

FCC 351-B
July 1983

United States of America
FEDERAL COMMUNICATIONS COMMISSION

File No: **BPCT-820712KI**

Call Sign: **NEW**

TELEVISION BROADCAST STATION CONSTRUCTION PERMIT

Subject to the provisions of the Communications Act of 1934, subsequent Acts, and Treaties, and Commission Rules made thereunder, and further subject to conditions set forth in this permit, authority is hereby granted to

William H. Graham, et al, d/b/a McKinley County Television

to construction a television broadcast station located and described as follows:

Station location: *Gallup, NM*

North Latitude: *35 . 32 . 34 ..*
West Longitude: *108 . 44 . 25 ..*

Transmitter:

Make and Type Type Accepted or comply with Section 73.1660 of FCC Rules.

Antenna:

Make and Type

Harris TaB-6L modified for 0.7 degree electrical beam tilt with maximum visual effective radiated power of 97.7 kw.

Overall height above ground: *295* feet (including obstruction lighting).

Obstruction marking specifications in accordance with paragraphs *1, 3, 11, 21 & 22* in the attached FCC Form 715

Operating assignment:

Frequency *60-66* Megahertz. (Channel No. *3*)

	<u>Visual</u>		<u>Aural</u>	
Carrier frequency	<i>61.25</i>	MHz.	<i>65.75</i>	MHz.
Effective radiated power	<i>(97.7 kw) peak.</i>		<i>(9.77 kw).</i>	
Transmitter output power	As required to achieve authorized effective radiated power.			
Antenna height above average terrain	<i>210</i>	feet.		
Hours of operation - Unlimited.				

Date of required completion of construction *September 12, 1985*

Engineering Condition: *See Pg. 2*

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission Rules. This permit shall be automatically forfeited if the station is not ready for operation within the time specified or within such further time as the Commission may allow unless completion of the station is prevented by causes not under the control of the permittee. See Section 1.599 of the Commission Rules.

1 This construction permit consists of this page and page(s)

Dated: *March 12, 1984*
Bdt

FEDERAL
COMMUNICATIONS
COMMISSION



BPCT-820712KI
Gallup, NM

ENGINEERING CONDITION:

During the installation of the antenna authorized here, AM Station KGAK shall determine operation power by the indirect method and, if necessary, request temporary authority from the Commission in Washington to operate with parameters at variance in order to maintain monitoring point values within authorized limits. Upon completion of the installation, common point impedance measurements on the AM array shall be made and a partial proof of performance, as defined by Section 73.154(a) of the Commission's Rules, shall be conducted to establish that the AM array has not been adversely affected and, prior to or simultaneous with the filing of the application for license to cover this permit, the results submitted to the Commission (along with a tower sketch of the installation) in an application for the AM station to return to the direct method of power determination.

EXHIBIT 4

KOAT Television, Inc.
Pulitzer Broadcasting Company
FCC Form 301
Part II, Question 7

EXHIBIT 1

OTHER BROADCAST INTERESTS

Pulitzer Publishing Company is the parent company of Pulitzer Broadcasting company (PBC). PBC is the licensee of the following television stations:

WLKY-TV, Louisville, Kentucky;
WPTA-TV, Fort Wayne, Indiana;
WYFF-TV, Greenville, South Carolina; and
WXII-TV, Winston-Salem, North Carolina.

PBC is the parent company of the following broadcast licensee corporations:

KETV Television, Inc., licensee of KETV (TV), Omaha, Nebraska;
KOAT Television, Inc., licensee of KOAT-TV, Albuquerque, NM, and
KWNM-TV, Silver City, New Mexico;
Phoenix Broadcasting, Inc., licensee of KTAR (AM) and KKLTV (FM),
Phoenix, Arizona; and
WGAL-TV, Inc., licensee of WGAL-TV, Lancaster, Pennsylvania.

There is pending before the commission (a) an application to assign the license of WDSU (TV), New Orleans, Louisiana, from Cosmos Broadcasting Company to Pulitzer Broadcasting Company (BALCT-890811KE) and (b) an application to assign the license of WPTA-TV, Fort Wayne, Indiana, from Pulitzer Broadcasting Company to Granite Broadcasting Corporation (BALCT-890818KE).

KOAT Television, Inc. is also the licensee of the following television translator stations:

TRANSLATOR CALL LETTERSTRANSLATOR CITY/STATE OF LICENSE

K34CR	ALAMOGORDO, NM
K10CB	AZTEC & CEDAR HILL, NM
K09JJ	BLOOMFIELD, & BLANCO NM
K43BT	CARRIZOZO, TULAROSA & LALUZ NM
K10IN	CHINLE, AZ
K66AE	COLFAX, NM
K70BR	DURANGO, CO
K19CM	FARMINGTON, NM
K62CR	FARMINGTON, NM
K52CR	FORREST & MCALISTER, NM
K08IJ	GALLUP, NM
K11EV	GRANTS & MILAN, NM
K60BC	HOBBS, NM
K12NH	HOBBS, NM
K74CY	HORSE SPRINGS, NM
K09AI	LAS VEGAS, NM
K61CN	LORDSBURG, NM
K63AE	MANY FARMS, AZ
K57BR	MONTOYA & NEWKIRK, NM
K62AL	ROSWELL NM
K13RK	ROSWELL, NM
K58AH	RUIDOSO, CAPITAN & MESCALERO NM
K08KX	TAGS, NM
K33BN	TAGS, NM
K60DD	TIERRA AMARILLA, NM

EXHIBIT 5

Exhibit 3

KOAT Television, Inc. is the licensee of KOAT-TV, Albuquerque, New Mexico and various television translator stations.

KOAT Television, Inc. is a wholly owned subsidiary of Pulitzer Broadcasting Company ("PBC"). PBC is the licensee of WLKY-TV, Louisville, Kentucky; WPTA(TV), Fort Wayne, Indiana; WXII(TV), Winston-Salem, North Carolina, WYFF-TV, Greenville, South Carolina and various television translator stations. PBC is also the parent company of KETV Television, Inc., licensee of KETV(TV), Omaha, Nebraska; of WGAL-TV Inc., licensee of WGAL-TV, Lancaster, Pennsylvania and of TV translator stations; and of Phoenix Broadcasting, Inc., licensee of KTAR and KKL(TFM), Phoenix, Arizona.

EXHIBIT 6

MEMORANDUM OF AGREEMENT

This Agreement executed this 9th day of January, 1986, by and between counsel for KOAT Television, Inc. (hereafter "KOAT") and KOB-TV, Inc. (hereafter "KOB"), witnesseth as follows:

WHEREAS, both parties are applicants for a construction permit for a new television broadcast station to operate on Channel 10, Silver City, New Mexico;

WHEREAS, the mutual exclusivity of the applications requires an evidentiary hearing before one of the applications may be granted; and

WHEREAS, the parties hereto believe the public interest would be served by avoiding a prolonged hearing on the two applications and providing for the more prompt establishment of increased television service to the public;

NOW THEREFORE, the parties hereto agree as follows:

1. KOB will dismiss its application for a construction permit for the Channel 10 television station so that KOAT may obtain a grant of the KOAT application. No monetary consideration of any kind is passing between the parties for this action by KOB.

2. KOB is the licensee of television translator station K10KF, Silver City, New Mexico and KOAT is the licensee of television translator station K10EH, Silver City, New Mexico.

Under Rules of the Federal Communications Commission, KOB must cease operation of its Channel 10 translator facility with the commencement of program tests by KOAT's television station on Channel 10. In order to maintain KOB's services in Silver City, prior to commencing equipment tests or program tests, and in sufficient time prior thereto to provide for the normal processing of an assignment application, KOAT and KOB will jointly file an application for assignment of license with the Federal Communications Commission for authority to assign KOAT's television translator station license for KØ6EH, Channel 6, to KOB. KOAT and KOB will cooperate in the filing and prosecution of the application for assignment of said license.

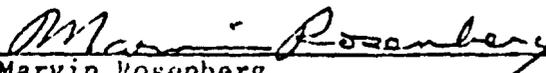
3. In the event KOB should ever desire to discontinue operating a TV translator station on Channel 6 at Silver City, (presently KØ6EH), KOAT shall have a right of first refusal to purchase the assets related to the Channel 6 translator only. Prior to filing any application for assignment or transfer to a third party, other than in connection with the sale or transfer of KOB itself or prior to submission of the authorization for cancellation, the Channel 6 facilities will be offered to KOAT. Nothing herein shall be construed as preventing KOB from seeking an authorization for a TV broadcast station on Channel 6 at Silver City, or any other channel allocated to Silver City.

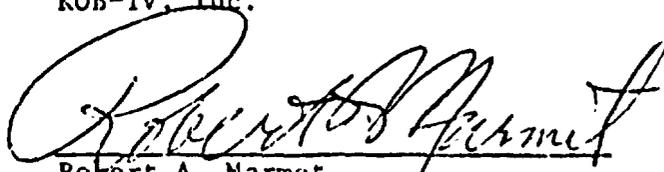
4. KOAT has been advised of KOB's intention to file an application for authorization to modify the KØ6EH translator license to provide for the feeding of several additional antennas to serve additional communities or areas as contemplated by Section 74.735(b) of the Rules of the Federal Communications Commission. KOAT believes that such improvement in service by the translator would be in the public interest and hereby agrees to make such representations in writing to the Federal Communications Commission, in the event KOB seeks KOAT's support.

5. KOB has been advised of KOAT's intention to seek leave to amend its pending application for a construction permit for a new television broadcast station to operate on Channel 10, Silver City, New Mexico, to modify the proposed operation by reducing effective radiated power to approximately 9 kW. KOB has no objection to such an amendment and will not oppose the proposal. KOB hereby agrees to make such representations in writing to the Federal Communications Commission, in the event KOAT seeks KOB's support.

6. In execution of this document by the attorney for KOB and the attorney for KOAT, each represents to the other that he has been authorized to execute this document on behalf of his client. Additionally, the parties recognize that this document is to be

ratified by the corporate clients as set forth in the space provided below.


Marvin Rosenberg
Attorney for
KOB-TV, Inc.


Robert A. Marmet
Attorney for
KOAT Television, Inc.

Ratified and adopted:

Date: January 7, 1986


KOAT-TV, Inc.

Ratified and adopted:

Date: _____

KOAT Television, Inc.

ratified by the corporate clients as set forth in the space provided below.

Marvin Rosenberg
Attorney for
KOB-TV, Inc.

Robert A. Marmet
Attorney for
KOAT Television, Inc.

Ratified and adopted:

Date: _____

KOB-TV, Inc.

Ratified and adopted:

Date: 1/9/84

R. J. Estlin
KOAT Television, Inc.

CERTIFICATE OF SERVICE

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that a true copy of the following "Supplement to Reply Comments" was sent this 10th day of July, 1992, first-class United States mail, postage prepaid, to the following:

Erwin G. Krasnow, Esquire
Eric T. Werner, Esquire
Verner, Liipfert, Bernhard,
McPherson and Hand, Chartered
901 15th Street, N.W.
Washington, D.C. 20005-2301
Counsel for Pulitzer Broadcasting Company


Barbara Lyle
Barbara Lyle