

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.

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In Re Applications of )  
)  
JUDY YEP HUGHES ) MM DOCKET No. 93-95  
) BPH-911115MT  
)  
ERIC R. HILDING ) BPH-911115MR  
)  
For construction permit )  
for a new FM Station on )  
Ch 281A at Windsor, CA )

DOCKET FILE COPY ORIGINAL

PETITION FOR LEAVE TO AMEND

Judy Yep Hughes, by her attorney, hereby petitions for leave to file the amendment to her above-referenced application which is attached hereto. The proffered amendment substitutes a corporation, New Corp, as the applicant in place of Hughes, individually. New Corp is equally owned by Hughes and the competing applicant for the channel at issue in this proceeding, Eric R. Hilding, but is 100% controlled by Hughes.

The substitution of New Corp for Hughes as the applicant is in connection with, and in implementation of, the Settlement and Merger Agreement entered into between Hughes and Hilding on August 30, 1996, which is the subject of a Joint Petition for Approval of Agreement and Dismissal of Applicant filed in this proceeding on September 5, 1996. Accordingly, as acceptance of the amendment is an essential element of the proposed settlement of this proceeding which will permit the early establishment of a

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new FM service in Windsor, California, acceptance of the mendment  
clearly is in the public interest.

Respectfully Submitted,

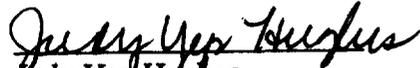
David Tillotson  
3421 M Street, N.W., Suite 1739  
Washington, DC 20007  
(202) 625-6241

Attorney for Judy Yep Hughes

Dated: September 18, 1996

## AMENDMENT

The pending application of Judy Yep Hughes for a construction permit for a new FM station on Channel 281A at Windsor, California (BPH-91115MT) is hereby amended to substitute a corporation 100% controlled by Ms. Hughes for Ms. Hughes as an individual by substituting the Section II, FCC Form 301, attached hereto for the Section II, Form 301, included in the original application.

  
Judy Yep Hughes

Dated: September 17, 1996

**Section II - LEGAL QUALIFICATIONS**

Name of Applicant

JYP Broadcasting, Inc.

1. Applicant is: (check one box below)

- Individual
- General partnership
- For-profit corporation
- Other
- Limited partnership
- Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the applicant.

Exhibit No.  
DNA

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and "non-party equity owner in the applicant" is required. 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 with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date September, 1996 Place Sacramento, CA

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3, above, relating to future ownership interests in the applicant, including but not limited to, stock pledges or other forms of security, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, warrants, or debentures?

Yes  No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No.  
A

5. Complete, if applicable, the following certifications:

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

Yes  No

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

Yes  No

If Yes, applicant certifies that the entity holding such interests exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

Yes  No

**Section II - LEGAL QUALIFICATIONS (Page 2)**

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

- a. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
- b. Citizenship.
- c. Office or directorship held.
- d. Number of shares or nature of partnership interests.
- e. Number of votes.
- f. Percentage of votes.

NOTE: Radio applicants ONLY: Radio applicants need not respond to subparts g and h of the table. Instead proceed and respond to Questions 7, 8 and 9, Section II below.

- g. Other existing attributable interests in any broadcast station, including the nature and size of such interests.
- h. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Sections 73.3555 and 76.501, including the nature and size of such interests and the positions held.

a.	Judy Yep Hughes P.O. Box 968 Healdsburg, CA 95448	JYP Broadcasting, Inc. P.O. Box 968 Healdsburg, CA 95448	
b.	US	California Corp.	
c.	President & Director	DNA	
d.	100	DNA	
e.	100	DNA	
f.	100%	DNA	
g.	DNA	DNA	
h.	DNA	DNA	

**Section II - LEGAL QUALIFICATIONS (Page 3)**

ONLY RADIO APPLICANTS NEED RESPOND TO QUESTIONS 7, 8 AND 9.

7. Does the applicant or any party to the application, own, or have an attributable interest in: (a) any AM, FM or TV station; or (b) in a daily newspaper in the same market(s) as the station(s) being proposed?  Yes  No

8. Does the applicant, or any party to the application, broker more than 15 percent of the broadcast hours per week of any AM or FM station in a market in which the applicant, or party to the application, has an attributable interest in any AM or FM station? See 47 C.F.R. Section 73.3555(a) for definition of "radio market."  Yes  No

If the answer to 7 or 8 is Yes, set forth in an Exhibit, name of party having interest; nature of the interest; call letters and location of stations involved; and identification of newspaper, where applicable.

Exhibit No.  
DNA

9. Does the principal community service contour (predicted or measured 5 mV/m groundwave contour for AM; predicted 3.16 mV/m contour for FM) or any AM or FM station being proposed overlap the principal community service contour of:

(a) an AM or FM station which is directly or indirectly owned, operated or controlled by the applicant or any party to the application; or  Yes  No

(b) an AM or FM station at which more than 15 percent of the broadcast time per week is brokered by the applicant or any party to the application?  Yes  No

If the answer to (a) or (b) is Yes, do you certify that the ownership interests which will result from grant of the application(s) comply with 47 C.F.R. Section 73.3555(a), or that appropriate waivers of that section are herein sought?  Yes  No

If Yes, attach a separate Exhibit containing the market and audience information necessary to demonstrate compliance.

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NOTE: With reference to the Radio Contour Overlap Rule of 47 C.F.R. Section 73.3555(a), the applicant's Exhibit must include: (i) a map that clearly identifies, by relevant contours, the location and geographic coverage of the market or markets involved; (ii) the number of commercial AM and FM stations counted as being in the market or markets, including a map that shows the principal community contours of the stations that define the market or markets and the principal community contours of all commercial stations intersecting with the principal community contours of these stations; (iii) for markets with 15 or more commercial radio stations, a combined audience share figure, the basis and/or source material for this figure, and the results and qualification of any commissioned audience survey or alternative showing used; and (iv) the call letters and locations of all stations in the market or markets that are, or are proposed to be, commonly owned, operated or controlled, including any AM or FM station in the market for which the applicant or any party to the application brokers more than 15 percent of that station's broadcast time per week.

Section II - LEGAL QUALIFICATIONS (Page 4)

10. Does the applicant, or any party to the application, have a petition to migrate to the expanded band (1506-1705 (kHz)) or a permit or license either in the existing band or expanded band that is held in combination with the AM facility proposed to be modified herein?

Yes  N

If Yes, provide particulars as an Exhibit.

Exhibit No.  
DNA

11. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

Yes  N

(b) a broadcast application which has been dismissed with prejudice by the Commission?

Yes  N

(c) a broadcast application which has been denied by the Commission?

Yes  N

(d) a broadcast station, the license of which has been revoked?

Yes  N

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

Yes  N

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.  
B

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

12. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?

Yes  No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

Yes  No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving 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.

Exhibit No.  
DNA

13. State in an Exhibit any interest the applicant or any party to this application proposes to divest in the event of a grant of this application.

Exhibit No.  
DNA

**Section II - LEGAL QUALIFICATIONS (Page 5)**

**OTHER MASS MEDIA INTERESTS**

14. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction C to Section II.)

Yes  No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of an INDIVIDUAL holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

Yes  No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving 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.

Exhibit No.  
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**CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS**

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

Yes  No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

Yes  No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.  
DNA

16. Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant, in a civil or criminal proceeding brought under the provisions of any law related to the following:

Yes  No

Any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

If the answer is Yes, attach as an Exhibit a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding was based or the nature of the offense committed, and a description of the disposition of the matter.

Exhibit No.  
DNA

**EXHIBIT A**

Pursuant to a Settlement and Merger Agreement between Judy Yep Hughes ("Hughes") and Eric R. Hilding ("Hilding") providing for the settlement of the proceeding involving the mutually exclusive applications of Hughes and Hilding for Windsor Channel 281A which was filed with the Commission as part of a Joint Petition for Approval of Agreement and Dismissal of Applicant of September 5, 1996, Hilding is to receive a 50% equity interest in the corporation which it to become the licensee of the station in the form of nonvoting stock, Hughes has the option to purchase Hilding's entire interest in the licensee corporation for \$100,000 during a thirty day period beginning on the first anniversary of the date the station commences operations with program test authority and, if Hughes does not exercise her option to purchase Hilding's nonvoting equity interest, Hilding has the option for 90 days beginning upon the expiration of Hughes' option to purchase her entire interest in the licensee corporation for \$150,000.

**EXHIBIT B**

**Judy Yep Hughes has an application pending for a new FM station on Channel 244A at Healdsburg, CA.**

CERTIFICATE OF SERVICE

I, David Tillotson, do hereby certify that a copy of the foregoing **PETITION FOR LEAVE TO AMEND** has been sent this 18th day of September, 1996, via first class United States mail, postage prepaid, to:

Robert A. Zauner, Esq.  
Hearing Division  
Federal Communications Commission  
2025 M Street, N.W., Room 7212  
Washington, DC 20554

Eric R. Hilding  
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Morgan Hill, CA 95038

Chief, Data Management Staff  
Audio Services Division  
Mass Media Bureau  
Room 350  
1919 M Street, N.W.  
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David Tillotson