



(REFERENCE COPY - Not for submission)

# Commercial Broadcast Stations Biennial Ownership Report (FCC Form 323)

File Number: **0000227345** | Submit Date: **2023-11-21** | FRN: **0008335457**  
Purpose: **Commercial Broadcast Stations Biennial Ownership Report** | Status: **Received** | Status Date: **11/21/2023** |  
Filing Status: **Active**

Section I - General Information

1. Respondent

FRN		Entity Name			
0008335457		The Drive LLC			

  

Street Address	City (and Country if non U.S. address)	State ("NA" if non-U.S. address)	Zip Code	Phone	Email
596 North 1420 East	Provo	UT	84606-5168	+1 (702) 210-4286	richard@heftel.com

2. Contact Representative

Name		Organization			
Marissa G. Repp, Esq.		Repp Law Firm			

  

Street Address	City (and Country if non U.S. address)	State	Zip Code	Phone	Email
1629 K Street, NW Suite 300	Washington	DC	20006-1631	+1 (202) 656-1619	MARISSA@REPPLAWFIRM.COM

3. Application Filing Fee

Question	Response
Is this application being submitted without a filing fee?	No

Fees

Application Type	Form Number	Fee Code	Quantity	Fee Amount	Subtotal
Biennial	Form 323	MAR	2	95	\$190.00
				Total	\$190.00

4. Nature of Respondent

(a) Provide the following information about the Respondent:

Relationship to stations/permits	Licensee
Nature of Respondent	Limited liability company

(b) Provide the following information about this report:

Purpose	Validation and resubmission of a previously filed biennial report (certifying no changes from the previously filed biennial report) 0000171548
"As of" date	10/01/2023  When filing a biennial ownership report or validating and resubmitting a prior biennial ownership report, this date must be Oct. 1 of the year in which this report is filed.

5. Licensee(s) and Station(s)

Respondent is filing this report to cover the following Licensee(s) and station(s):

Licensee/Permittee Name		FRN
The Drive LLC		0008335457

Fac. ID No.	Call Sign	City	State	Service
89128	KHRQ	BAKER	CA	FM
89344	KHDR	LENWOOD	CA	FM

Section II – Biennial Ownership Information

1. 47 C.F.R. Section 73.3613 and Other Documents

Licensee Respondents that hold authorizations for one or more full power television, AM, and/or FM stations should list all contracts and other instruments set forth in 47 C.F.R. Section 73.3613(a) through (c) for the facility or facilities listed on this report. In addition, attributable Local Marketing Agreements (LMAs) and attributable Joint Sales Agreements (JSAs) must be disclosed by the licensee of the brokering station on its ownership report. If the agreement is an attributable LMA, an attributable JSA, or a network affiliation agreement, check the appropriate box. Otherwise, select “Other.” Non-Licensee Respondents, as well as Licensee Respondents that only hold authorizations for Class A television and/or low power television stations, should select “Not Applicable” in response to this question.

Document Information	
Description of contract or instrument	LIMITED LIABILITY COMPANY ARTICLES OF ORGANIZATION OF THE DRIVE LLC
Parties to contract or instrument	THE DRIVE LLC AND STATE OF CALIFORNIA
Date of execution	12/2002
Date of expiration	No expiration date

<b>Agreement type</b> (check all that apply)	Other <b>Agreement Type:</b> ARTICLES OF ORGANIZATION
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Document Information	
Description of contract or instrument	LIMITED LIABILITY COMPANY CERTIFICATE OF MERGER
Parties to contract or instrument	State of California
Date of execution	05/2003
Date of expiration	No expiration date
<b>Agreement type</b> (check all that apply)	Other <b>Agreement Type:</b> LIMITED LIABILITY COMPANY CERTIFICATE OF MERGER

Document Information	
Description of contract or instrument	AMENDMENT TO LIMITED LIABILITY COMPANY AGREEMENT
Parties to contract or instrument	KHWY, INC. AND POINT BROADCASTING COMPANY
Date of execution	06/2010
Date of expiration	No expiration date
<b>Agreement type</b> (check all that apply)	Other <b>Agreement Type:</b> AMENDMENT TO LIMITED LIABILITY COMPANY AGREEMENT

Document Information	
Description of contract or instrument	Limited Liability Company Agreement of The Drive LLC
Parties to contract or instrument	Members of The Drive LLC
Date of execution	05/2003
Date of expiration	No expiration date
<b>Agreement type</b> (check all that apply)	Other <b>Agreement Type:</b> Limited Liability Company Agreement of The Drive LLC

Document Information	
Description of contract or instrument	Amendment to Limited Liability Company Agreement of The Drive LLC
Parties to contract or instrument	KHWY, Inc., Point Broadcasting Company and Lormat Communications LLC
Date of execution	03/2004
Date of expiration	No expiration date
<b>Agreement type</b> (check all that apply)	Other <b>Agreement Type:</b> Amendment to Limited Liability Company Agreement of The Drive LLC

Document Information	
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<b>Description of contract or instrument</b>	Amendment to Limited Liability Company Agreement of The Drive LLC
<b>Parties to contract or instrument</b>	KHWY, Inc. and Point Broadcasting Company
<b>Date of execution</b>	01/2011
<b>Date of expiration</b>	No expiration date
<b>Agreement type</b> (check all that apply)	Other <b>Agreement Type:</b> Amendment to Limited Liability Company Agreement of The Drive LLC

Document Information	
<b>Description of contract or instrument</b>	Articles of Organization of Heftel Broadcasting Company LLC
<b>Parties to contract or instrument</b>	Heftel Broadcasting Company LLC and State of Nevada
<b>Date of execution</b>	04/2017
<b>Date of expiration</b>	No expiration date
<b>Agreement type</b> (check all that apply)	Other <b>Agreement Type:</b> Articles of Organization of Heftel Broadcasting Company LLC

Document Information	
<b>Description of contract or instrument</b>	Amended Operating Agreement of Heftel Broadcasting Company LLC
<b>Parties to contract or instrument</b>	Member of Heftel Broadcasting Company LLC
<b>Date of execution</b>	10/2017
<b>Date of expiration</b>	No expiration date
<b>Agreement type</b> (check all that apply)	Other <b>Agreement Type:</b> Amended Operating Agreement of Heftel Broadcasting Company LLC

Document Information	
<b>Description of contract or instrument</b>	Articles of Organization of LILINUCH LLC
<b>Parties to contract or instrument</b>	LILINUCH LLC and State of Nevada
<b>Date of execution</b>	05/2017
<b>Date of expiration</b>	No expiration date
<b>Agreement type</b> (check all that apply)	Other <b>Agreement Type:</b> Articles of Organization of LILINUCH LLC

Document Information	
<b>Description of contract or instrument</b>	Operating Agreement of LILINUCH LLC
<b>Parties to contract or instrument</b>	Members of LILINUCH LLC
<b>Date of execution</b>	09/2017
<b>Date of expiration</b>	No expiration date
<b>Agreement type</b> (check all that apply)	Other <b>Agreement Type:</b> Operating Agreement of LILINUCH LLC

Document Information	
Description of contract or instrument	Articles of Organization of Heftel Arizona, LLC
Parties to contract or instrument	Heftel Arizona, LLC and State of Nevada
Date of execution	03/2007
Date of expiration	No expiration date
Agreement type (check all that apply)	Other <b>Agreement Type:</b> Articles of Organization of Heftel Arizona, LLC

Document Information	
Description of contract or instrument	Amended Operating Agreement of Heftel Arizona, LLC
Parties to contract or instrument	Members of Heftel Arizona, LLC
Date of execution	05/2017
Date of expiration	No expiration date
Agreement type (check all that apply)	Other <b>Agreement Type:</b> Amended Operating Agreement of Heftel Arizona, LLC

Document Information	
Description of contract or instrument	Amended and Restated Security Agreement
Parties to contract or instrument	Heftel Broadcasting Company LLC and Heftel Arizona LLC
Date of execution	05/2017
Date of expiration	No expiration date
Agreement type (check all that apply)	Other <b>Agreement Type:</b> Amended and Restated Security Agreement

## 2. Ownership Interests

**(a) Ownership Interests.** This Question requires Respondents to enter detailed information about ownership interests by generating a series of subforms. Answer each question on each subform. The first subform listing should be for the Respondent itself. If the Respondent is not a natural person, also list each of the officers, directors, stockholders, non-insulated partners, non-insulated members, and any other persons or entities with a direct attributable interest in the Respondent pursuant to the standards set forth in 47 C.F.R. Section 73.3555. (A “direct” interest is one that is not held through any intervening companies or entities.) List each interest holder with a direct attributable interest in the Respondent separately.

Leave the percentage of total assets (Equity Debt Plus) field blank for an interest holder unless that interest holder has an attributable interest in the Respondent solely on the basis of the Commission’s Equity Debt Plus attribution standard, 47 C.F.R. Section 73.3555, Note 2(i).

In the case of vertical or indirect ownership structures, list only those interests in the Respondent that also represent an attributable interest in the Licensee(s) for which the report is being submitted.

Entities that are part of an organizational structure that includes holding companies or other forms of indirect ownership must file separate ownership reports. In such a structure do not report, or file a separate report for, any interest holder that does not have an attributable interest in the Licensee(s) for which the report is being submitted.

Please see the Instructions for further detail concerning interests that must be reported in response to this question.

The Respondent must provide an FCC Registration Number for each interest holder reported in response to this question. Please see the Instructions for detailed information and guidance concerning this requirement.

Ownership Information
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FRN	0008335457		
Entity Name	The Drive LLC		
Address	PO Box		
	Street 1	596 North 1420 East	
	Street 2		
	City	Provo	
	State ("NA" if non-U.S. address)	UT	
	Zip/Postal Code	84606-5168	
	Country (if non-U.S. address)	United States	
Listing Type	Respondent		
Positional Interests (check all that apply)	Respondent		
Tribal Nation or Tribal Entity	Interest holder is not a Tribal nation or Tribal entity		
Interest Percentages (enter percentage values from 0.0 to 100.0)	Voting	0.0%	Jointly Held? No
	Equity	0.0%	
	Total assets (Equity Debt Plus)	0.0%	
Does interest holder have an attributable interest in one or more broadcast stations that do not appear on this report?			No

Ownership Information			
FRN	0026531269		
Entity Name	Heftel Broadcasting Company LLC		
Address	PO Box		
	Street 1	596 North 1420 East	
	Street 2		
	City	Provo	
	State ("NA" if non-U.S. address)	UT	
	Zip/Postal Code	84606-5168	
	Country (if non-U.S. address)	United States	
Listing Type	Other Interest Holder		
Positional Interests (check all that apply)	LC/LLC/PLLC Member		
Tribal Nation or Tribal Entity	Interest holder is not a Tribal nation or Tribal entity		

Interest Percentages (enter percentage values from 0.0 to 100.0)	Voting	67.7%	Jointly Held? No
	Equity	67.7%	
	Total assets (Equity Debt Plus)		
Does interest holder have an attributable interest in one or more broadcast stations that do not appear on this report?			Yes

Ownership Information			
FRN	0001530591		
Entity Name	POINT BROADCASTING COMPANY		
Address	PO Box		
	Street 1	715 Broadway	
	Street 2	Suite 320	
	City	Santa Monica	
	State ("NA" if non-U.S. address)	CA	
	Zip/Postal Code	90401	
	Country (if non-U.S. address)	United States	
Listing Type	Other Interest Holder		
Positional Interests (check all that apply)	LC/LLC/PLLC Member		
Tribal Nation or Tribal Entity	Interest holder is not a Tribal nation or Tribal entity		
Interest Percentages (enter percentage values from 0.0 to 100.0)	Voting	32.3%	Jointly Held? No
	Equity	32.3%	
	Total assets (Equity Debt Plus)		
Does interest holder have an attributable interest in one or more broadcast stations that do not appear on this report?			Yes

(b) Respondent certifies that any interests, including equity, financial, or voting interests, not reported in this filing are non-attributable. If "No," submit as an exhibit an explanation.	Yes
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(c) Are any of the individuals listed as an attributable interest holder in the Respondent married to each other or related to each other as parentchild or as siblings?  If "Yes," provide the following information for each such the relationship.	No
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<p><b>(d) Is Respondent seeking an attribution exemption for any officer or director with duties wholly unrelated to the Licensee(s)?</b></p> <p>If "<u>Yes</u>," complete the information in the required fields and submit an Exhibit fully describing that individual's duties and responsibilities, and explaining why that individual should not be attributed an interest.</p>	No
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### 3. Organizational Chart (Licensees Only)

Attach a flowchart or similar document showing the Licensee’s vertical ownership structure including the Licensee and all entities that have attributable interests in the Licensee. Licensees with a single parent entity may provide a brief explanatory textual Exhibit in lieu of a flowchart or similar document. Licensees without parent entities should so indicate in a textual Exhibit.

Non-Licensee Respondents should select “N/A” in response to this question.

File Name	Uploaded By	Attachment Type	Description
<a href="#">The Drive LLC - 2023 Organizational Chart 11-9-2023.pdf</a>	Applicant	Ownership Chart	The Drive LLC - 2023 Organizational Chart

### Section III - Certification

#### Certification

Section	Question	Response
Authorized Party to Sign	WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND /OR REVOCATION OF ANY STATION LICENSE --OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).	
Certification	I certify that I have examined this report and that to the best of my knowledge and belief, all statements in this report are true, correct and complete.	Official Title: <b>Authorized Signatory</b> Exact Legal Title or Name of Respondent: <b>The Drive LLC</b> Name: <b>Richard D Heftel</b> Phone: <b>7022104286</b>  11/21/2023