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RECEIVED

MAR 26 1997

March 26, 1997

0339.008

BY HAND

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

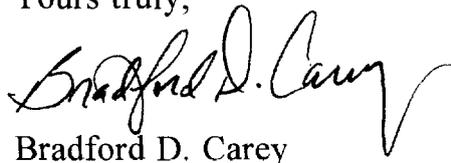
RE: American Family Association, Marksville, Louisiana
and Educational Radio Foundation of East Texas, Inc.,
Jena, Louisiana, et al.
For a Construction Permit for a New NCE-FM Station
on Channel 201
MM Docket No: 97-78
Petition for Leave to Amend

Dear Mr. Caton:

Enclosed please find the original and six (6) copies of a Petition for Leave to Amend (with attached Amendment) for filing with the Commission in connection with the above-captioned. here is no fee required with this filing since it is for a noncommercial FM station.

If you should have any questions regarding this matter, kindly direct them to the undersigned.

Yours truly,


Bradford D. Carey

BDC/mv
Enclosures

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DOCKET FILE NO. 97-78

MAR 26 1997

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

In re Applications of)	MM Docket No. 97-78
)	
)	
AMERICAN FAMILY ASSOCIATION)	File No. BPED-940214MA
(Hereinafter "Family"))	
Marksville, Louisiana)	
Req: 88.1 MHz, Channel 201c)	
40 kW(H);100 kW(V);366 meters)	
)	
EDUCATIONAL RADIO FOUNDATION)	File No. BPED-940804MA
OF EAST TEXAS, INC.)	
(Hereinafter "Radio"))	
Jena, Louisiana)	
Req: 88.1 MHz, Channel 201)	
15.5kW(H);70 kW(V);307 meters)	

For Construction Permit for a
New Noncommercial Educational
FM Station

PETITION FOR LEAVE TO AMEND

Educational Radio Foundation of East Texas, Inc. (the "Foundation") hereby petitions for leave to amend its application. The proffered Amendment, a copy of which is attached hereto, provides updated information regarding the applicant and its other broadcast interests and applications. None of the information is believed to be of decisional significance. The information provided may not even be material to the hearing, based on the presently designated issues. It is presented out of an abundance of caution, in view of 47 C.F.R. §1.65 and to assure that the parties and the Presiding Judge have current information regarding the Foundation.

Good cause exists for acceptance of the attached Amendment.

The Attached Amendment is being filed within a few days of receipt of the Notice of Appearance of AFA and prior to the scheduled prehearing conference.

The Foundation's application for a construction permit and the competing application of American Family Association have been on file with the Commission for several years. The Commission had indicated that it would withhold the designation for hearing of applications pending the adoption of new comparative criteria. With the designation of the Foundation's application and that of AFA for hearing on technical issues (and the simultaneous designation for hearing of several similar cases), the Commission has signaled a limited thaw in its hearing freeze. In view of the long-term freeze and the thaw which applicants could not have anticipated, it is clear that the Foundation has acted with due diligence in filing this Amendment by the prehearing conference date.

The Amendment reports that a few persons who were members of the Board of Directors of the Foundation when the Application was filed no longer are on the Board. The Amendment also provides updated information on other applications that the Foundation has filed with the Commission. Thus, by this Amendment the Foundation provides updated information as contemplated by 47 C.F.R. §1.65.

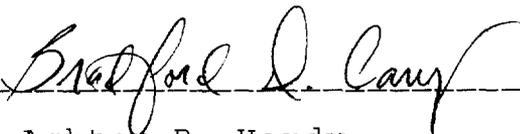
Acceptance of this Amendment will not require enlargement of the issues or the addition of other parties to the proceedings.

Finally, acceptance of this Amendment will not disrupt the hearing, prejudice other parties, or result in any comparative advantage accruing to the Foundation.

The multipart test of *Erwin O'Connor Broadcasting Co.*¹ is fully satisfied. The Foundation has acted with due diligence; the amendment was not "voluntary," it will not require enlargement of the issues or addition of other parties, prejudice other parties, disrupt the hearing or create an advantage for the Foundation.

Wherefore, premises considered, Educational Radio Foundation of East Texas, Inc. urges that this Petition for Leave to Amend be **GRANTED** and that the Attached Amendment be **ACCEPTED**.

Respectfully Submitted,

BY:  _____

Ashton R. Hardy
Bradford D. Carey
J. Michael Lamers

Hardy & Carey
111 Veterans Blvd., Suite 255
Metairie, LA 70005
(504) 830-4646

March 25, 1997

¹ 22 FCC 2d 140,143 (Rev. Bd., 1970).

CERTIFICATE OF SERVICE

I, Mary Vance, a secretary in the law firm of Hardy & Carey, L.L.P., do hereby certify that a copy of the above and foregoing Notice of Appearance has been served on the following by mailing a copy of same via U.S. Mail, postage prepaid, this 26th day of March, 1997, addressed as follows:

*Administrative Law Judge Edward Luton
Federal Communications Commission
2000 L Street, N.W.
Washington, D.C. 20036

American Family Association
P. O. Drawer 2440
Tupelo, MS 38803

*Mr. James Shook
Mass Media Bureau
Federal Communications Commission
1919 M Street, Room 702
Washington, D.C. 20036

*Chief, Data Management
Audio Services Division
Mass Media Bureau
Federal Communications Commission
1919 M Street
Washington, D.C. 20036


Mary Vance

*By Hand

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

In re Application of)	
)	
EDUCATIONAL RADIO FOUNDATION)	FCC File No:
OF EAST TEXAS, INC.)	
)	BPED-940804MA
For a Construction Permit)	
For a New NCE-FM Station)	
Jena, Louisiana)	
)	

To: Administrative Law Judge Edward Luton

AMENDMENT TO PENDING APPLICATION

The above captioned application is hereby amended to include the attached materials.

I hereby certify that the statements made in this amendment are true and accurate to the best of my knowledge and belief and are made in good faith. I further certify that neither the applicant nor, in the case of a non-individual applicant, any party to the application, is subject to a denial of federal benefits that includes F.C.C. benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.

Name of Applicant: Educational Radio Foundation of East Texas, Inc.

Signed By: *J. A. Doherty*

Title: Secretary

Date: March 24, 1997

EDUCATIONAL RADIO FOUNDATION OF EAST TEXAS
BOARD OF DIRECTORS

Mr. Bob Breedlove
Breedlove Insurance
P. O. Box 6500
Tyler, TX 75711

Mr. Walter Smith
Retired Instructor
2535 Northcrest Drive
Tyler, TX 75702

Mr. Lee Caple
Lee Caple & Associates, Inc.
1127 Judson Road, Suite 144
Longview, TX 75601

Dr. Pat Thomas
Surgeon
520 S. Douglas
Tyler, TX 75702

Mr. J. Robert Dobbs (Secretary)
Attorney
100 Independence Place
Suite 400
Tyler, TX 75703

Mr. Stew Stimson
Dentist
15126 Hwy. 110 So.
Whitehouse, TX 75791

Dr. Phil Hook (Vice-President)
Executive Director
NE 36 Lake Cherokee
Longview, TX 75603

Judge Tom B. Ramey, Jr.
(President)
P. O. Box 8023
Tyler, TX 75711

Mr. A. W. Riter
110 N. College
Suite 1406
Tyler, TX 75702-7233

Each of the members of the Board of Directors has one vote. Offices held are indicated in parenthesis.

Additionally,

Ms. Shelley Chapin
5098 South Elkhart Ct
Aurora, CO 80015

serves as an Officer, being designated as the Chief Executive Officer.

Mr. Phillip Hook, a Director of the Foundation and its Vice President, and Ms. Shelley Chapin, a non-voting Director of the Foundation, were General Partners in an application for a construction permit to build a new commercial FM broadcast station at Tyler, Texas. The application was voluntarily dismissed by the applicant as part of a settlement of the proceeding. Ms. Chapin and Mr. Hook's application was subject only to the standard comparative issues.

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Before the
Federal Communications Commission
Washington, D.C.

In re:)
)
APPLICATION OF:)
)
EDUCATIONAL RADIO)
FOUNDATION)
OF EAST TEXAS, INC.)
)
FOR A NEW NON-COMMERCIAL)
EDUCATIONAL FM STATION)
)

EXHIBIT 3

INTERESTS IN, AND CONNECTIONS WITH, OTHER STATIONS AND APPLICATIONS.

Educational Radio Foundation of East Texas, Inc., (the "Foundation" or "Applicant"), is the licensee of Non-Commercial, Educational FM Broadcast Stations KVNE and KGLY, Tyler, Texas. It also is an applicant for new, non-commercial educational FM Broadcast stations to be licensed to Jena, Louisiana, Cotton Valley, Louisiana, and White Oak, Texas.

The Foundation also is the Licensee of translator station K214BE, Shreveport, Louisiana.