

IB Docket 19-144

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Duane Morris

INTERNATIONAL AND SATELLITE SERVICES

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Federal Communications
Commission

JUN 20 2018

Office of the Secretary

June 20, 2018

Federal Communications Commission
International and Satellite Service
P.O. Box 979093
St. Louis, MO 63197-9000

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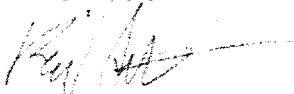
Re: *Form 308 Application for Permit to Deliver Programs to Foreign
Broadcast Stations – GLR Southern California, LLC – EXPEDITED
APPROVAL REQUESTED (REVISED)*

Dear Sir or Madam:

On behalf of GLR Southern California, LLC ("Licensee"), Licensee's parent company GLR Services, Inc. ("Transferor") and H&H Group USA LLC ("Transferee" and collectively with Licensee and Transferor, "Applicants"), enclosed herewith are a revised copy of an Application for Permit to Deliver Programs to Foreign Broadcast Stations (FCC Form 308) ("Revised Application") requesting Commission approval of the delivery, via internet protocol, of Licensee's programming to Mexican radio station XEWW-AM, Rosarito, Baja California Norte, Mexico (the "Station"). The Revised Application is the exact same as the application that was submitted to the Commission on June 13, 2018 ("Original Application"), other than the inclusion of signed certification pages by the Licensee, Transferor and Transferee in lieu of the verifications and certifications by such Applicants. Please refer to the June 13, 2018 letter to you from Paige Fronabarger of Wilkinson, Barker & Knauer LLP for additional details on the contemplated transactions. A copy of such June 13, 2018 letter is also enclosed herewith.

Should you have any questions regarding this matter, please contact the undersigned.

Very truly yours,


Reid Avett

Enclosures

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Federal Communications Commission
Washington, D.C. 20554

APPROVED BY OMB
OMB Control Number
3060-1133

Instructions For FCC 308
Application For Permit To Deliver Programs to Foreign Broadcast Stations

- A. This form is to be used in applying under Section 325(c) of the Communications Act of 1934, as amended, for authority to locate, use, or maintain a studio in the United States for the purpose of supplying program material to a foreign radio or TV broadcast station whose signals are consistently received within the United States, or for extension of existing authority.
- B. File in DUPLICATE with the Federal Communications Commission, Washington, D.C. 20554.
- C. If the applicant holds a valid radio or TV broadcast station license or construction permit, an informal application (in letter form) may be used in lieu of this form. Any such informal application, however, must include full responses to items 17 and 18.
- D. If programs to be delivered to foreign station(s) are of a continuing nature (rather than isolated special events), notice thereof must be published and proof of publication submitted in accordance with Section 73.3580 of the Commission's Rules.
- E. This application must be personally signed by the applicant, if an individual; by a partner, if the applicant is a partnership; by an officer, if the applicant is a corporation; by a member (who is an officer), if the applicant is an unincorporated association; by a duly elected or appointed official empowered to do so under the laws of the jurisdiction, if the applicant is a government entity; or by the applicant's attorney in case of the applicant's physical disability or absence from the United States. If the attorney signs, he/she must separately set forth the reasons why the application is not signed by the applicant. Matters stated by attorneys on belief (rather than personal knowledge) must be supported by the reasons for such belief.
- F. Answer all paragraphs, and attach and number any required exhibit(s). Incomplete applications will be returned. Paragraphs which are not applicable should be answered "D/N/A". If application is for extension of existing authority and information previously supplied is still accurate and complete, reference may be made under individual paragraphs to information "On File."
- G. Authority to deliver programs to foreign broadcast stations is not granted or extended for periods of more than one year.

Instructions for FCC 308 (Page 1)
Month / Year

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended.

The principal purpose(s) for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, accountants, engineers, and application examiners, will use the information to determine whether the application should be granted, denied, dismissed or designated for hearing.

If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain this Authority.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552(a)(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, P.L. 104-13, OCT 11, 1995, 44 U.S.C. 3507.

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PAPERWORK REDUCTION ACT

We have estimated that each response to this collection of information will take 1 - 2 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, and actually complete and review the form or response. If you have any comments on this burden estimate, or on how we can improve the collection and reduce the burden it causes you, e-mail them to prs@fcc.gov or send them to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-1133), Washington, DC 20554. Please **DO NOT SEND COMPLETED APPLICATIONS TO THIS ADDRESS**. Remember - you are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-1133.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, P.L. 104-13, OCTOBER 1, 1995, 44 U.S.C. 3507.

FOR COMMISSION USE ONLY
File No.

United States of America
Federal Communications Commission
Washington, D.C. 20554

APPLICATION FOR PERMIT TO DELIVER PROGRAMS TO FOREIGN BROADCAST STATIONS
(Carefully read instructions before filing out Form-RETURN ONLY FORM TO FCC)

1. Name of Applicant Street Address or P.O. Box City State Zip Code Telephone No. (include area code)

GLR Southern
California, LLC 6 The Drawbridge Woodbury, NY 11797 516-921-8668

2. Name and address to whom communication should be sent if different from Item 1.

Name Street Address or P.O. Box City State Zip Code Telephone No. (include area code)

3. Legal identity of applicant: (only check one box)

☐ Individual ☐ Partnership ☐ Corporation ☐ Government Entity ☒ Other

If other specify: Limited Liability Company

4. Application is for:

☒ New Authorization ☐ Extension of Existing Authority

5. If applicant is an individual, is applicant a citizen of the United States? N/A ☐ YES ☐ NO

6. If applicant is a partnership, are all partners citizens of the United States? N/A ☐ YES ☐ NO

7. If applicant is a corporation:

a. Under laws of what state was it organized:

b. Is more than one-fifth of the capital stock of the corporation owned of record or may it be voted by aliens or their representatives or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? ☐ YES ☐ NO

c. Is any officer or director of the corporation an alien? ☐ YES ☐ NO

If the answer is Yes, give the following for each:

Name Nationality Position

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Month/Year

d. Is applicant directly or indirectly controlled by any other corporation? ☐ ☐ YES NO

If the answer is Yes, give the following for the controlling corporation

Name	Address	State in which organized
------	---------	--------------------------

e. Is more than one-fourth of the capital stock of the controlling corporation either owned of record, or may it be voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? ☐ ☐ YES NO

f. Is any officer or more than one-fourth of the directors of the corporation an alien? ☐ ☐ YES NO

If the answer is Yes, give the name, nationality and position of each and give the total number of directors of the corporation.

Name	Nationality	Position	Number of Directors
------	-------------	----------	---------------------

g. Is the above-described controlling corporation in turn a subsidiary? ☐ ☐ YES NO

If the answer is Yes, attach as Exhibit No. _____ additional information answering the holding company questions in this paragraph for each company, including the organization having ultimate control.

8. a. If the applicant is an unincorporated association, give the following:

Total number of members	Number of Alien Members (if any)
-------------------------	----------------------------------

See Exhibit A - two U.S. members

b. State the following for alien officers or directors (if any):

Name	Nationality	Position
------	-------------	----------

9. a. What is applicant's principal business? Radio program supplier

b. Does applicant or any party to this application have any interest in, or connection with, any AM, FM, or TV broadcast station (either domestic or foreign), or any application pending before the Commission?

If the answer is Yes, attach Exhibit No. _____ giving full particulars.

☐☒

YES

NO

10. Is applicant a representative of an alien or of a foreign government?

☐☒

YES

NO

If the answer is Yes, explain.

11. a. Has any radio station authorization previously issued to the applicant or party to this application been revoked, either by the Commission or by any court?

☐☒

YES

NO

b. Has any previous application by the applicant or party to this application been denied by the Commission or by a predecessor agency?

☐☒

YES

NO

If the answer to (a) and/or (b) is Yes, explain:

12. a. Has applicant or any party to this application been found guilty of any felony by any court?

☐☒

YES

NO

b. Has applicant or any party to this application been finally adjudged guilty by a federal court of the violation of the laws of the United States relating to unlawful monopoly, restraint of trade, and/or unfair methods of competition?

☐☒

YES

NO

If the answer to (a) and/or (b) is Yes, explain.

13 a. Address of studio or other place at which programs will originate:
3810 Durbin Street, Irwindale, CA 91706

b. Telephone contact number:
516-921-8668

c. Email address: vhuc@hhcapitalpartners.com

14. State ownership of originating facilities: OLR Southern California, LLC

15 a. Describe the means whereby programs will be delivered to foreign station(s), including the names of any interconnecting common carriers.

- Means of Transmissions include but are not limited to the following:
- ☐ Dedicated Wiring
 - ☒ Internet (IP)
 - ☐ Public Switched Telephone Network (PSTN)
 - ☐ Private Microwave
 - ☐ Private Radio (remote pickup)
 - ☐ Common Carrier Microwave
 - ☐ Common Carrier Radio
 - ☐ Satellite
 - ☐ Or combination of methods

b. List all call signs of private transmitters in the United States: N/A

Call Sign	Company Name

16. Coordinated foreign station to which programs will be provided:

Call sign: XEWV-AM

City: Rosarito, Baja California Norte, Mexico

☒ AM Station

Frequency (kHz): 690

Coordinates: Daytime 32° 17' 52" NL 117° 01' 48" WL Nighttime 32° 17' 52" NL 117° 01' 48" WL

Operating power: 77 kW 50 kW

☐ FM Station:

Frequency: Channel: Class:

Mode of operation: Directional/Non-directional

Maximum Effective Radiated Power (kW):

Coordinates ° ' " NL ° ' " WL

Antenna Height Above Average Terrain (HAAT):

Antenna Radiation Center Above Mean Sea Level (RCMSL):

TV Station:

Channel:

Mode of operation: Directional/Non-directional

Maximum Effective Radiated Power (kW):

Coordinates ° ' " NL ° ' " WL

Antenna Height Above Average Terrain (HAAT):

Antenna Radiation Center Above Mean Sea Level (RCMSL):

17. Attach as Exhibit No B a full explanation of the legal relationship between the applicant and foreign station(s) involved, including a copy of contract (if any) with foreign station(s).
18. a. Attach as Exhibit No C a statement as to whether program deliveries are to be intermittent or regularly scheduled, and the average number of hours, per day week and or month during which the foreign station(s) involved will broadcast such programs.
- b. Attach as Exhibit No D a detailed description of the nature and character of the programming proposed and the language to be employed.
19. **Anti-Drug Abuse Act Certification.** Assignee/transferee certifies that neither assignee nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.
20. **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 applicant a Model EEO Program Report on FCC Form 396-A.

CERTIFICATION

The APPLICANT acknowledges that all statements contained in this application and attached exhibits are material representations, and that the exhibits forming a part of this application are incorporated herein as if set out in full in the application. The undersigned certifies that the statements contained in this application are true, complete and correct to the best of his/her knowledge and belief and are made in good faith.

Signed and dated this _____ day of June, 20 18.

GLR Southern California, LLC

(Name of Applicant)

By

(Signature)

General Manager

(Title)

Name: Daniel Anido

x

WILLFUL FALSE STATEMENTS MADE ON THIS FORM
ARE PUNISHABLE BY FINE AND IMPRISONMENT.
U.S. CODE, TITLE 18, SECTION 1001.

EXHIBITS furnished as required by this form:

Exhibit No.	Para. No of form	Name of officer or employee(1) by whom or(2) under whose direction exhibit was prepared (show which)	Official Title
A - D		Daniel Anido All exhibits were prepared under the direction <input checked="" type="checkbox"/>	General Manager

Form 308 (Page 6)
Month/Year

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CERTIFICATION

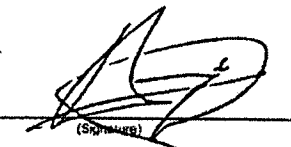
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Signed and dated this _____ day of June, 20 18.

GLR Services, Inc.

(Name of Applicant)

By



(Signature)

General Manager

(Title)

Name: Daniel Anido

WILLFUL FALSE STATEMENTS MADE ON THIS FORM
ARE PUNISHABLE BY FINE AND IMPRISONMENT.
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A - D		All exhibits were prepared under the direction <input checked="" type="checkbox"/> Daniel Anido	General Manager

Form 308 (Page 6)
Month/Year

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Signed and dated this 17 day of June, 2018.

H&H Group USA LLC

(Name of Applicant)

By


(Signature)

President

(Title)

Name: Vivian Hun

WILLFUL FALSE STATEMENTS MADE ON THIS FORM
ARE PUNISHABLE BY FINE AND IMPRISONMENT.
U.S. CODE, TITLE 18, SECTION 1001.

EXHIBITS furnished as required by this form:

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A - D		All exhibits were prepared under the direction of Vivian Hud	President of H&H Group USA LLC

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Month/Year

GLR Southern California, LLC
FCC Form 308
Exhibit A
June 2018

Alien Ownership

There is no alien ownership. Applicant, GLR Southern California, LLC is a Delaware limited liability company which will be 100% owned by H&H Group USA LLC, a New York limited liability company. Vivian Huo, a U.S. citizen owns 97% of the membership interests in H&H Group USA LLC. Julian Sant, a U.S. citizen owns 3% of the membership interests in H&H Group USA LLC.

Legal Relationship with Foreign Station

GLR Southern California, LLC is a Delaware limited liability company ("Applicant") and a wholly-owned subsidiary of GLR Services, Inc. ("GLR Services"), a Delaware corporation. GLR Services has agreed to sell 100% of its equity in Applicant to H&H Group USA LLC ("Buyer") in a closing that is expected to occur in mid-July of 2018. Since consummation of the indirect transfer of control of Applicant will cause Applicant's current 325(c) permit to terminate, Applicant is seeking a new permit to become effective at the closing of such sale.¹

Applicant currently owns 49.00% of the issued and outstanding shares in W3 Comm Concesionaria, S.A. de C.V. ("W3 Comm Concesionaria"), the licensee of Mexican radio station XEWW-AM, Rosarito, Baja California Norte, Mexico (the "Station"). Applicant also owns 99% of the equity of W3 Comm Inmobiliaria, S.A. de C.V. ("W3 Comm Inmobiliaria") which holds the operating assets of the Station in Mexico. Applicant currently provides programming to the Station pursuant to that certain Station Programming and Sales Agreement dated January 25, 2006 between Applicant, W3 Comm Concesionaria, and Careva, S.A. de C.V. which, through an intermediate company, owns the controlling interest in W3 Comm Concesionaria ("Programming Agreement"), a copy of which is currently on file with the Commission. Since the transaction involves the sale of equity in Applicant, the Programming Agreement will remain in place and not be impacted.

¹ Applicant currently holds a 325(c) permit to deliver programming to the Station, initially granted by the Commission on March 2, 2007, and most recently renewed on June 14, 2017 (See, FCC File No 325-RWL-20170321-00004).

GLR Southern California, LLC
FCC Form 308
Exhibit C
June 2018

Schedule and Quantity of Program Deliveries

The programming that is the subject of this application will be transmitted by Station XEWW-AM on a regular basis, 24 hours/day, 7 days/week.

GLR Southern California, LLC

FCC Form 308

Exhibit D

June 2018

Nature and Character of Programming

The Applicant proposes to provide a full range of Mandarin Chinese language programming on station XEWW-AM including music, entertainment, weather report, local (LA) traffic report and local Chinese community news.