Response



(REFERENCE COPY - Not for submission)

Transfers

Lead File Number: BTCCT-200	040205AEB Submit Date: 02/0	2/05/2004 Lead Call Sign: KWKT-TV		FRN: 0009961889	
Service: Analog TV legacy	Purpose: Transfer of Control	Status: Granted	Status Date: 04/16	6/2004	Filing Status:
Active					

General	Section	Question	Response
Information	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:	
Waivers	Does this filing request a waiver of the Commission's rule(s)?	
	Total number of rule sections involved in this waiver request:	

Transfer Type

Question	Response
Is this application a pro forma Transfer of Control?	No
By answering "Yes" the Applicant certifies that the use of short form pro forma application is appropriate for this transaction?	
Is the Transfer Voluntary or Involuntary:	

Authorizations to be Transferred

Selected Call Signs

Call Sign	Facility ID	File Number	Service	City, State
KWKT	12522	BTCCT-20040205AEB	TV	WACO, TX
KMSS-TV	12525	BTCCT-20040205AEC	TV	SHREVEPORT, LA
KVEO	12523	BTCCT-20040205AED	TV	BROWNSVILLE, TX
KPEJ	12524	BTCCT-20040205AEE	TV	ODESSA, TX
K20HD	3029	BTCTT-20040205AEF	LPA	PECOS, TX

Transfer
Questions

Question

Were any of the authorizations that are the subject of this application obtained through the Commission's No competitive bidding procedures (see 47 C.F.R. Sections 1.2111(a) and 73.5000)?

Were any of the authorizations that are the subject of this application obtained through the Commission's point No system for reserved channel noncommercial educational stations (see 47 C.F.R. Sections 73.7001 and 73.7003)?

Have all such stations operated for at least 4 years with a minimum operating schedule since grant pursuant to the point system?

Were any of the authorizations that are the subject of this application obtained after award of a dispositive Section 307(b) preference using the Tribal Priority, through Threshold Qualifications procedures, or through the
Tribal Priority as applied before the NCE fair distribution analysis set forth in 47 C.F.R. § 73.7002(b)?
Have all such stations operated for at least 4 years with a minimum operating schedule since grant?
Do both the transferor and transferee qualify for the Tribal Priority in all respects?
_PFM Licenses Only: Has it been at least 18 months since the initial construction permit for the LPFM station was granted?
_PFM Licenses Only: Does the assignment of the LPFM authorization satisfy the consideration restrictions of 47 CFR Section 73.865(a)(1)?
_PFM Licenses Only: Were any of the LPFM authorizations that are subject to this application obtained through the Commission's point system for low power FM stations (see 47 CFR Section 73.872)?
f yes to question above, have all such LPFM stations operated for at least four years since grant pursuant to the
point system?" (options – Y/N. If Yes, nothing further required. No requires attachment as follows)"If no to new
sub question, list pertinent authorizations in an Exhibit and include in the Exhibit a showing that the transaction is
consistent with the requirements of 47 CFR Section 73.865(a)(3).

Licensee/Permittee Name, Type, and Contact Information

Licensee/Permittee	Address	Phone	Email FRN
COMCORP OF TEXAS LICENSE CORP. Applicant Doing Business As: COMCORP OF TEXAS LICENSE CORP.	P.O. BOX 53708 LAFAYETTE, LA 70505 United States	+1 (337) 237- 1142	0004999793

Contact Name	Address	Phone	Email	Contact Type
VINCENT J. CURTIS, JR. FLETCHER, HEALD & HILDRETH, P. L.C.	1300 N. 17TH STREET ELEVENTH FLOOR ARLINGTON, VA 22209	+1 (703) 812- 0400	CURTIS@FHHLAW. COM	

Section	Question	Response
Agreements for Transfer Control of Station	Licensee/Permittee certifies that: (i) it has placed its public inspection file(s) and submitted to the Commission as an Exhibit to this application copies of all agreements for the transfer of the station(s); (ii) these documents embody the complete and final understanding between Transferor and Transferee; and (iii) these agreements comply fully with the Commission's rules and policies	No
Other Authorizations	Please upload an attachment detailing the call signs, locations, and facility identifiers of all other broadcast stations in which Licensee/Permittee or any party to the application has an attributable interest.	

Licensee /Permittee Information

Licensee /Permittee Contact Representatives (1)

Licensee /Permittee Legal

Certifications

Character Issues	Licensee/Permittee certifies that neither licensee/permittee nor any party to the application has or has had any interest in, or connection with: (a) any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or any party to the application or (b) any pending broadcast application in which character issues have been raised	Yes
Adverse Findings	Licensee/Permittee certifies that, with respect to the Licensee/Permittee and each party to the application, 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 any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	Yes
Local Public Notice	Licensee/Permittee certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	Yes
Auction Authorization	Licensee/Permittee certifies that more than five years have passed since the issuance of the construction permit for the station being assigned, where that permit was acquired in an auction through the use of a bidding credit or other special measure.	N/A
Anti-Discrimination Certification	Licensee/Permittee certifies that neither licensee/permittee nor any party to the application have violated the Commission's prohibition against discrimination on the basis of race, color, religion, national origin or sex in the sale of commercially operated AM, FM, TV, Class A TV or international broadcast stations.	

Transferor Information

Transferor Name, Type, and Contact Information

Transferor	Туре	Address	Phone	Email FRN
THOMAS R. GALLOWAY, SR. Assignor	Other	7621 BAY COLONY DRIVE	+1 (337) 237- 1142	0004999793
Doing Business As: THOMAS R. GALLOWAY, SR.		NAPLES, FL 34108		

Transferor Contact	Contact Name	Address	Phone	Email	Contact Type
Representatives (1)	VINCENT J. CURTIS, JR., ESQUIRE FLETCHER, HEALD & HILDRETH, P. L.C.	1300 N. 17TH STREET 11TH FLOOR ARLINGTON, VA 22209	+1 (703) 812- 0400	CURTIS@FHHLAW. COM	
Transferor Legal Certifications	Section Question	on		Response	

Agreements for Transfer Control of Station	Transferor certifies that: (i) it has placed in Transferor's public inspection file(s) and submitted to the Commission as an Exhibit to this application copies of all agreements for the assignment /transfer of the station(s); (ii) these documents embody the complete and final understanding between Transferor and Transferee; and (iii) these agreements comply fully with the Commission's rules and policies	
	If the transaction is involuntary, the Transferor certifies that court orders or other authorizing documents have been issued and that it has placed in the licensee's/permittee's public inspection file(s) and submitted to the Commission copies of such court orders or other authorizing documents.	
Character Issues	Transferor certifies that neither transferor nor any party to the application has or has had any interest in, or connection with: (a) any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or any party to the application or (b) any pending broadcast application in which character issues have been raised	
Adverse Findings	Transferor certifies that, with respect to the Transferor and each party to the application, 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 any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	
Local Public Notice	Transferor certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	
Auction Authorization	Transferor certifies that more than five years have passed since the issuance of the construction permit for the station being assigned, where that permit was acquired in an auction through the use of a bidding credit or other special measure.	
Anti-Discrimination Certification	Transferor certifies that neither licensee/permittee nor any party to the application have violated the Commission's prohibition against discrimination on the basis of race, color, religion, national origin or sex in the sale of commercially operated AM, FM, TV, Class A TV or international broadcast stations.	

Transferee Information

Transferee Name, Type, and Contact Information

Transferee	Туре	Address	Phone	Email FRN
APOLLO CAPITAL MANAGEMENT II, INC. AND T.	Other	10250	+1 (310)	
GALLOWAY, JOINTLY		CONSTELLATION	843-1919	
Assignee		BLVD.		
Doing Business As: APOLLO CAPITAL MANAGEMENT II, INC.		SUITE 2900		
AND T. GALLOWAY, JOINTLY		LOS ANGELES, CA		
		90067		

Contact Representatives (1)	Contact Name			Address			Phone	Email		Contact Type
		OBERTS, ESQ PS, SLATE, ME		1440 NEV AVENUE, WASHING 20005	NW	2	+1 (202) 371- 7040	ROBE COM	RTS@SKADDEN	l.
Changes in	Party Name	Citizenship	Address	Phone	Email	Interes	st Before Trans	fer	Interest After T	ransfer
Interest (0)					Emp	oty				
Changes in	Question									Response
Interest Certification	Applicant certifi	es that equity a	nd financial	interests no	t set forth	by the t	ransferee are no	onattribu	table.	Yes
Parties to the	Party Name	Citizen	ship	Addres	S	Phone	Email	Pos	itional Interest	
Application (0)					Emp	oty				
Parties to the Application Certification	Question Applicant certifi	es that equity a	nd financial	interests no	t set forth	by the t	ransferee are no	onattribu	table.	Response
Transferee Legal	Section		Question						Response	
Certifications	Agreements fo	or Sale	(a) the writ inspection complete a station(s);	file and sub and final agr and greements	ents in the mitted to eement fo	the Corr or the sa	eree's public imission embody le or transfer of he Commission'	y the the	No	
	Other Authoriz	zations	locations, a stations in	and facility i	dentifiers sferee or	of all oth	he call signs, ner broadcast y to the applicati		N/A	
	Broadcast Inc Program	ubator	or a 'rewar	-	quest und		incubation prop Commission's	osal		
	Multiple Owne	rship	an attributa radio or tel (s) subject	able radio jo evision time to this appli	int sales a brokerag cation or	agreeme ge agree with any	blication the hold ent or an attributa ment with the st other station in o this application	able ation the		

Transferee certifies that the proposed assignment complies

with the Commission's multiple ownership rules.

	 Transferee certifies that the proposed assignment: (1) does not present an issue under the Commission's policies relating to media interests of immediate family members; (2) complies with the Commission's policies relating to future ownership interests; and (3) complies with the Commission's restrictions relating to the insulation and nonparticipation of non-party investors and creditors. 	
	 Does the Transferee 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 (1) 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 (2) 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 (3) 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)? 	
	Does this transfer include a grandfathered cluster of stations? Applicant certifies that it will come in compliance by divesting the necessary station(s) within 12 months of the	
	 consummation of this transaction to: A) An Eligible Entity (as defined in Item 6d, above). B) An Irrevocable Trust that will assign the station(s) to an Eligible Entity. 	
Acquisition of Control	Please upload an attachment listing the file number and date of grant of FCC Form 301, 314, or 315 application by which the Commission approved the qualifications of the individual or entity with a pre-existing interest in the licensee/permittee that is now acquiring control of the licensee/permittee as a result of the grant of this application.	
Character Issues	 Transferee certifies that neither transferee nor any party to the application has or has had any interest in, or connection with: (a) any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or any party to the application; or (b) any pending broadcast application in which character issues have been raised. 	Yes
Adverse Findings	Transferee certifies that, with respect to the transferee and each party to the application, 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 any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	Yes

Financial Qualifications	Transferee certifies that sufficient net liquid assets are on hand or are available from committed sources to consummate the transaction and operate the station(s) for three months.	Yes
Program Service Certification	Transferee certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.	Yes
Auction Authorization	Transferee certifies that where less than five years have passed since the issuance of the construction permit and the permit had been acquired in an auction through the use of a bidding credit or other special measure, it would qualify for such credit or other special measure.	
Equal Employment Opportunity (EEO)	If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A.	

Tranferee Alien	Question	Response
Ownership	 Is the applicant a foreign government or the representative of any foreign government as specified in Section 310(a) of the Communications Act? 	
	2) Is the applicant an alien or the representative of an alien? (Section 310(b)(1))	
	3) Is the applicant a corporation, or non-corporate entity, that is organized under the laws of any foreign government? (Section 310(b)(2))	
	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))	
	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))	
	6) Has the applicant received a declaratory ruling(s) under Section 310(b)(4) of the Communications Act?	
	6a) Enter the citation of the applicable declaratory ruling by DA/FCC number, FCC Record citation, release date, or any other identifying information.	
	7) Has there been any change in the applicant's foreign ownership since issuance of the declaratory ruling(s) cited in response to Question 6?	
	8) Does the applicant certify that it is in compliance with the terms and conditions of the foreign ownership declaratory ruling(s) cited in response to Question 6?	
	9) In connection with this application, is the applicant filing a foreign ownership Petition for Declaratory Ruling pursuant to Section 310(b)(4) of the Communications Act?	

Section

General Certification Statements	Licensee/Permittee certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Licensee/Permittee further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	
	The Licensee/Permittee certifies that neither the Licensee /Permittee 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 Licensee/Permittee 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.	
Authonized Dents (= O'm		
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). 	
Authorized Party to Sign	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.	

Transferee	Section	Question	Response
Certification	General Certification Statements	Transferee certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Transferee further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	

	The Transferee certifies that neither the Transferee 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 Transferee 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 certify that this application includes all required and relevant attachments.	
	I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.	ANDREW S. JHAWAR VICE PRESIDENT 02/05/2004

Transferor	Section	Question	Response
Certification	General Certification Statements	Transferor certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Transferor further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	
		The Transferor certifies that neither the Transferor 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 Transferor 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 certify that this application includes all required and				
	relevant attachments.				
	I declare, under penalty of perjury, that I am an authorized	THOMAS R. GALLOWAY			
	representative of the above-named applicant for the	SR.			
	Authorization(s) specified above.	STOCKHOLDER			
		02/05/2004			

Attachments

File Name	Uploaded By	Attachment Type	Description	Upload Status
<u>679764_1030424.</u> pdf	Applicant	All Purpose	Agreement and Exhibits	Done with Virus Scan and/o Conversion
<u>679764_207300.</u> <u>txt</u>	Applicant	All Purpose	CHANGES IN INTEREST INFORMATION	Done with Virus Scan and/c Conversion
<u>679764_207301.</u> <u>txt</u>	Applicant	All Purpose	AGREEMENT FOR TRANSFER OF CONTROL	Done with Virus Scan and/c Conversion
<u>679764_207302.</u> <u>txt</u>	Applicant	All Purpose	OTHER AUTHORIZATIONS	Done with Virus Scan and/c Conversion
<u>679764_207303.</u> <u>txt</u>	Applicant	All Purpose	CERTIFICATION - OTHER AUTHORIZATIONS	Done with Virus Scan and/o Conversion
<u>679764_207304.</u> <u>txt</u>	Applicant	All Purpose	CERTIFICATION - MULTIPLE OWNERSHIP	Done with Virus Scan and/c Conversion
<u>679764_207305.</u> <u>txt</u>	Applicant	All Purpose	CERTIFICATION - CHARACTER ISSUES	Done with Virus Scan and/o Conversion
<u>679764_207306.</u> <u>txt</u>	Applicant	All Purpose	CERTIFICATION - ADVERSE FINDINGS	Done with Virus Scan and/o Conversion
<u>679764_207307.</u> <u>txt</u>	Applicant	All Purpose	CERTIFICATION - ALIEN OWNERSHIP AND CONTROL	Done with Virus Scan and/o Conversion
<u>679764_207308.</u> <u>txt</u>	Applicant	All Purpose	CERTIFICATION - FINANCIAL QUALIFICATIONS	Done with Virus Scan and/o Conversion
<u>679764_6125243.</u> pdf	Applicant	All Purpose	Agreement and Exhibits	Done with Virus Scan and/o Conversion
<u>679764_6125245.</u> pdf	Applicant	All Purpose	Schedules	Done with Virus Scan and/o

<u>679764_6125247.</u> pdf	Applicant	All Purpose	Ownership Exhibit	Done with Virus Scan and Conversion
<u>679764_778524.</u> pdf	Applicant	All Purpose	Other Authorizations	Done with Virus Scan an Conversion
<u>679764_943187.</u> pdf	Applicant	All Purpose	Changes in Interest Narrative Exhibit	Done with Virus Scan and Conversion
<u>679764_943188.</u> pdf	Applicant	All Purpose	Interests Before Transfer of Control	Done with Virus Scan and Conversion
<u>679764_943189.</u> pdf	Applicant	All Purpose	Interests After Transfer of Control	Done with Virus Scan an Conversion
<u>679764_946011.</u> pdf	Applicant	All Purpose	Ownership Exhibit	Done with Virus Scan an Conversion
<u>679764_948003.</u> pdf	Applicant	All Purpose	Schedules	Done with Virus Scan an Conversion