



(REFERENCE COPY - Not for submission)  
New AM Station Construction Permit Application

File Number: **BPEX-19980527AD** | Submit Date: **05/27/1998** | Lead Call Sign: **DKM2XVL** | FRN: **0006428189**  
Service: **Full Power AM** | Purpose: **Construction Permit** | Status: **Granted** | Status Date: **09/15/1998** | Filing Status:  
**Inactive**

### General Information

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

### Fees, Waivers, and Exemptions

Section	Question	Response
<b>Fees</b>	Is the applicant exempt from FCC application Fees?	No
	Indicate reason for fee exemption:	
	Is the applicant exempt from FCC regulatory Fees?	
<b>Waivers</b>	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

### Contact Representatives (0)

Contact Name	Address	Phone	Email	Contact Type

### Parties to the Application (0)

Party Name	Address	Phone	Email	Positional Interest

### Attributable Interest

Section	Question	Response
<b>Multiple Ownership</b>	Is the applicant or any party to the application the holder of an attributable radio or television joint sales agreement or an attributable radio or television 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 and cross-ownership rules.	

<p>Applicant certifies that the proposed facility:</p> <ul style="list-style-type: none"> <li>(a) does not present an issue under the Commission's policies relating to media interests of immediate family members;</li> <li>(b) complies with the Commission's policies relating to future ownership interests;</li> <li>(c) complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors</li> </ul>	
<p>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:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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</li> <li>(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)?</li> </ul>	

## Alien Ownership

Question	Response
<p>1) Is the applicant a foreign government or the representative of any foreign government as specified in Section 310(a) of the Communications Act?</p>	
<p>2) Is the applicant an alien or the representative of an alien? (Section 310(b)(1))</p>	
<p>3) Is the applicant a corporation, or non-corporate entity, that is organized under the laws of any foreign government? (Section 310(b)(2))</p>	
<p>4) Is the applicant an entity of which more than one-fifth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any entity organized under the laws of a foreign country? (Section 310(b)(3))</p>	
<p>5) Is the applicant directly or indirectly controlled by any other entity of which more than one-fourth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any entity organized under the laws of a foreign country? (Section 310(b)(4))</p>	

## Legal Certifications

Section	Question	Response
<p><b>Character Issues</b></p>	<p>Applicant certifies that neither applicant nor any party to the application has or had any interest in, or connection with:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) any pending broadcast application in which character issues have been raised.</li> </ul>	

<b>Adverse Findings</b>	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.	
<b>Local Public Notice</b>	Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	

## Frequency and Facility Information

Section	Question	Response
<b>Filing Type of License</b>	filing type	
<b>Proposed Community of License</b>	State	Texas
	City	Huntsville
<b>Facility Information</b>	Frequency	1220
	Service Type	Main
	Facility Type	Commercial
	Class	D
<b>Modes/Hour of Operation</b>	Modes/Hour of Operation	Daytime, NightTime

## Antenna Summary Data

### Non-Directional Antenna Data - Daytime

Section	Question	Response
<b>Antenna Structure Registration</b>	Do you have an FCC Antenna Structure Registration (ASR) Number?	
	ASR Number	
	Nominal Power	0.170
<b>Coordinates (NAD83)</b>	Latitude	30° 43` 7.7N
	Longitude	95° 31` 40.8W
	Site Elevation	
<b>Parameters</b>	Theoretical RMS	298
	Overall height above ground including lighting	
	Overall height above ground (including obstruction lighting)	60.5
	Height of radiator above base insulator, or above base, if grounded	59.5
	Height of radiator above base insulator, or above base, if grounded	87.2
	Is the tower top loaded, sectionalized, or neither?	Neither
	Tower Parameters	<b>0.0 0.0 0.0 0.0</b>
	Excitation	

### Non-Directional Antenna Data - Nighttime

Section	Question	Response
<b>Antenna Structure Registration</b>	Do you have an FCC Antenna Structure Registration (ASR) Number?	
	ASR Number	
	Nominal Power	0.011
<b>Coordinates (NAD83)</b>	Latitude	30° 43` 7.7N
	Longitude	95° 31` 40.8W
	Site Elevation	
<b>Parameters</b>	Theoretical RMS	298
	Overall height above ground including lighting	
	Overall height above ground (including obstruction lighting)	60.5
	Height of radiator above base insulator, or above base, if grounded	
	Height of radiator above base insulator, or above base, if grounded	87.2
	Is the tower top loaded, sectionalized, or neither?	Neither
	Tower Parameters	<b>0.0 0.0 0.0 0.0</b>
	Excitation	

## License Certifications

Section	Question	Response
<b>Environmental Effect</b>	Would a Commission grant of Authorization for this location be an action which may have a significant environmental effect? (See 47 C.F.R. Section 1.1306)	
<b>Broadcast Facility</b>	Does the proposed facility comply with the applicable engineering standards and assignment requirements of 47 C.F.R. Sections 73.21, 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?	
<b>Dispositive Section 307(b) Preference</b>	Was the AM facility that is the subject of this application awarded on the basis of a dispositive Section 307(b) preference?	
	Applicant certifies that: (I) the community of license proposed in the subject application is the same as that on which the Section 307(b) preference was based, or (II) as shown in the attached Exhibit, the service area proposed in the subject application is substantially equivalent to the service area on which the Section 307(b) preference was based.	
	Applicant certifies that, although in the subject application it proposes to: (i) change the community of license, or (ii) modify service to the area on which the Section 307(b) preference was based, it has for a period of four years of on-air operations: (1) served the community of license, or (2) provided full service to the area on which the Section 307(b) preference was based.	

## Certification

Section	Question	Response
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<p><b>General Certification Statements</b></p>	<p>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.).</p>	
	<p>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.</p>	
<p><b>Authorized Party to Sign</b></p>	<p><b>FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID</b></p> <p>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.</p> <p>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).</p> <p>I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.</p>	

**Attachments**

Information not provided.