximization*

This authorization re-issued on 12/19/2008, to remove the special condition.

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of Permittee: CHANNEL 12 OF BEAUMONT, INC.

Station Location: TX-BEAUMONT

Frequency (MHz): 204 - 210

Channel: 12

Hours of Operation: Unlimited



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Call sign: KAMT-DT

Permit No.: DMPCDT-20000616A03

Special operating conditions or restrictions:

- 1 This is to notify you that the grant of this construction permit is subject to the condition that this facility can not commence operation prior to midnight of February 17, 2009, or by such other date as the Commission may establish in the future, without prior approval from the Commission.

\*\*\* END OF AUTHORIZATION \*\*\*

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**TOLLING AGREEMENT**

TOLLING AGREEMENT

**I. Introduction**

1. This Tolling Agreement is entered into by and between the Federal Communications Commission (the "Commission") and Channel 12 of Beaumont, Inc. (the "Licensee") (the Commission and the Licensee, collectively, the "Parties").

2. The Licensee holds the licenses for the stations set forth in Schedule A (hereto "the Stations").

3. Currently pending before the Commission is the application of the Licensee for renewal of its licenses for the Station (the "Renewal Applications"), KBMT-TV, Beaumont, Texas (BRCT-20060330AOE).

4. Also currently pending before the Commission are one or more complaints alleging violations by the Licensee of the Communications Act of 1934, as amended (the "Act"), the Commission's Rules, 18 U.S.C. § 1464, a Commission order, and/or the terms of the license for the Station based on programming possibly aired over the Station alleged to contain obscene, indecent and/or profane material (any of which, or combination of which are referred to herein as a "Potential Violation"). The complaints allege that certain broadcast programming may have contained obscene, indecent and/or profane material.

5. Pursuant to Section 503(b)(6)(A) of the Act, 47 U.S.C. § 503(b)(6)(A), no forfeiture penalty shall be determined or imposed against any person if such person holds a broadcast station license issued under Title III of the Act and the violation charged occurred; (a) more than one (1) year prior to the date of issuance of a notice of apparent

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liability; or (b) prior to the date of commencement of the current term of the license, whichever is earlier.

6. Pursuant to Section 503(b)(5) of the Act, 47 U.S.C. § 503(b)(5), generally, no forfeiture liability shall be determined against any person, if such person does not hold a license, permit, certificate or other authorization issued by the Commission, or if such person is not an applicant for a license, permit, certificate or other authorization issued by the Commission, unless, prior to the issuance of notice of apparent liability for forfeiture, such person: (a) is sent a citation of the violation charged; (b) is given a reasonable opportunity for a personal interview with an official of the Commission at the field office that is closest to the person's place of residence; and (c) subsequently engages in conduct of the type described in such citation.

7. The Licensee holds one or more broadcast licenses issued under Title III of the Act and seeks the expeditious grant by the Commission of the Renewal Application. Although no Potential Violation has yet been charged and no forfeiture proposed against the Licensee, the Commission seeks to preserve for itself the legal ability to do so by the issuance of one or more notices of apparent liability for forfeiture.

8. As a result of discussions between the Commission and the Licensee, in furtherance of their respective objections noted in the preceding paragraph, the Parties hereto agree that it would be in their mutual interests to toll the statute of limitations period specified in Section 503(b)(6)(A) of the Act (the "Statute of Limitations") with respect to any Potential Violations, and for the Licensee to waive any defense to a notice

of liability for forfeiture based on Section 503(b)(5) of the Act ("Section 503(b)(5) Argument") with respect to any Potential Violation, as provided below.

**II. Agreement Terms**

9. The Parties agree as follows:

(a) The Statute of Limitations for any Potential Violation with respect to any Station shall expire two (2) years after the date on which the Commission grants the Renewal Application for such Station (the "Renewal Grant Date"). The period during which the Statute of Limitations is so tolled shall be referred to in this Tolling Agreement as the "Tolled Period." By agreeing to toll the Statute of Limitations pursuant to this Tolling Agreement, the Licensee understands and agrees that it is waiving, and hereby does waive, any right that it may otherwise have to rely on the Statute of Limitations with respect to the Tolled Period regarding any Potential Violation. The Licensee further understands and agrees that it shall not rely upon or cite the Statute of Limitations with respect to the Tolled Period in any administrative or judicial proceeding involving a Potential Violation to argue that the issuance of a notice of apparent liability for forfeiture or such other proposed action or action by the Commission or its delegate is barred by the Statute of Limitations.

(b) In the event that, during the Tolled Period, the Licensee is issued a notice of apparent liability for forfeiture regarding a Potential Violation and the Licensee disposes or has disposed of all of its Commission licenses, permits, certificates and authorizations and is not an applicant for a Commission license, permit, certificate or

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other authorization, the Licensee will not challenge the authority of the Commission to so issue the notice of apparent liability for forfeiture due to the fact that the Licensee is neither a holder of nor an applicant for a Commission license, permit, certificate or other authorization. By so agreeing pursuant to this Tolling Agreement, the Licensee understands and agrees that it is waiving, and hereby does waive, any right that it may otherwise have under 47 U.S.C. § 503(b)(5) or any other provision to rely on or cite the fact that it neither is the holder of nor an applicant for a Commission license, permit, certificate or other authorization in any administrative or judicial proceeding involving a Potential Violation to argue that the issuance of a notice of apparent liability for forfeiture or such other proposed action or action by the Commission or its delegate is barred by its status.

(c) By executing this Tolling Agreement, the Licensee does not admit to any Potential Violation. Nothing in this Tolling Agreement, other than the matters addressed herein, shall be construed to limit the Licensee's ability or right to challenge any Commission order or document finding or proposing to find the Licensee liable for a Potential Violation.

(d) In the event that, during the Tolled Period, the Licensee files with the Commission an application for Commission approval of the assignment of the license for the Station, at the time of such filing, it will deliver a copy of the application to the Chief, Investigations and Hearings Division, Enforcement Bureau of the Commission.

(e) This Tolling Agreement may be executed in counterparts.



**Schedule A for KBMT**

KBMT: BTCT-20060330AOE

A license application for KBMT-DT was reported as "Accepted for Filing" on a Public Notice dated September 22, 2006 (BLCDT-20060918AHX).