

by OMB  
3060-0031  
Expires 06/30/95

FCC 314

**ORIGINAL**

FOR  
FCC  
USE  
ONLY

FCC/MELLON AUG 24 1993

APPLICATION FOR CONSENT TO  
ASSIGNMENT OF BROADCAST STATION  
CONSTRUCTION PERMIT OR LICENSE

(Please read instructions before completing this form.)

FOR MASS MEDIA BUREAU USE ONLY

FILE NO. **MMB-930924GE**

Section I - GENERAL INFORMATION

1. APPLICANT NAME  
**Alpha Broadcasting, Inc.**

MAILING ADDRESS (Line 1) (Maximum 35 characters)  
**Tallgrass Center, 2250 N. Rock Rd.**

MAILING ADDRESS (Line 2) (if required) (Maximum 35 characters)  
**Suite 118**

CITY **Wichita** STATE OR COUNTRY (if foreign address) **Kansas** ZIP CODE **67226**

TELEPHONE NUMBER (include area code) **316-683-7721** CALL LETTERS **KZQD (FM)** OTHER FCC IDENTIFIER (IF APPLICABLE)

FOR MAILING THIS APPLICATION, SEE INSTRUCTIONS FOR SECTION 1

2. A. Is a fee submitted with this application?  Yes  No

B. If No, select the appropriate box to indicate reason for fee exemption (see 47 C.F.R. Section 1.1112) or reason a fee is not applicable and go to Question 3.  
 Governmental Entity  Noncommercial educational licensee  Other (Please explain):

C. If item 2.A. is Yes, provide the following information:

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

(A)	(B)	(C)	FOR FCC USE ONLY
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	
(1) M P R		\$ 565.00	
(2)		\$	
ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.			FOR FCC USE ONLY
			<b>565.00</b>

MMB Ex. #1

MMB EX-1

PART 1 - Assignor

JAN 19 1990

1. Name of Assignor Alpha Broadcasting, Inc.			Street Address 2250 N. Rock Road, Suite 118		
City Wichita		State KS	ZIP Code 67226		
Telephone Number (include area code) 316-683-7721					

2. Authorization which is proposed to be transferred

(a) Call letters KZQD Location Liberal, Kansas

(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 an Exhibit the showing required by 47 C.F.R. Section 73.3597.

(c) Has the license for the station been acquired through the Commission's Minority Ownership Policy?  Yes  No

If Yes, has the station been operated on-air for less than the past twelve months?  Yes  No

If Yes, attach as an Exhibit the showing required by 47 C.F.R. Section 73.3597.

3. Call letters of any SCA, FM or TV booster station, or associated auxiliary service stations (e.g., remote pickup, STL, inter-city relay) which are to be assigned:

4. Attach as an Exhibit 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.

5. If this application is for assignment of a construction permit for an unbuilt station, submit as an Exhibit the detailed showings and declarations of the applicants required by 47 C.F.R. Section 73.3597 regarding the assignor's legitimate and prudent out-of-pocket expenditures and the retention, if any, of any interest in the station.

See also Exhibit D for Section 73.3535(b) showing.

6. State in an Exhibit whether the assignor, or any party to the assignor:

(a) has 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 application denied and/or dismissed with prejudice; or any FCC license which has been revoked.

The Exhibit should include the following information:

- (1) name of party with such interest;
- (2) nature of interest or connection, giving dates;
- (3) call letters or file number of application; or docket number; and
- (4) location.

7. Since the filing of the assignor's last renewal application for the authorization being assigned or other application, has an adverse finding been made or an adverse final action been taken by any court or administrative body with respect to the applicant or parties to this application in a civil or criminal proceeding, brought under the provisions of any law related to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?  Yes  No

If Yes, attach as an Exhibit a full description of the persons and matter involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers) and the disposition of the litigation.

SECTION I - GENERAL INFORMATION

Part II - Assignee

1. Name of Assignee  Mario Loreda	Street Address 106 West Spruce		
	City Liberal	State KS	Zip Code 67901
	Telephone No. (include area code) (316) 624-6229		

2. Does the contract submitted in response to Question 4, Part I of Section I embody the full and complete agreement between the assignor and assignee?

Yes  No

If No, explain in an Exhibit.

Exhibit No.
-------------

SECTION II - ASSIGNEE'S LEGAL QUALIFICATIONS

1. Assignee is:

- an individual                     
  a general partnership                     
  a for-profit corporation  
 other                                     
  a limited partnership                     
  a 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.
-------------

3. 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 4 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined by 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 interest 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 - ASSIGNEE'S LEGAL QUALIFICATIONS (Page 2)

NOTE: The terms "applicant and "parties to this application" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" 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.

4. List the applicant, and, if other than a natural person, its officers, directors, stockholders and partners with attributable interests. 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 5, 6 and 7, 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. Section 73.3555 and 76.501, including the nature and size of such interests and the positions held.

a.	Mario Loreda (an individual)		
b.	USA		
c.	Sole proprietor		
d.	Not applicable		
e.	Not applicable		
f.	Not applicable		
g.	None		
h.	None		

SECTION 11 - ASSIGNEE'S LEGAL QUALIFICATIONS (Page 3)

RADIO APPLICANTS ONLY NEED TO RESPOND TO QUESTIONS 5, 6 AND 7.

5. 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) a daily newspaper in the same market(s) as the station(s) being acquired?  Yes  No

6. 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 5 or 6 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.  
n/a

7. Does the principal community service contour (predicted or measured 5 mV/m groundwave contour for AM; predicted 3.16 mV/m contour for FM) of any AM or FM station being acquired 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  
n/a

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

Exhibit No.  
n/a

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.

8. Does the applicant, or any party to the application, have:

(a) a petition pending to migrate to the expanded band (1605-1705 kHz)?  Yes  No

(b) a permit or license in either the existing band (535-1605 kHz) or expanded band (1605-1705 kHz) that is held in combination with the station(s) proposed to be sold?  Yes  No

If Yes, provide particulars as an Exhibit.

Exhibit No.

SECTION II - ASSIGNEE'S LEGAL QUALIFICATIONS (Page 4)

9. Does the applicant or any party to this application have any interest in or connection with a broadcast application pending before the FCC?

Yes  No

10. 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 of which has been revoked?

Yes  No

(d) an application in any Commission proceeding which left unresolved character issues against the applicant?

Yes  No

If the answer to any of the questions in 9 or 10 is Yes, state in an Exhibit the following information:

Exhibit No.  
n/a

- (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.

11. (a) Are any of the parties to this application related (as husband, wife, father, mother, brother, sister, son or daughter) either to each other or to individuals holding nonattributable interests of 5% or more in the applicant?

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 this application have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see 47 C.F.R. Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see 47 C.F.R. Section 76.501(a))?

Yes  No

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

12. (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 B 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 47 C.F.R. Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see 47 C.F.R. Section 76.501(a))?

Yes  No

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

13. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction C 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 as an Exhibit a full disclosure concerning this assistance.

Exhibit No.  
n/a

14. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body with respect to the applicant or parties to this application in a civil or criminal proceeding, brought under the provisions of any law related to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; 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 (a) above?

Yes  No

If the answer to (a) and/or (b) above is Yes, attach as an Exhibit a full disclosure concerning 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 is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.  
n/a

15. Are there any documents, instruments, contracts or understandings relating to ownership or future ownership rights (including, but not limited to, non-voting stock interests, beneficial stock ownership interests, options, warrants, debentures)?

Yes  No

If Yes, provide particulars in an Exhibit.

Exhibit No.  
n/a

16. Do documents, instruments, agreements or understandings for the pledge of stock of a corporate applicant, as security for loans or contractual performance, provide that (a) voting rights will remain with the applicant, even in the event of default on the obligation; (b) in the event of default, there will be either a private or public sale of the stock; and (c) prior to the exercise of stockholder rights by the purchaser at such sale, the prior consent of the Commission (pursuant to 47 U.S.C. Section 310(d)) will be obtained?

Yes  No  
 Does Not Apply

If No, attach as an Exhibit a full explanation.

Exhibit No.  
n/a

<u>Federal Communications Commission</u>	
Docket No. <u>96-172</u>	MMB <u>1</u>
Presented by <u>Mass Media Bureau</u>	
Disposition	Identified <u>X</u>
	Received <u>X</u>
	Rejected
Reporter <u>Ray Ferson</u>	
Date <u>11/14/96</u>	

**SECTION III - ASSIGNEE'S FINANCIAL QUALIFICATIONS**

The applicant certifies that sufficient net liquid assets are on hand or are available from committed resources to consummate the transaction and operate the facilities for three months.

Yes  No

**SECTION IV - ASSIGNEE'S PROGRAM SERVICE STATEMENT**

Attach as an Exhibit a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.  
C

**SECTION V - ASSIGNEE'S EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

Does the applicant propose to employ five or more fulltime employees?

Yes  No

If the answer is Yes, the applicant must include an EEO program called for in the separate Model EEO Program Report (FCC Form 396-A).

**SECTION VI - CERTIFICATION**

**Part I - Assignor**

1. Has or will the assignor comply with the public notice requirement of 47 C.F.R. Section 73.3580?

Yes  No

2. By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

Yes  No

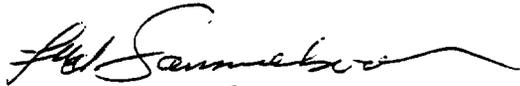
The ASSIGNOR acknowledges that all its statements made in this application and attached exhibits are considered material representations, and that all of its exhibits are a material part hereof and are incorporated herein.

The ASSIGNOR represents that this application is not filed by it for the purpose of impeding, obstructing, or delaying termination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the ASSIGNOR has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in the information furnished.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).**

I certify that the ASSIGNOR'S statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name of Assignor Alpha Broadcasting, Inc.	Signature  Fred Samuelson
Title Officer/Director/SEC	Date 8/16/93

SECTION VI - CERTIFICATION (Page 2)

Part II - Assignee

By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

Yes  No

The ASSIGNEE hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The ASSIGNEE acknowledges that all its statements made in this application and attached exhibits are considered material representations, and that all its exhibits are a material part hereof and are incorporated herein.

The ASSIGNEE represents that this application is not filed by it for the purpose of impeding, obstructing or delaying termination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the ASSIGNEE has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in the information furnished.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OF CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).**

I certify that the ASSIGNEE'S statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name of Assignee  Mario Leredo	Signature  Mario Leredo <i>Mario Leredo</i>
Title  (an individual)	Date  8-17-93

**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 Commission will use this information to determine whether grant of this application is in the public interest. In reaching that determination, or for law enforcement purposes, it may become necessary to refer personal information contained in this form to another government agency. In addition, all information provided in this form will be available for public inspection. If information requested on the form is not provided, processing of the application may be delayed or the application may be returned without action pursuant to the Commission's rules. Your response is required to obtain the requested authority.

**THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 95-579, DECEMBER 31, 1974, 5 U.S.C. 552(e)(3) AND THE PAPERWORK REDUCTION ACT, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.**

## EXHIBIT A

Exhibit A contains the Letter of Intent by and between Alpha Broadcasting, Inc. ("Alpha") and Mario Loredó ("Loredó"), and the documentation to support the purchase price for the assignment of the construction permit for FM broadcast station KZQD at Liberal, Kansas. The purchase price of \$4,000.00 for the acquisition of the permit does not exceed the expenses legitimately and prudently expended by the Assignor, Alpha, for the preparation, filing and advocacy of the grant of its application for station KZQD, and for other steps reasonably necessary toward placing the station in operation. These expenses are reimbursable pursuant to Section 73.3597(c)(3)(ii) of the Commission's Rules. The documentation contained in this Exhibit reflects those expenses.

Exhibit A also contains declarations pursuant to Section 73.3597(c)(3)(i) and Section 73.3535 of the Commission's Rules.

LETTER OF INTENT

Alpha Broadcasting, Inc. ("Alpha"), the permittee of FM radio broadcast station KZQD, Liberal, Kansas, and Mario Loredo hereby enter into this Letter of Intent in order to memorialize their agreement with respect to the purchase of the FCC authorization and associated assets of KZQD.

1) Mr. Loredo agrees to reimburse Alpha for its expenses incurred in connection with the acquisition of the FCC authorization for KZQD up to a maximum of Four Thousand Dollars (\$4,000.00).

2) Upon execution of this Letter, Mr. Loredo will deposit with the law firm of Arter & Hadden, who shall serve as escrow agent, the sum of Two Thousand Dollars (\$2,000.00), to be distributed to Alpha if and when the parties consummate this transaction. If the parties do not consummate the transaction, unless the failure to consummate is due to Mr. Loredo's unwillingness or inability to go forward, the deposit will be returned to Mr. Loredo. Mr. Loredo knows of no reason why he will be unable or unwilling to consummate this transaction, including any reason why the FCC would not grant its approval for the assignment of the permit to Mr. Loredo.

3) At the closing of this transaction, Mr. Loredo will remit to Alpha the remaining Two Thousand Dollars (\$2,000.00) towards the purchase price.

4) Both parties shall cooperate in the preparation and filing of any necessary FCC applications and related documents. Both parties agree that this transaction is subject to the receipt of prior FCC approval for the assignment of the permit for KZQD, and will use their good faith best efforts to acquire that approval.

5) The parties will close on this transaction Forty Days (40) following the grant of FCC approval for the assignment of the permit, unless the parties mutually agree to consummate the transaction sooner.

WHEREFORE, both parties hereby execute this Letter of Intent in counterparts with the intent to be bound by its terms.

ALPHA BROADCASTING, INC.

MARIO LOREDO

\_\_\_\_\_

Mario Lored

\_\_\_\_\_

8-9-93

Date

Date

5) The parties will close on this transaction Forty Days (40) following the grant of FCC approval for the assignment of the permit, unless the parties mutually agree to consummate the transaction sooner.

WHEREFORE, both parties hereby execute this Letter of Intent in counterparts with the intent to be bound by its terms.

ALPHA BROADCASTING, INC.

MARIO LOREDO



8/16/93

Date

\_\_\_\_\_

\_\_\_\_\_

Date

ARTER & HADDEN

1801 K Street, N.W., Suite 400K  
Washington, D.C. 20006-1301  
202/775-7100  
Facsimile 202/857-0172  
Telex 6502156242-MCI

ORIGINAL

Writer's Direct Dial Number:

(202) 775-7138

May 4, 1995

Federal Communications Commission  
Mass Media Services  
P.O. Box 358195  
Pittsburgh, PA 15251-5195

Dear Sir or Madam:

Transmitted herewith, on behalf of Mr. Mario Loredo, the permittee of a new FM broadcast station, KZQD, Liberal, Kansas, are the original and two copies of an application on FCC Form 307, for additional time to construct the station.

Also included is a check, payable to the Commission, in the amount of \$230.00, for the filing fee for this application.

Please note also that this application contains a request for a temporary determination that the permittee complies with the public interest standard of Section 310(b) of the Communications Act.

Very truly yours,

*Gerald Stevens-Kittner*  
Gerald Stevens-Kittner

Enclosure

Federal Communications Commission	
Docket No. <u>96-172</u>	File No. <u>MMB-2</u>
Presented by <u>Mass Media Bureau</u>	
Disposition	Identified <u>X</u>
	Received <u>X</u>
	Rejected _____
Reporter <u>FRB Ray Freson</u>	
Date <u>11/14/96</u>	

IN CLEVELAND  
ARTER & HADDEN  
1100 Huntington Building  
925 Euclid Avenue  
Cleveland, Ohio 44115-1475  
216/696-1100

IN COLUMBUS  
ARTER & HADDEN  
10 West Broad Street, Suite 2100  
Columbus, Ohio 43215-3422  
614/221-3155

IN DALLAS  
ARTER, HADDEN,  
JOHNSON & BROMBERG  
1717 Main Street, Suite 4100  
Dallas, Texas 75201-4605  
214/761-2100

IN IRVINE  
ARTER & HADDEN  
2 Park Plaza, Suite 700  
Irvine, California 92714-8517  
714/252-7500

IN LOS ANGELES  
ARTER & HADDEN  
700 South Flower Street, Suite 3000  
Los Angeles, California 90017-4250  
213/629-9300

MMB Exh. #2  
MMB Ex. 2  
On 1

APPLICATION FOR EXTENSION OF BROADCAST CONSTRUCTION  
PERMIT OR TO REPLACE EXPIRED CONSTRUCTION PERMIT  
(CAREFULLY READ INSTRUCTIONS ON BACK BEFORE COMPLETING)

For Commission Use Only  
BMPH-950504 JA  
File No.

<p>1. Legal Name of Applicant (See Instruction 8)</p> <p>Mario Loreda</p>	<p>3. PURPOSE OF APPLICATION:</p> <p><input checked="" type="checkbox"/> a. Additional time to construct broadcast station</p> <p><input type="checkbox"/> b. Construction permit to replace expired permit</p>				
<p>2. Mailing Address (Number, street, city, state, ZIP code)</p> <p>106 W. Spruce Liberal, KS 67901</p>	<p>4. IDENTIFICATION OF OUTSTANDING CONSTRUCTION PERMIT:</p> <table border="1"> <tr> <td>File Number BPH-931210JH</td> <td>Call Letters KZQB</td> </tr> <tr> <td>Frequency 105.1 MHz</td> <td>Channel No. 286</td> </tr> </table>	File Number BPH-931210JH	Call Letters KZQB	Frequency 105.1 MHz	Channel No. 286
File Number BPH-931210JH	Call Letters KZQB				
Frequency 105.1 MHz	Channel No. 286				
<p>Telephone No. (Include Area Code)</p> <p>316-624-6229</p>	<p>Station Location</p>				

5. OTHER:  
Submit as Exhibit No. \_\_\_\_\_ a list of the file numbers of pending applications concerning this station, e.g., major or minor modifications, assignments, etc.

6. EXTENT OF CONSTRUCTION:

<p>Has equipment been delivered? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>answer the following:</p>	<p>(b) Has installation commenced? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
<p>Order placed <i>(if no order has been placed, so indicate)</i></p>	<p>If YES, submit as Exhibit No. _____ a description of the extent of installation and the date installation commenced.</p>
<p>Date Ordered</p>	<p>Date Delivery Promised</p>
<p>(c) Estimated date by which construction can be completed.</p>	

7. (a) If application is for extension of construction permit, submit as Exhibit No. 1 reason(s) why construction has not been completed.

(b) If application is to replace an expired construction permit, submit as Exhibit No. \_\_\_\_\_ the reason for not submitting a timely extension application, together with the reason(s) why construction was not completed during the period specified in the construction permit or subsequent extension(s).

8. Are the representations contained in the application for construction permit still true and correct?  YES  NO  
If NO, give particulars in Exhibit No. 2

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

CERTIFICATION

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

<p>Legal Name of Applicant</p> <p>Mario Loreda</p>	<p>Signature</p> <p><i>Mario Loreda</i></p>
<p>Title</p> <p>Individual</p>	<p>Date</p> <p>May 3, 1995</p>

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

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Application, FCC Form 307, for Extension of  
Broadcast Construction Permit  
Mario Loredo  
KZQD(FM), Liberal, Kansas

EXHIBIT 1

Mario Loredo consummated the acquisition of the construction permit for KZQD(FM), Liberal, Kansas, from Alpha Broadcasting, Inc. on May 4, 1994, and notified the Commission of the consummation of the assignment by letter on that same date. See File No. BAPH-903824GE. The Commission's Consent to Assignment, FCC Form 743-FM, dated March 8, 1994, established May 4, 1995 as the construction completion deadline.

Mr. Loredo hereby requests an extension of time to complete construction in order to relocate the transmitter site. The currently authorized site requires that Mr. Loredo construct a new tower. Mr. Loredo has located an existing tower upon which he can mount his transmit antenna, and a minor modification of construction permit application will be filed within a matter of days. This will be a much more cost effective operation, and will enable Mr. Loredo to devote a much higher proportion of his finite resources to program services. The new site is also a mere 3 miles from the planned studio location, whereas the currently authorized site is 18 miles from the planned studio. The alternative site has the additional advantage for Mr. Loredo of including an option to purchase the tower at some later date.

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KZQD will be the only Spanish language radio station in the Liberal, Kansas area. Hispanic residents represent fully one-third of the total population, and KZQD will provide an important media outlet for a grossly underserved part of the citizenry. To the extent that Mr. Loredo, himself an Hispanic, will be able to develop a financially viable radio station, by, among other elements, minimizing his overhead costs, the public interest will be served.

Upon grant of the forthcoming minor modification of construction permit application, Mr. Loredo anticipates completing construction within 3 to 6 months, and does not anticipate needing to file another extension request.

For good cause shown, Mr. Loredo respectfully submits that the public interest will be served by a grant of this extension of permit request.

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Application, FCC Form 307, for Extension of  
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EXHIBIT 2

In response to Item 8 of FCC Form 307, Mr. Loredo recently realized that he inadvertently provided an incorrect answer in the Assignee's portion of the FCC Form 314, Application for Consent to Assignment of Broadcast Station Construction Permit or License, which he filed in conjunction with Alpha Broadcasting, Inc. on August 24, 1993. File No. BAPH-930824GE. Item 4(b), Section II of the Form requested Mr. Loredo's citizenship. Mr. Loredo indicated that he is a U.S. citizen when in fact, Mr. Loredo was then and remains now a citizen of Mexico.

Mr. Loredo has resided in the United States for 22 years, and is a legal resident of the U.S. He is in the process of applying for United States citizenship, and has been informed by his lawyer that citizenship should be forthcoming within 6 months, and possible sooner.

Given that Mr. Loredo does not anticipate commencing operation of KZQD prior to the resolution of his citizenship status, Mr. Loredo respectfully asks the Commission to rule that his temporary status as a non-U.S. citizen permittee meets the public interest standard of Section 310 of the Communications Act of 1934, as amended. (See Exhibit 1 for additional public interest factors.) Mr. Loredo will keep the Commission apprised of his status, and

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will work diligently towards a prompt resolution. If he becomes aware of the possibility of a protracted delay, or other significant obstacle, to obtaining U.S. citizenship, he will so notify the Commission.