

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

**ORIGINAL
FILE**

RECEIVED

MAY 11 1992

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
ANDREW L. BANAS)
)
Licensee of Station WAPR(AM),) **MM Docket No. 92-40**
Avon Park, Florida) **File No.**
)
Order to Show Cause Why the)
License for Station WAPR(AM),)
Avon Park, Florida, Should Not)
Be Revoked)

TO: Honorable John M. Frysiak
Administrative Law Judge

PETITION TO SUSPEND PROCEDURAL DATES

Andrew L. Banas, by his attorney, hereby requests that the Administrative Law Judge suspend the procedural dates in the above-captioned proceeding until the Mass Media Bureau acts on the Petition for Special Relief which is being filed today. In support thereof, the following is shown.

The Petition for Special Relief, a copy of which is appended hereto as Attachment A, requests that the Mass Media Bureau expedite the processing of an application to assign the license of Station WAPR(AM), Avon Park, Florida, to Pearl Lee, a minority, at a distress sale price, pursuant to the Commission's "distress sale" policy.^{1/} The relief requested is consistent

^{1/} See Statement of Policy on Minority Ownership of Broadcast Facilities, 68 FCC 2d 979, 983, 42 RR 2d 1689 (1978) (hereinafter "Policy Statement"). Clarification of Distress Sale Policy, FCC 78-725, 44 RR 2d 479 (1978); and Northland Television, Inc., 72 FCC 2d 51, 55, 45 RR 2d 750 (1979).

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List A B C D E

with one of the underlying purposes of the Commission's distress sale policy, namely "[t]he avoidance of time consuming and expensive hearings" (Policy Statement, 42 RR 2d at 1695). As shown in the Petition for Special Relief, the proposed assignment of the license of Pearl Lee is consistent with established Commission policy and does not involve novel questions of fact, law or policy in the area of distress sales and accordingly, the assignment application is entitled to expedited processing by the Mass Media Bureau.

Respectfully submitted,

ANDREW L. BANAS

By:



Erwin G. Krasnow

Verner, Liipfert, Bernhard
McPherson and Hand
901 15th Street, N.W.
Suite 700
Washington, D.C. 20005-2301
(202) 371-6000

His Attorney

May 11, 1992

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

MAY 11 1992

Federal Communications Commission
Office of the Secretary

In re Application of)	
)	
ANDREW L. BANAS)	File No. BAL-
)	
For the Assignment of)	
License of Station WAPR(AM),)	
Avon Park, Florida, to Pearl Lee)	

TO: Chief, Mass Media Bureau

PETITION FOR SPECIAL RELIEF

Andrew L. Banas and Pearl Lee, by their attorney, hereby request approval of an application which is being filed with the Commission today to assign the license of Station WAPR(AM), Avon Park, Florida, at a distress sale price, to Pearl Lee, a minority, pursuant to the Commission's "distress sale" policy.^{1/} In support thereof, the following is shown.

As will be shown herein, the proposed assignment of the license of Station WAPR meets all the criteria of the Commission's distress sale policy: (1) the purchaser is a minority (Chinese); (2) the revocation hearing has not begun on the fitness of Mr. Banas to be and remain the licensee of Station

1/ See Statement of Policy on Minority Ownership of Broadcast Facilities, 68 FCC 2d 979, 983, 42 RR 2d 1689 (1978) (hereinafter "Policy Statement"). Clarification of Distress Sale Policy, FCC 78-725, 44 RR 2d 479 (1978); and Northland Television, Inc., 72 FCC 2d 51, 55, 45 RR 2d 750 (1979).

WAPR; and (3) the purchase price is considerably less than 75% of the station's fair market value.

Sale to a Minority

In its Policy Statement, 42 RR 2d at 1695, the Commission stated that in order to encourage broadcasters to seek out minority purchasers, it will permit licensees whose licenses have been designated for revocation hearing (but before the hearing is initiated) to assign their licenses at a "distress sale" price to applicants with a significant minority ownership interest. The Commission defined "minorities" as including those of "Asiatic American extraction." Id. at n.8. Pearl Lee, the proposed new owner of Station WAPR, is of Asiatic American extraction. She meets all the qualifications to be a licensee of the Commission.

As shown in the attached affidavit and in Exhibit 5 of the assignment application,^{2/} Pearl Lee states that within 60 days of the date of the consummation of the proposed assignment of license to her, Station WAPR will resume broadcasting.

The Distress Sale Price

Attached hereto as Attachments A and B are two appraisals of the fair market value of Station WAPR by experienced, professional appraisers, unaffiliated with the licensee and the prospective assignee. The appraisals were conducted in substantial compliance with the guidelines set forth by the

^{2/} For the convenience of the Bureau, a copy of the assignment application is appended hereto as Exhibit A.

Commission in Northland Television, Inc., supra, and Grayson Enterprises, Inc., 47 RR 2d 287, 294 (1980).

The Commission, in Grayson Enterprises, Inc., 47 RR 2d 287, 293 (1980), stated that the role played by appraisals in a distress sale proceeding "assumes great importance" where the "proposed distress sale prices approach the maximum that can be considered to be 'substantially below' fair market value." Here the proposed distress sales price is substantially below market value. Moreover, Mr. Banas, who has been charged with misconduct in a revocation proceeding (MM Docket No. 92-40), will have no part in the proposed operation and will derive no direct benefit from the proposed assignment. See Second Thursday Corp., 22 FCC 2d 515, recon. granted, 25 FCC 2d 112 (1970). The only individual to benefit from the payment of the purchase price is Charles Castle, an innocent creditor. See Davis Broadcasting Co., 67 FCC 2d 872, 875 (1975) (Commission found that an accused wrongdoer was bankrupt, leaving his creditors with little or no recourse, and making his personal liability inconsequential).

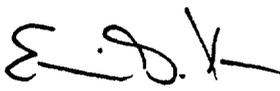
Request for Expedited Action

As shown above, the Petition for Special Relief presents a proposed distress sale which is consistent with established Commission policy governing such sales and does not involve novel questions of fact, law or policy. A grant of the proposed assignment application will encourage minority ownership, eliminate a potentially unqualified licensee promptly and save Commission resources. Accordingly, in accordance with the

delegation of authority granted to the Mass Media Bureau in Commission Policy Regarding the Advancement of Minority Ownership in Broadcasting, 92 FCC 2d 849, 859 (1982), the Bureau is respectfully requested to expedite the processing of this Petition.

Respectfully submitted,

**ANDREW L. BANAS and
PEARL LEE**

By: 

Erwin G. Krasnow

Verner, Liipfert, Bernhard
McPherson and Hand
901 15th Street, N.W.
Suite 700
Washington, D.C. 20005-2301
(202) 371-6000

Their Attorneys

May 11, 1992

**AFFIDAVIT OF
PEARL LEE**

Pearl Lee, being first duly sworn, deposes and states as follows:

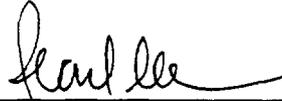
1. I have read the foregoing Petition for Special Relief and hereby state that all of the statements made therein are true and correct to the best of my knowledge and belief.

2. I am of Chinese American extraction. I am familiar with radio broadcasting, having provided accounting services for Stations WKGF (formerly WOKD) and WOKD-FM, Arcadia, Florida. The licensee of these stations is Gulf Dunes Broadcasting, Inc., a corporation whose voting stock is held by Dennis Hedlund, my husband.

3. My husband initially had discussions with Charles Castle, a creditor of the station, and Andrew L. Banas, the licensee. However, when we learned from Erwin G. Krasnow, the communications lawyer who represents Gulf Dunes Broadcasting, Inc., that a revocation proceeding could be avoided if the station were sold to a minority at a price substantially below its fair market value. I decided to enter into an agreement with Mr. Banas to purchase the station.

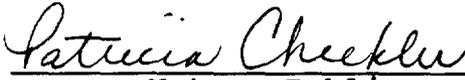
4. In light of my business experience and my knowledge of the economics of radio broadcasting, I believe that the acquisition of Station WAPR for a relatively small amount of money represents an attractive opportunity. I am looking forward to the challenge of owning and operating Station WAPR. I am

committed to placing Station WAPR on the air within 60 days after the consummation of the assignment of the station's license to me.



Pearl Lee
May 7, 1992

SUBSCRIBED AND SWORN to before me this 7 day of May, 1992.


Notary Public

PATRICIA CHEEKLIN
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 7/16/1993

My Commission Expires: _____

**AFFIDAVIT OF
ANDREW L. BANAS**

Andrew L. Banas, being first duly sworn, deposes and states as follows:

1. I have read the foregoing "Petition for Special Relief" and hereby state that all of the statements made therein are true and correct to the best of my knowledge and belief.

2. I am the licensee of Station WAPR(AM), Avon Park, Florida. While I had high hopes that operation of Station WAPR would be financially viable, I could not sustain the losses generated by the station and on March of 1990, closed down the station. Shortly thereafter, I went into personal bankruptcy. My personal financial situation is so precarious at the present time that I cannot afford to have a telephone at my apartment.

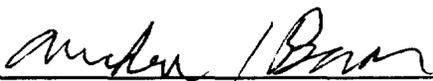
3. In the Spring of 1990, I had signed an agreement to sell the station -- at no profit to me -- and had signed the FCC application to transfer the license of Station WAPR. Unfortunately, the prospective buyer then backed out. I had erroneously assumed that I was under no obligation to obtain permission from the FCC to discontinue broadcasting.

4. I was upset to receive the FCC's Order to Show Cause and Hearing Designation Order. I did not realize that I had taken the station off the air illegally. Although the Order to Show Cause states that the Commission staff had sent letters to me on November 6, 1990, and August 21, 1991, I did not receive any of the letters.

5. I can not afford to appear at a revocation proceeding in Washington, D.C. nor am I able to obtain the funds to resume operation of Station WAPR. I wrote a letter to the FCC on

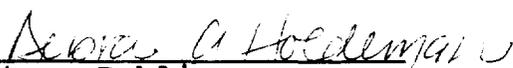
April 11, 1992, to apologize for the misunderstandings and the mistakes I have made. My hope was that the written apology would end the matter since I have no intention of ever getting back into the radio business.

6. After I wrote the letter, I was contacted by Dennis Hedlund and his wife, Pearl Lee. They were introduced to me by Charles Castle, a former owner of the station to whom I owe money. After further discussions, I signed an Asset Purchase Agreement whereby I agreed to assign the license of the station to Pearl Lee, a minority who is of Chinese American extraction. My understanding is that under FCC policy, I can avoid the expense (which I clearly cannot afford) and the embarrassment of a revocation proceeding by selling the station to a minority at a "distress sale" price. Under the Asset Purchase Agreement, the total purchase price of \$15,000.00 will be paid to Mr. Castle, a creditor of the Station. No other consideration, either direct or indirect, has been promised to me. I will personally receive no financial benefit as a result of the proposed sale.



Andrew L. Banas
May 7, 1992

SUBSCRIBED AND SWORN to before me
this 7 day of May, 1992.



Notary Public Debra A Holdeman
State of Indiana
Resident Elkhart County
My Commission Expires: 10-30-94

Jorgenson Broadcast Brokerage

27(X) West M. L. King Blvd. • Suite 400 • Tampa, Florida 33607 • Phone (813) 877-3000 • Fax (813) 877-4849

May 6, 1992

Mr. Charles Castle
Mr. Andrew L. Banas
1501 Brooks Drive
Apartment A-4
Nappanee, IN 46550

Gentlemen,

You have asked me to provide an appraisal of WAPR-AM in Avon Park, Florida as of March 26, 1992. While I am pleased to lend my experience and expertise to this project, there is one main factor that makes this appraisal unusual. That is, the station in question has been off the air for over a year making standard valuation techniques difficult to apply.

As a matter of background, I have been in broadcasting for about fifteen years. I have worked in major market television for group broadcasters Multimedia, Post-Newsweek, and Gaylord. I have also managed and owned radio and television stations in Florida. For the last five years I have been representing sellers in the marketing of their radio properties all across the country. I have been involved in the brokering of over \$50 million of radio stations in that time.

Fair market value is defined as what an educated buyer will pay an educated seller in the absence of duress. In the sale of WAPR-AM, there may be no duress but there certainly is distress as regards the operation of the station as a going concern. Some of the components that normally establish the value of a radio station are cash flow from the going concern, goodwill, liquidation value of the hard assets, and the inherent value of the "franchise" via the FCC license. At WAPR, there has been no going concern for a year, no revenue, and obviously no cash flow to use as a yardstick of value. There is also no goodwill or format niche or call letter recognition, factors which in many transactions make up a large percentage of the overall value of a property. Based on information provided to me, I understand that the real estate is not owned but is leased by the station. The technical facility is not on par with competing signals in the Sebring/Avon Park area, the equipment is old and out of date. While the hard assets have some value, I would not think that it exceeds \$20,000. As for the inherent value of an AM license in an unrated market like Avon Park, I again think that \$20,000 is a realistic figure. New licenses are rarely being granted and with the right format and business background there is some value in a license in central Florida. Today's value, however, is far below the \$100,000 the station sold for in 1990. That is true of most standalone AM's across the country and particularly true of WAPR-AM due to its poor operating history.

WAPR-AM
May 6, 1992

Based on these factors, I think the fair market value of WAPR-AM as of March 26, 1992 is \$40,000. If you have any further questions, please feel free to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Jorgenson", with a long, sweeping horizontal flourish extending to the right.

Mark Jorgenson



KOZACKO-HORTON COMPANY
Brokers & Consultants to the Communications Industry

P.O. BOX 39010
SARASOTA, FL 34238
(813) 966-3411

W. Donald Roberts
Associate

May 4, 1992

Ms. Pearl Lee
c/o Kultur International Films, Inc.
121 Highway 36
West Lang Branch, NJ 07764

Dear Ms. Lee:

The Kozacko-Horton Company has been in the forefront of media brokerage since 1965. Personally, I have been a radio station group owner, radio consultant and/or radio station broker since 1969.

The Southeast office of Kozacko-Horton does the majority of its sales, consulting and appraisals in the Florida area.

You have asked the Kozacko-Horton Company to give you a fair market appraisal of WAPR AM Avon Park, Florida as of March 26, 1992.

A fair market appraisal is one that considers what a buyer would pay for a station when the following points are taken into account: Market, station, station and market positions, station and market potential, market and station demand, competition, previous recent sales in the market and surrounding areas, real estate, if any, and other special conditions that may affect the price.

We base all appraisals on information provided by the station ownership as well as other industry information that we have been able to procure.

WAPR is an AM station licensed to broadcast on 1390 kHz with one k-w day, 500 watts PSA and 76 watts at all other times.

The tower is 190 feet tall in good condition though it does need painting. The ground system seems to be in good condition.



2.

The transmitter, at least 20 years old, is a 20V Collins which, when I inspected the station, seemed to be clean and for it's age looked as though it had been well maintained. A 10X8 concrete building housed the transmitter and allied equipment.

A Mike and a 4 channel Sparta Board, about twenty years old, will also be included. I did not see this equipment so I have no opinion.

The station sits upon 2.7 acres of leased property.

WAPR was sold from Charlie Castle to Andrew L. Banas in September of 1990 for \$100,000.

According to Mr. Castle he was billing around \$7,000 per month and Mr. Banas about \$5,000 per month. Mr. Banas operated the station for six months. He turned the station off at the end of six months and it has been silent ever since.

The market consists of Avon Park and Sebring. Avon Park has an FM station WWOJ at 106.3 mHz with an antenna of 370' AAT and is operating at 2.5 Kw.

There are two AM and one FM licensed to Sebring. WITS AM 1340 kHz 1 kw U, WCAC FM 105.5 mHz 178' AAT 3 kw and WJCM AM 960 kHz 5 kw D, 1 kw N DA-1.

The combination of WITS and WCAC were acquired in December of 1986 for \$940,404.

Because WAPR has been off the air for a year and a half, the age of the equipment, and the lack of interest in AM stations in general, the value has dropped considerably from the \$100,000 Mr. Banas paid for the station in 1990. Anyone who purchases the license would be starting from scratch with old equipment in a declining market.

The market itself, Avon Park/Sebring, with three AM stations and two FM stations is overmediaed for it's size.



3.

Based upon the above information it would seem that a fair market value, as of March 26, 1992, would be in the neighborhood of \$38,500 on terms.

Sincerely,

KOZACKO-HORTON COMPANY

W. Donald Roberts, Jr.
Associate

WDR:mr

Please read instructions on back of this form before completing it. Section I MUST be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accompany all payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. All required blocks must be completed or application/filing will be returned without action.

SECTION I

APPLICANT NAME (Last, first, middle initial)
Pearl Lee

MAILING ADDRESS (Line 1) (Maximum 35 characters - refer to Instruction (2) on reverse of form)
c/o Kultur International Films

MAILING ADDRESS (Line 2) (If required) (Maximum 35 characters)
121 Highway 36

CITY
West Long Branch

STATE OR COUNTRY (if foreign address) ZIP CODE CALL SIGN OR OTHER FCC IDENTIFIER (if applicable)
New Jersey 07764 WAPR (AM)

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in FCC Fee Filing Guides. Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number entered in Column (B), if any.

(A)	(B)	(C)	
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY
M P R	0 0 0 1	\$ 565.00	

SECTION II — To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

FEE

(2) DENNIS M. HEDLUND
PEARL LEE 1016

(3) PAY TO THE ORDER OF FCC May 7, 1992 ~~53.005~~ ⁸¹ \$ 565.00

(4) Five hundred + sixty five ^{XX}/_{XX} DOLLARS

(5) FOR WAPR APPLICATION Pearl Lee

1:063 609058: 1016 26 2800 104 21"

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (5), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING \$ 565.00

FOR FCC USE ONLY

LAW OFFICES
VERNER, LIIPFERT, BERNHARD, McPHERSON AND HAND
CHARTERED

JAMES M. VERNER*
EUGENE T. LIIPFERT
EMERITUS

BERL BERNHARD
HARRY MCPHERSON
LLOYD N. HAND*
RONALD B. NATALIE
WILLIAM C. EVANS
MICHAEL J. ROBERTS
FRITZ R. KAHN
BERNHARDT K. WRUBLE
THOMAS J. KELLER
JOHN A. MERRIGAN
JOSEPH L. MANSON, III
WILLIAM H. CRISPIN*
CLINTON A. VINCE
GLEN L. ORTMAN
ERWIN G. KRASNOW
JAMES F. HIBEY
RUSSELL E. POMMER
GEORGE M. FOOTE, JR.*
BUEL WHITE*
WILLIAM F. ROEDER, JR.*
ROY G. BOWMAN
AMY L. BONOURANT
HOPEWELL H. DARNEILLE, III
DOUGLAS OCHS ADLER

RILEY K. TEMPLE*
JOHN P. CAMPBELL*
MICHAEL J. BARTLETT*
DOUGLAS J. COLTON
JOHN H. ZENTAY
FRED W. DROGULA
ANDREA JILL GRANT
GARY J. KLEIN
J. CATHY FOGEL
JOHN B. CONNOR**
LAWRENCE R. SIOMAN
WILLIAM E. KENNARD
BENJAMIN H. FLOWE, JR.
FREDERICK J. TANSILL*
PAUL E. NORDSTROM
SHERRY A. QUIRK
J. RICHARD HAMMETT*
MICHAEL D. GOLDEN
SUSAN O. TEMKIN
JAMES J. BLANCHARD*
WILLIAM A. ZEITLER*
NEIL T. PROTO
LESLIE M. ALDEN*
LAWRENCE Z. LOEBER
R. STUART BROOM
ROBERT G. VARNER, JR.
KENNETH S. BARR

SUITE 700
901-15TH STREET, N.W.
WASHINGTON, D.C. 20005-2301
(202) 371-6000
TELEX: 1561792 VERLIP UT
TELECOPIER: (202) 371-6279

HOUSTON OFFICE

6901 TEXAS COMMERCE TOWER
600 TRAVIS
HOUSTON, TEXAS 77002
(713) 237-9034
TELECOPIER: (713) 237-1216

VIRGINIA OFFICES

8280 GREENSBORO DRIVE 10484-A ARMSTRONG STREET
MCLEAN, VIRGINIA 22102 FAIRFAX, VIRGINIA 22030
(703) 749-6000 (703) 591-2883
TELECOPIER: (703) 749-6027 TELECOPIER: (703) 385-7998

TERRENCE J. McCARTIN
DEAN R. BRENNER
FRANCES C. DELAURENTIS
LAWRENCE N. COOPER*
DON C. LEWIS*
LINDA E. COLLIER*
REBECCA M.J. GOULD*
JOHN S. MOOT
MARK R. LEWIS
SCOTT K. DAINES*
LESLIE B. KRAMERICH*
E. JOHN KRUMHOLTZ
MICHAEL E. BELLER
LISA J. GEFEN
MICHAEL H. TECKLENBURG*
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JOHN B. BRITTON
ANDREW D. ESKIN
MARIE L. MILLER**
GUY A. MORLEY*

PAUL C. SHEELINE
RICHARD H. SALTSMAN
CHARLENE A. STURBITTS
HOWELL E. BEGLE, JR.
BRUCE A. KIMBLE**
ROBERT W. BLANCHETTE
DOROTHEA SUMMERELL

OF COUNSEL

BRIAN A. MIZOGUCHI
JOHN R. MIETUS, JR.
BONNIE M. DEUTSCH
JACQUELINE R. KINNEY
KRISTA L. POOL*
JEANETTE M. PABLO
KATHERINE A. ELLIS**
SUSAN G. BLUMENTHAL*
HEDY L. NELSON
GLENN R. MOORE*
BARBARA L. BURTON
DAVID TONG ZHANG*
THOMAS K. JONES**
STUART J. RABIN*
ERIC T. WERNER*
DIANE ULLA MAGE
CHRIS B. WETHERINGTON*
JOHN A. ORDWAY, JR.
BETH WOLFFE
DOUGLAS W. HALL
LISA HARRIS DEAN
J. GREGORY BISHOP

MARY K. WILLIAMS**
JOSEPH E. BRENNAN*
STEPHEN W. VAN HOOSER*
GENE R. SCHLEPPENBACH*
J. ROBERT KIRK
JAMES K. JACKSON

LOUIS F. BESIO
VICE PRESIDENT FOR
FINANCE AND ADMINISTRATION

WRITER'S DIRECT DIAL NUMBER
202/371-6062

* NOT ADMITTED IN DC
* ADMITTED IN VIRGINIA
* ADMITTED IN TEXAS

May 11, 1992

BY HAND DELIVERY

Federal Communications Commission
Mass Media Services
Fee Code MPR
P.O. Box 358350
Pittsburgh, PA 15251-5350

Re: Station WAPR(AM), Avon Park, Florida
Application for Assignment of License

Dear Sir/Madam:

There is submitted herewith, in triplicate on FCC Form 314, an application to assign the license of Station WAPR(AM), Avon Park, Florida, from Andrew L. Banas to Pearl Lee, an FCC Fee Processing Form, and a check in the amount of \$565.00 to cover the requisite filing fee.

There is being filed today under separate cover (a) a Petition for Special Relief requesting the Mass Media Bureau to approve the processing of the above-noted assignment application at a distress sale price, to Pearl Lee, a minority, pursuant to the Commission's "distress sale" policy, and (b) a Petition to Suspend Procedural Dates requesting Administrative Law Judge

Federal Communications Commission
Fee Code MPR
May 11, 1992
Page 2

John M. Frysiak to suspend the procedural dates in MM Docket No. 92-40 until the Bureau acts on the Petition for Special Relief.

Should any questions arise concerning the assignee's or the assignor's portions of the application, please advise the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'E.G. Krasnow', written in a cursive style.

Erwin G. Krasnow

APPLICATION FOR CONSENT TO ASSIGNMENT OF BROADCAST STATION CONSTRUCTION PERMIT OR LICENSE
(Carefully read instructions before filling out form — RETURN ONLY FORM TO FCC)

Section I

GENERAL INFORMATION

Part I — Assignor

1. Name of Assignor

Andrew L. Banas

Street Address

City

1501 Brooks Drive, Apt. A-4

Nappanee

State

Zip Code

Telephone No.

(include area code)

IN

46550

2. Authorization which is proposed to be assigned

(a) Call letters

Location

WAPR

Avon Park, Florida

(b) Has the station commenced its initial program tests within the past twelve months?

 YES NO

If yes, was the initial construction permit granted after comparative hearing?

 YES NO

If yes, attach as Exhibit No. _____ the showing required by Section 73.3597.

3. Call letters of any Remote Pickup, STL, SCA, or other stations which are to be assigned:

None

4. Is the information shown in assignor's Ownership Reports (FCC Form 323 or 323-E) now on file with the Commission true and correct as of this date?

 YES NO

If No, attach as Exhibit No. _____ an Ownership Report supplying full and up-to-date information.

5. Attach as Exhibit No. 1 a copy of the contract or agreement to assign the property and facilities of the station. If there is only an oral agreement, reduce the terms to writing and attach.6. State in Exhibit No. DNA whether the assignor, or any partner, officer, director, member of the assignor's governing board or any stockholder owning 10% or more of the assignor's stock: (a) have any interest in or connection with an AM, FM or television broadcast station; or a broadcast application pending before the FCC; or (b) has had any interest in or connection with any dismissed and/or denied application; or any FCC license which has been revoked.

The Exhibit should include the following information: (i) name of party with such interest; (ii) nature of interest or connection, giving dates; (iii) call letters or file number of application; or docket number; (iv) location.

Part I—Assignor

7. Since the filing of the assignor's last renewal application for the authorization being assigned, or other major application, has an adverse finding been made, a consent decree been entered or adverse final action been approved by any court or administrative body with respect to the assignor or any partner, officer, director, member of the assignor's governing board or any stockholder owning 10% or more of assignor's stock, concerning any civil or criminal suit, action or proceeding brought under the provisions of any federal, state, territorial or local law relating to the following: any felony; lotteries; unlawful restraints or monopolies; unlawful combinations; contracts or agreements in restraint of trade; the use of unfair methods of competition; fraud; unfair labor practices; or discrimination? YES NO

If Yes, attach as Exhibit No. _____ a full description, including identification of the court or administrative body, proceeding by file number, the person and matters involved, and the disposition of litigation.

Section I

GENERAL INFORMATION

Part II — Assignee

1. Name of Assignee

Pearl Lee

Street Address (or other identification)

City

1266-13 Ocean Avenue

Sea Bright

State

Zip Code

Telephone No.

(Include area code)

NJ

07660

2. Does the contract submitted in response to Question 5, Part I of Section I embody the full and complete agreement between the assignor and assignee? YES NO

If No, explain in Exhibit No. _____.

Section II

ASSIGNEE'S LEGAL QUALIFICATIONS

1. Assignee is:

an individual

a general partnership

a limited partnership

a corporation

other

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership or corporation, describe in Exhibit No. DNA the nature of the applicant.

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

YES NO

3. (a) Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments?

(b) Will any funds, credit, etc., for construction, purchase or operation of the station be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

If Yes, provide particulars as Exhibit No. _____.

YES NO

4. (a) Has an adverse finding been made, adverse final action taken or consent decree approved by any court or administrative body as to the applicant or any party to the application in any civil or criminal proceeding brought under the provisions of any law related to the following: any felony, antitrust, unfair competition, fraud, unfair labor practices, or discrimination?

YES NO

(b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in 4.(a)?

YES NO

If the answer to (a) or (b) above is Yes, attach as Exhibit No. _____, a full disclosure concerning the persons and matters involved, identifying the court or administrative body and the proceeding (by dates and file numbers), stating the facts upon which the proceeding was based or the nature of the offense committed, and disposition or current status of the matter. Information called for by this question which is already on file with the Commission need not be refiled provided: (1) the information is now on file in another application or FCC form filed by or on behalf of the assignee; (2) the information is identified fully by reference to the file number (if any), the FCC form number, and the filing date of the application or other form containing the information and the page or paragraph referred to; and (3) after making the reference, the assignee states, "No change since date of filing."

ASSIGNEE'S LEGAL QUALIFICATIONS

TABLE I PARTIES TO APPLICATION

5. (a) Complete Table I with respect to the assignee. (Note: If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement).

INSTRUCTIONS: If applicant is an individual, fill out column (a) only. If applicant is a partnership, fill out columns (a), (b) and (d), state as to each general or limited partner (including silent partners) (a) name and residence, (b) nature of partnership interest (i.e., general or limited), and (d) percent of ownership interest. If applicant is a corporation or an unincorporated association with 50 or fewer stockholders, stock subscribers, holders of membership certificate or other ownership interest, fill out all columns, giving the information requested as to all officers, directors and members of governing board. In addition, give the information as to all persons or entities who are the beneficial or record owners of or have the right to vote capital stock, membership or owner interest or are subscribers to such interests. If the applicant has more than 50 stockholders, stock subscribers or holders of membership certificates or other ownership interests, furnish the information as to officers, directors, members of governing board, and all persons or entities who are the beneficial or record owners of or have the right to vote 1% or more of the capital stock, membership or owner interest except that if such entity is a bank, insurance company or investment company (as defined by 15 U.S.C. §80a-3) which does not invest for purposes of control, the stock, membership or owner interest need only be reported if 5% or more

Applicants are reminded that questions 5 through 7 of this Section must be completed as to all "parties to this application" as that term is defined in the instructions to Section II of this form.

Name and Residence (Home) Address(es)	Nature of Partnership Interest or Office Held	Director or Member of Governing Board		% of: Ownership (O) or Partnership (P) or Voting Stock (VS) or Membership (M)
		YES	NO	
(a)	(b)	(c)		(d)
Pearl Lee 1266-13 Ocean Avenue Sea Bright, NJ 07660	Sole Proprietor			

ASSIGNEE'S LEGAL QUALIFICATIONS

TABLE I (cont'd)

PARTIES TO APPLICATIONS

Name and Residence (Home) Address(es) (a)	Nature of Partnership Interest or Office Held (b)	Director or Member of Governing Board		% of: Ownership (O) or Partnership (P) or Voting Stock (VS) or Membership (M) (d)
		YES	NO	
		(c)		
(The table content is crossed out with a diagonal line from the top-left to the bottom-right.)				

ASSIGNEE'S LEGAL QUALIFICATIONS

YES NO

5. (b) Does the applicant or any party to this application, own or have any interest in a daily newspaper or cable television system? YES NO
- (c) Does the applicant or any party to this application have an ownership interest in, or is an officer, director or partner of, an investment company, bank, or insurance company which has an interest in a broadcast station, cable system or daily newspaper? YES NO

If the answer to questions 5(b) or (c) is Yes, attach as Exhibit No. _____, a full disclosure concerning persons involved, the nature of such interest, the media interest and its location.

OTHER BROADCAST INTERESTS

6. Does the applicant or any party to this application have any interest in or connection with the following?
- (a) an AM, FM or TV broadcast station? YES NO
- (b) a broadcast application pending before the FCC? YES NO
7. Has the applicant or any party to this application had any interest in or connection with the following:
- (a) an application which has been dismissed with prejudice by the Commission? YES NO
- (b) an application which has been denied by the Commission? YES NO
- (c) a broadcast station, the license which has been revoked? YES NO
- (d) an application in any Commission proceeding which left unresolved character issues against the applicant? YES NO
- (e) If the answer to any of the questions in 6 or 7 is Yes, state in Exhibit No. _____, the following information:
- (i) Name of party having such interest;
- (ii) Nature of interest or connection, giving dates;
- (iii) Call letters of stations or file number of application, or docket number;
- (iv) Location.
8. (a) Are any of the parties to this application related to each other (as husband, wife, father, mother, brother, sister, son or daughter)? YES NO DNA
- (b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to this application have any interest in or connection with any other broadcast station or pending application? YES NO

If the answer to (a) or (b) above is Yes, attach as Exhibit No. 2, a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.