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August 29, 2007

VIA HAND DELIVERY

Ms. Marlene H. Dortch, Secretary Federal Communications Commission 445 Twelfth Street, S.W. Room TW-A325 Washington, D.C. 20554 FILED/ACCEPTED

AUG 2 9 2007

Federal Communications Commission
Office of the Secretary

Re: REQUEST TO WITHDRAW

FCC Form 340 - Minor Modification to Construction Permit

KCAI(FM), Congress, Arizona (FIN: 90917)

FCC File No. BMPED-20070405AAN

Dear Ms. Dortch:

On behalf of Educational Media Foundation ("EMF"), permittee of FM radio station KCAI, Congress, Arizona, this letter is to request withdrawal of the above-referenced minor modification application. See FCC File No. BMPED–20070405AAN. A copy of the application is attached. Accordingly, please update your records to reflect this withdrawal.

Should there be any questions regarding this matter, please contact the undersigned.

Respectfully submitted,

Karen A. Ross

Enclosure

Federal Communications Commission Washington, D.C. 20554 FCC 340 Approved by OMB 3060-0029 (February 2007)	OR FCC USE ONLY
APPEICATION FOR CONSTRUCTION PERIMIT	FOR COMMISSION USE ONLY FILE NO. BMPED - 20070405AAN

Section I - General Information

	tion 1 - General Information		<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>		
1.	Legal Name of the Licensee/Permi EDUCATIONAL MEDIA FOUNI	ttee DATION		FILED/ACCEPTED	
	Mailing Address			AUG 2 9 2007	
	5700 WEST OAKS BLVD.			Fed eral Commu nications Commission Office of the Secretary	
	City ROCKLIN	State or Co CA	ountry (if foreign address)	Zip Code 95765 -	
	Telephone Number (include area code) 9162511600		dress (if available) MFBROADCASTING.COM		
	FCC Registration Number: 0004121000	Call Sign KCAI		Facility Identifier 90917	
2.	Contact Representative (if other the DAVID D. OXENFORD, ESQ.	an licensee/I	Permittee)	Firm or Company Name DAVIS WRIGHT TREMAINE LLP	
	Telephone Number (include area code) 2025086600			E-Mail Address (if available) DAVIDOXENFORD@DWT.COM	
3.	Is this application being filed in real If Yes, specify closing date and/or	sponse to a v window nur	vindow? nber:	C Yes 6 No	
4	Application Purpose				
	C New station		Major Modification of construction permit Minor Modification of construction permit Major Amendment to pending application		
	C Major Change in licensed faci	lity			
	Minor Change in licensed faci	lity			
	(a) File number of original construe permit:	action	C Minor Amendment to pending BPED-19980611ME	application	
	(b) Service Type: (c) Community of License: City: CONGRESS State: AZ		$C_{FM} \cap TV \cap DTV$		
	(d) Facility Type		• Main C Auxiliary		
	If an amendment, submit as an E portions of the pending application		ing by Section and Question Numbeing revised.	r the [Exhibit 1]	

NOTE: The failure to include an explanatory providing full particulars in connection with a "No" response may

result in dismissal of the application. See Instructions, paragraph L for additional information regarding completion of explanatory exhibits.

SECTION II - Legal and Financial

1.	Certification. Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	€ Yes C No
2.	Eligibility. Each application must answer "Yes" to one and "No" to two of the three following certifications. An applicant should not submit an explanatory exhibit in connection with these Question 2 "No" responses.	
	The applicant certifies that it is:	
	a. a nonprofit educationl institution; or	C Yes No
	b. a governmental entity other than a school; or	C Yes © No
	c. a nonprofit educationl organization, other than described in a. or b.	• Yes C No
3.	For applicants checking "Yes" to question 2(c) and applying for a new noncommercial education television station only, the applicant certifies that the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural, and civic segments of the principal community to be served.	C _{Yes} C _{No} € _{N/A}
4.	a. The applicant certifies that the Commission has previously granted a broadcast application identified here by file number that found this applicant qualified as a noncommercial educational entity with a qualifying educational program, and that the applicant will use the proposed station to advance a program similar to that the Commission has found qualifying in applicant's previous application.	Yes No FCC FileNumber BPED- 19970925MB [Exhibit 2]
	b. Applicants who answered "No" to Question 4(a), must include an exhibit that describes the applicant's educational objective and how the proposed station will be used to advance an educational program that will further that objective according to 47 C.F.R. Section 73.503 (for radio applicants) and 47 C.F.R. Section 73.621 (for television applicants).	
5.	The applicant certifies that its governing documents (e.g., articles of incorporation, by-laws, charter, enabling statute, and/or other pertinent organizational document) permit the applicant to advance an educational program and that there is no provision in any of those documents that would restrict the applicant from advancing an educational program or complying with any Commission rule, policy, or provision of the Communications Act of 1934, as amended.	€ Yes C No
6.	a. Parties to the Application. List separately each party to the application including, as applicable, the applicant, its officers, directors, five percent or greater stockholders, non-insulated partners, members, and all other persons and entities with attributable interests. If another entity hold an attributable interest in the applicant, list separately, as applicable, its officers, directors, five percent or greater stockholders, non-insulated partners, and board members. Create a separate row for each individual or entity. Attach additional pages if necessary.	
	[Enter Parties/Owners Information]	
	Parties to the Application	
	List separately each party to the application including, as applicable, the applicant, its officers, directors, five percent or greater stockholders, non-insulated partners, members, and all other persons and entities with attributable interests. If another entity hold an	

	five p	ercent or	greater s	he applicant, list s tockholders, non- idividual or entity	insulated par	rtners, and	l board n	nembers. (
	(a) N Res	lame and sidence lress(es)	·	<u> </u>	(d) Director or Member of Governing	Owners	(e)% of hip(O) o S) or Me (M)	·····	(f) % of: of Total Assets (equity plus debt)	
	10	SEE HIBIT 3			C Yes					
	attrib under	utable pu standing	rsuant to s with an	equity and finance 47 C.F.R. Section of non-party that well, or finances to the	73.3555 and rould give in	d that ther	e are no	agreemen	ts or	• Yes C No [Exhibit 3]
7.	stations	in which	applican	st call signs, local t or any party to the C.F.R. Section 7	ne applicatio					N/A [Exhibit 4]
8.	has or h a. an un or	as had an y broadca resolved	ny interest ast applic or were r	ant certifies that n in or connection ation in any proce esolved adversely st application in v	with: eding where against the	character applicant	issues v or party	vere left to the app		C Yes No See Explanation in [Exhibit 5]
9.	applicat made, n civil or followir	ion, and a or has an criminal ng: any fe	any non-padverse : proceedirelony; ma	cant certifies that, party equity owner final action been to g brought under the semedia-related acronment unit; or descriptions.	r in the appli aken by any the provision antitrust or u	cant, no a court or a as of any l nfair com	dverse f dministi aw relate	inding has rative body ed to any o	been y in a of the	Yes No See Explanation in [Exhibit 6]
	matters proceed Where t applicat identific applicat informa	involved ling (by d the requis- tion or as cation of tion, the c	, includin lates and : site inform required that previ	ch as an Exhibit ag an identification file numbers), and nation has been early 47 C.F.R. Sections submission by of the station regit the date of filing	n of the the of a description arlier disclostion 1.65, the y reference to garding whice	ourt or acount of the count of the count of the count of the file the applicant of the appl	lministra isposition nection v t need or number ication o	tive body on of the movith another only provided in the case or Section	and the natter. er e: (i) an e of an 1.65	
10.	Section	310 of th		ontrol. Applicant unications Act of						Yes C No See Explanation in [Exhibit 7]
11.	with its	obligation	ns as a co	cation. Applicant ommission license acing the station's	e to present	a prograr	n service	e responsiv	comply ve to the	€ Yes C No
12.										

	Local Public Notice. Applicant certifies compliance with the public notice requirements of 47 C.F.R. Section 73.3580.	e Yes C No
13.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant 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.	€ Yes C No
14.	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 application a Model EEO Program Report on FCC Form 396-A.	C Yes C No € N/A
	ESTIONS 15, 16 AND 17 APPLY ONLY TO APPLICANTS FOR NEW STATIONS. OTH N PROCEED TO QUESTION 18.	HER APPLICANTS
15.	Financial. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue. If "No" to 15., answer question 16. and 17.	Yes C No See Explanation in [Exhibit 8]
16.	Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration?	C Yes € No
17.	Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision?	C Yes © No
or a acti app by connot	TE: If Yes to 16. or 17., the application cannot be granted unconditionally until all of the necess appropriated. In the case of grants from the National Telecommunications and Information Admition on the applicant's part is required. If the applicant relies on funds from a source specified in Colicant must advise the Commission when the funds are committed or appropriated. This sletter amendment to the application. Applicants should take note that the Commission's construct asidered "tolled" by funding difficulties and that any permit granted conditionally on funding will constructed for any reason, including lack of funding. JESTIONS 18 AND 19 DO NOT APPLY TO APPLICATIONS FOR NEW STATIONS. All WESTATIONS CAN PROCEED TO SECTION III. APPLICANTS FOR NEW TV ST	nistration, no further Question 17., the nould be accomplished tion period is not l expire if the station is PPLICANTS FOR
	OCEED TO SECTION IV.	ATIONS CAN
Ho	lding Period.	
18.	that was awarded on the basis of a preference for fair distribution of service pursuant to 47 U.S.C. Section 307(b).	C Yes C No
	If "No," answer a. and b. below. If applicant answers "No" to 18. above and cannot answer "Yes" to either a. or b. below, the application is unacceptable.	
	a. Applicant certifies that the proposed modification will not downgrade service to the area on which the Section 307(b) preference was based.	C Yes C No
	b.A pplicant certifies that although it proposes to downgrade service to the area on which the Section 307(b) preference was based, applicant has provided full service to that area for a period of four years of on-air operations.	C Yes C No
19.	Applicant certifies that this application does not propose a modification to an authorized station that received a credit for superior technical parameters under the point system selection method in 47 C.F.R. Section 73.7003.	C Yes C No
	If "No," applicant must be able to answer "Yes" to a. below or provide an exhibit that makes a compelling showing that the downgrade would be in the public interest. a. Applicant certifies that the population and area within the proposed service contour (60 dBu (FM) or grade B (TV)) are greater than or equivalent to those authorized.	C Yes C No [Exhibit 9]

Section III

Fair Distribution of Service Pursuant to 47 U.S.C. Section 307(b) (New and Major Changes to FM Radio Only) (Other applicants can proceed to Section IV).

Applicant certifies that the proposed station will provide a first noncommercial educational aural service to (a) at least 10 percent of the people residing within the station's 60 dBu (1mV/m) service	C Yes C No
contour and (b) to a minimum of 2,000 people. Applicants answering "Yes" must provide an Exhibit.	[Exhibit 10]
Applicant certifies that the proposed station will provide a second noncommercial educational aural service to (a) at least 10 percent of the people residing within the station's 60 dBu (1mV/m) service	C Yes C No
contour and (b) to a minimum of 2,000 people. Applicants answering "Yes" must provide an Exhibit.	[Exhibit 11]

Section IV Point System Factors - New and Major Change Applications Only (used to select among mutually exclusive radio and television applications for new stations and major modifications) NOTE: Applicants will not receive any additional points for amendments made after the close of the application filing window.

1.	Established Local Applicant: Applicant certifies that for at least the 24 months immediately prior to application, and continuing through the present, it qualifies as a local applicant pursuant to 47 C.F.R. Section 73.7000, that its governing documents require that such localism be maintained, and that it has placed documentation of its qualifications as an established local applicant in a local public inspection file and has submitted to the Commission copies of the documentation.	C Yes C No
2.	Diversity of Ownership: (a) Applicant certifies that the principal community (city grade) contour of the proposed station does not overlap the principal community contour of any other authorized station (comparing radio and television to television, including non-fill-in translator stations other than those identified in 2(b) below) in which any party to the application has an attributable interest as defined in 47 C.F.R. Section 73.3555, that its governing documents require that such diversity be maintained, and that it has placed documentation of its diversity qualification in a local public inspection file and has submitted to the Commission copies of the documentation.	C Yes C No
	(b) Is the application's certification to 2(a) based on its exclusion of translator station(s) that will be replaced with a full service station pursuant to the authorization requested here?	C Yes C No
	If Yes, applicant must include an exhibit identifying the translator station authorization for which it will request cancellation upon commencement of operation of the proposed full service station (i.e., upon its filing of a license application and receipt of program test authority).	[Exhibit 12]
3.	State-wide Network: Applicant certifies that (a) it has NOT claimed a credit for diversity of ownership above: (b) it is one of the three specific types of organizations described in 47 C.F.R. Section 73.7003(b)(3); and (c) it has placed documentation of its qualifications in a local public inspection file and has submitted to the Commission copies of the documentation.	C Yes C No
4.	Technical Parameters: Applicant certifies that the numbers in the boxes below accurately reflect the new area and population that its proposal would serve with a 60 dBu (FM) or Grade B (TV) signal measured in accordance with the standard predicted contours in 47 C.F.R. Section 73.713(c) (FM) and 73.683(TV) and that it has documented the basis for its calculations in the local public inspection file and has submitted copies to the Commission. Major modification applicants should include the area of proposed increase only (exclude any area already within the station's existing service area). (Points, if any, will be determined by FCC)	C Yes C No
	New area served in square kilometers (excluding areas of water):	<u> </u>
	Population served based on the most recent census block data from the United States Bureau of Census using the centroid method:	
Si	ECTION V - Tie Breakers - New and Major Change Applications Only (used to choose among c levision applications receiving the same number of points in Section IV)	ompeting radio and
1.	Existing Authorizations. By placing a number in the box, the applicant certifies that it and other papplication have, as of the date of filing and pursuant to 47 C.F.R. Section 73.3555, attributable into number of relevant broadcast station authorizations. Radio applicants should count all attributable for	erests in the stated

stations, AM and FM, commercial and noncommercial, and FM translator stations other than fill-in stations or those identified in IV (2)(b) above. TV applicants should count all attributable full service TV stations, commercial and

noncommercial and TV translator stations other than fill-in stations or those identified in IV(2)(b) above. (number of commercial and non-commercial licenses and construction permits)

Pending Applications. By placing a number in the box, the applicant certifies that it and other parties to the application have, as of the date of filing and pursuant to 47 C.F.R. Section 73.3555, attributable interests in the stated number of pending applications for new or major changes to relevant broadcast stations. Radio applicants should count all attributable full service radio stations, AM and FM, commercial and noncommercial, and FM translator stations other than fill-in stations or those identified in IV(2)(b) above. TV applicants should count all attributable full service TV stations, commercial and noncommercial, and TV translator stations other than fill-in stations or those identified in IV(2) (b) above. (number of pending commercial and non-commercial applications)

Section VI -- Certification

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive 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 request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing RICHARD JENKINS, PRESIDENT, EMF	Typed or Printed Title of Person Signing PRESIDENT, EMF
Signature	Date 03/19/2007

Section VII Preparer's Certification

I certify that I have prepared Section VII (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name DAVID VELASQUEZ		Relationship to Applicant (e.g., Consulting Engineer) SENIOR APPLICATION PROCESSOR	
Signature	Date 03/19/2007		
Mailing Address 5700 WEST OAKS BLVD.			
City ROCKLIN	State or Country (if foreign address) CA	Zip Code 95765-	
Telephone Number (include area code) 9162511600	E-Mail Address (if available) EFILE@EMFBROADCASTING.COM	1	

WILLFUL FALSE STATEMENTS 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 FORFEITÛRE (U.S. CODE, TITLE 47, SECTION 503).

Sec	tion VII - FM Engineering
Ens	CHNICAL SPECIFICATIONS sure that the specifications below are accurate. Contradicting data found elsewhere in this application will be regarded. All items must be completed. The response "on file" is not acceptable.
<u> </u>	СН ВОХ
1.	Channel Number: 220
	Class (select one): C D C A C B1 C B C C3 € C2 C C1 C C0 C C

3.	Antenna Location Coordinates: (NAD 27) Latitude:	
	Degrees 34 Minutes 14 Seconds 3 North C South	
	Longitude:	
	Degrees 112 Minutes 22 Seconds 2	
4.	Proposed Assignment Coordinates: (NAD 27) - RESERVED CHANNE. Latitude:	LS ABOVE 220 ONLY 🔽 Not Applicable
	Degrees Minutes Seconds C North C South	
:	Longitude:	
	Degrees Minutes Seconds C West C East	
5.	Antenna Structure Registration Number: Not Applicable Notification filed with FAA	
6.		37 meters
<u></u>	Height of Radiation Center Above Mean Sea Level:	2357 meters(H) 2357 meters(V)
\square	Height of Radiation Center Above Ground Level:	33 meters(H) 33 meters(V)
\blacksquare	Height of Radiation Center Above Average Terrain:	824 meters(H) 824 meters(V)
10.	Effective Radiated Power:	1 kW(H) 1 kW(V)
11.	Maximum Effective Radiated Power: (Beam-Tilt Antenna ONLY) Not Applicable	kW(H) kW(V)
12.	Birrational Antonna Paletina Field Volume V Not applicable (Nondir	rectional)
	Directional Antenna Relative Field Values: ** Not applicable (Nondir	,
	Rotation (Degrees):	
	Degrees Value Degrees Value Degrees Value Degrees Value Degrees	
•	0 10 20 30 40	50
	60 70 80 90 100 120 130 140 150 160	110
	180 190 200 210 220	230
	240 250 260 270 280	290
	300 310 320 330 340	350
	Additional Azimuths	
	Relative Field Polar Plot	
	NOTE: In addition to the information called for in this section, an e	
	must be submitted for each question for which a "No" response is p	provided.
	CERTIFICATION	
	AUXILIARY ANTENNA APPLICANTS ARE NOT REQUIRED T	
13.	Main Studio Location. The proposed main studio location complies 73.1125.	with 47 C.F.R. Section C Yes No
		See Explanation in [Exhibit 13]
14.	Community Coverage. The proposed facility complies with 47 C.F.J. (Channels 221 and above) or 47 C.F.R. Section 73.515 (Channels 220 a	

Page 8 of 8

15. Interference. The proposed facility complies with all of the following applicable rule sections.	€ Yes C No
Check all that apply:	See Explanation in [Exhibit 15]
Contour Overlap Requirements. a. 47 C.F.R. Section 73.509 Exhibit Required.	[Exhibit 16]
Spacing Requirements. b. 47 C.F.R. Section 73.207 with respect to station(s)	
Grandfathered Short-Spaced. c. 47 C.F.R. Section 73.213(a) with respect to station(s) Exhibit Required.	[Exhibit 17]
Contour Protection. d. ✓ 47 C.F.R. Section 73.215(a) with respect to station(s) Exhibit Required.	[Exhibit 18]
Television Channel 6 Protection. e. 47 C.F.R. Section 73.525 with respect to station(s) Exhibit Required.	[Exhibit 19]
16. Reserved Channels Above 220. a. Availability of Channels. The proposed facility complies with the assignment requirements of 47 C.F.R. Section 73.203.	C Yes C No See Explanation in [Exhibit 20]
17. International Borders. The proposed antenna location is not within 320 kilometers of the common border between the United States and Canada or Mexico.	C Yes € No C Canada € Mexico
If "No," specify the country and provide an exhibit of compliance with all provisions of the relevant International Agreement.	[Exhibit 21]
18. Environmental Protection Act. The proposed facility is excluded from environmental processing under 47. C.F.R. Section 1.1306 (i.e., The facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Worksheet #7, an Exhibit is required.	• Yes C No See Explanation in [Exhibit 22]
By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.	,
19. Comm	