

(REFERENCE COPY - Not for submission)
Minor Modification of Licensed AM Station Application (301-AM)

File Number: **BP-20060922ADJ** | Submit Date: **09/22/2006** | Lead Call Sign: **KXO** | FRN: **0005031646**
Service: **Full Power AM** | Purpose: **Minor Modification** | Status: **Dismissed** | Status Date: **05/11/2009** | Filing Status: **Inactive**

General Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	

Fees, Waivers, and Exemptions

Section	Question	Response
Fees	Is the applicant exempt from FCC application Fees?	No
	Indicate reason for fee exemption:	
	Is the applicant exempt from FCC regulatory Fees?	
Waivers	Does this filing request a waiver of the Commission's rule (s)?	
	Total number of rule sections involved in this waiver request:	

Applicant Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
KXO, INC. Applicant Doing Business As: KXO, INC.	420 MAIN STREET EL CENTRO, CA 92243 United States	+1 (760) 352-1230	GBRISTER@KXORADIO.COM	Company

Contact Representatives (2)

Contact Name	Address	Phone	Email	Contact Type
ELLIOTT KURT KLEIN CONSULTING BROADCAST ENGINEER	KLEIN BROADCAST ENGINEERING, L.L.C. 5529 EAST SAPPHIRE LANE PARADISE VALLEY, AZ 85253-2525 United States	+1 (480) 991-0575	ELLIOTT@KLEINBROADCAST.COM	Technical Representative
KATHRYN SCHMELTZER PILLSBURY WINTHROP SHAW PITTMAN LLP	2300 N STREET, NW WASHINGTON, DC 20037 United States	+1 (202) 663-8217	KATHRYN.SCHMELTZER@PILLSBURYLAW.COM	Legal Representative

Attributable Interest

Section	Question	Response
Multiple Ownership	Is the applicant or any party to the application the holder of an attributable radio joint sales agreement or an attributable radio time brokerage agreement in the same market as the station subject to this application?	
	Applicant certifies that the proposed facility complies with the Commission's multiple ownership rules.	
	Applicant certifies that the proposed facility: (a) does not present an issue under the Commission's policies relating to media interests of immediate family members; (b) complies with the Commission's policies relating to future ownership interests; (c) complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors	
	Does the Applicant claim status as an "eligible entity," that is, an entity that qualifies as a small business under the Small Business Administration's size standards for its industry grouping (as set forth in 13 C.F.R. § 121-201), and holds: (a) 30 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet; or (b) 15 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet, provided that no other person or entity owns or controls more than 25 percent of the outstanding stock or partnership interests; or (c) more than 50 percent of the voting power of the corporation that will own the media outlet (if such corporation is a publicly traded company)?	

Legal Certifications

Section	Question	Response
Character Issues	Applicant certifies that neither applicant nor any party to the application has or had any interest in, or connection with: (a) any broadcast application in any proceeding where character issues were left in unresolved or were resolved adversely against the applicant or party to the application; or (b) any pending broadcast application in which character issues have been raised.	Yes
Adverse Findings	Applicant certifies that, with respect to the applicant and any party to the application, and any non-party equity owner in the applicant, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	Yes
Local Public Notice	Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	Yes

Frequency and Facility Information

Section	Question	Response
Proposed Community of License	State	California
	City	El Centro
Facility Information	Frequency	1230
	Service Type	Main
	Facility Type	Commercial
	Class	C
Modes/Hour of Operation	Modes/Hour of Operation	Daytime, NightTime

Antenna Summary Data

Non-Directional Antenna Data - Daytime

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1254426
	Nominal Power	1.000
Coordinates (NAD83)	Latitude	32° 48` 24.2N
	Longitude	115° 32` 47.0W
Parameters	Theoretical RMS	334
	Overall height above ground (including obstruction lighting)	90.2
	Height of radiator above base insulator, or above base, if grounded	90.2
	Electrical height of radiator	132.8
	Is the tower top loaded, sectionalized, or neither?	Neither
	Tower Parameters	

Non-Directional Antenna Data - Nighttime

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1254426
	Nominal Power	1.000
Coordinates (NAD83)	Latitude	32° 48` 24.2N
	Longitude	115° 32` 47.0W
Parameters	Theoretical RMS	334
	Overall height above ground (including obstruction lighting)	90.2
	Height of radiator above base insulator, or above base, if grounded	90.2
	Electrical height of radiator	132.8

Is the tower top loaded, sectionalized, or neither?	Neither
Tower Parameters	

**Technical
Certifications**

Section	Question	Response
Environmental Effect	By checking “Yes”, the applicant certifies that the facility will not have a significant environmental impact and complies with the maximum permissible electromagnetic exposure limits for controlled and uncontrolled environments (see 47 C.F.R. Section 1.1306). Unless the applicant can determine compliance through the use of the RF worksheets found on the FCC website (https://www.fcc.gov/sites/default/files/lms-radiofrequency-exposure-compliance-worksheets-radio-broadcast-stations.pdf), an Exhibit is required.	Yes
Broadcast Facility	Does the proposed facility comply with the applicable engineering standards and assignment requirements of 47 C.F.R. Sections 73.23, 73.24, 73.33, 73.37, 73.45, 73.150, 73.152, 73.160, 73.182, 73.186, 73.187, 73.189, and 73.1650?	
Community of License Change - Section 307(b)	Is the application being submitted to change the facility's community of license? If ‘Yes’, an exhibit is required containing information demonstrating that the proposed community of license change constitutes a preferential arrangement of assignments under Section 307(b) of the Communications Act of 1934, as amended (47 U.S.C. Section 307(b))?	

Certification

Section	Question	Response
General Certification Statements	The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).	
	The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification § 1.2002(c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.	

Authorized Party to Sign	FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application. WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND /OR FORFEITURE (U.S. Code, Title 47, §503).	
	I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.	GENE P. BRISTER

Attachments

File Name	Uploaded By	Attachment Type	Description	Upload Status
1133632_2641488.pdf	Applicant	All Purpose	EXHIBIT E-18D RFR STUDY & ANALYSIS ENVIRONMENTAL STATEMENT KXO-AM	Done with Virus Scan and/or Conversion
1133632_2642608.pdf	Applicant	All Purpose	EXHIBIT E-11 ENGINEERING STATEMENT TABLE OF CONTENTS KXO-AM	Done with Virus Scan and/or Conversion
1133632_2642611.pdf	Applicant	All Purpose	EXHIBIT E-11 ENGINEERING STATEMENT KXO-AM	Done with Virus Scan and/or Conversion
1133632_2642612.pdf	Applicant	All Purpose	EXHIBIT E-11 FIGURE 1 & 2	Done with Virus Scan and/or Conversion
1133632_2642616.pdf	Applicant	All Purpose	EXHIBIT E-14 ENGINEERING STATEMENT KXO-AM	Done with Virus Scan and/or Conversion
1133632_2642621.pdf	Applicant	All Purpose	EXHIBIT E-14 TABLES 1 THRU 4 KXO-AM	Done with Virus Scan and/or Conversion
1133632_2642622.pdf	Applicant	All Purpose	EXHIBIT E-14 FIGURE 3 THRU 7 KXO-AM	Done with Virus Scan and/or Conversion
1133632_2642643.pdf	Applicant	All Purpose	EXHIBIT E-15 ENGINEERING STATEMENT KXO-AM	Done with Virus Scan and/or Conversion
1133632_2642644.pdf	Applicant	All Purpose	EXHIBIT E-15 FIGURE 8 KXO-AM NIF	Done with Virus Scan and/or Conversion

<u>1133632_2642645.pdf</u>	Applicant	All Purpose	FCC FORM 301 INTRODUCTION & ENGINEERING STATEMENTS KXO-AM 20060921	Done with Virus Scan and/or Conversion
<u>1133632_2643697.pdf</u>	Applicant	All Purpose	Request for Expedited Consideration	Done with Virus Scan and/or Conversion
<u>1133632_434683.txt</u>	Applicant	All Purpose	COMPLIANCE WITH MULTIPLE OWNERSHIP RULES	Done with Virus Scan and/or Conversion
<u>1133632_434684.txt</u>	Applicant	All Purpose	EXHIBIT E-11	Done with Virus Scan and/or Conversion
<u>1133632_434685.txt</u>	Applicant	All Purpose	EXHIBIT E-14	Done with Virus Scan and/or Conversion
<u>1133632_434686.txt</u>	Applicant	All Purpose	EXHIBIT E-15	Done with Virus Scan and/or Conversion
<u>1133632_434687.txt</u>	Applicant	All Purpose	EXHIBIT E-18 RFR STUDY & ANALYSIS KXO-AM 20060921	Done with Virus Scan and/or Conversion
<u>1133632_434688.txt</u>	Applicant	All Purpose	EXHIBIT E-18 RFR STUDY & ANALYSIS KXO-AM 20060921	Done with Virus Scan and/or Conversion
<u>1133632_6100651.pdf</u>	Applicant	All Purpose	EXHIBIT E-11 ENGINEERING STATEMENT TABLE OF CONTENTS KXO-AM	Done with Virus Scan and/or Conversion
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<u>1133632_6100658.pdf</u>	Applicant	All Purpose	EXHIBIT E-15 ENGINEERING STATEMENT KXO-AM	Done with Virus Scan and/or Conversion
<u>1133632_6100659.pdf</u>	Applicant	All Purpose	EXHIBIT E-15 FIGURE 8 KXO-AM NIF	Done with Virus Scan and/or Conversion
<u>1133632_6100660.pdf</u>	Applicant	All Purpose	EXHIBIT E-18D RFR STUDY & ANALYSIS ENVIRONMENTAL STATEMENT KXO-AM	Done with Virus Scan and/or Conversion
<u>D:\data\prod\cdbs\letters\10\A-1133632_F-35969_L-10819-BP-20060922ADJ.pdf</u>	Internal	All Purpose	imported letter	Done with Virus Scan and/or Conversion