

(REFERENCE COPY - Not for submission)

# Renewal of License

File Number: **0000175224** | Submit Date: **12/01/2021** | Call Sign: **KWSD** | Facility ID: **29121** | FRN: **0015851751** | State:  
**South Dakota** | City: **SIOUX FALLS**

Service: **DTV** | Purpose: **Renewal of License** | Status: **Submitted** | Status Date: **12/01/2021** | Filing Status: **Active**

General  
Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	No

Fees, Waivers,  
and Exemptions

Section	Question	Response
Waivers	Does this filing request a waiver of the Commission's rule(s)?	No
	Total number of rule sections involved in this waiver request:	

Applicant  
Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
J.F. BROADCASTING, LLC	James F Simpson P.O. BOX 9609 RAPID CITY, SD 57709 United States	+1 (605) 391-3161	jsimpson@newscenter1.com	Limited Liability Company

Contact  
Representatives  
(1)

Contact Name	Address	Phone	Email	Contact Type
Daniel Kirkpatrick Baker & Hostetler LLP	1050 Connecticut Avenue, NW Suite 1100 Washington, DC 20036 United States	+1 (202) 861- 1758	dkirkpatrick@bakerlaw. com	Legal Representative

Renewal  
Certification

Section	Question	Response
Character Issues	Licensee certifies that neither the licensee nor any party to the application has or has had any interest in, or connection with, any broadcast application in any proceeding where character issues were left unresolved, or were resolved adversely against the applicant or any party to the application;	Yes
	Licensee certifies that neither the licensee nor any party to the application has or has had any interest in, or connection with, any pending broadcast application in which character issues have been raised..	Yes
Adverse Findings	Licensee certifies that, with respect to the licensee and each party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any laws related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	Yes
FCC Violations during the Preceding License Term	Licensee certifies that, with respect to the station(s) for which renewal is requested, there have been no violations by the licensee of the Communications Act of 1934, as amended, or the rules or regulations of the Commission during the preceding license term. If "No", the licensee must submit an explanatory exhibit providing complete descriptions of all violations.	Yes
Ownership	The licensee certifies that, with respect to the station(s) for which renewal is requested, it complied with 47 CFR Section 73.3555.	Yes
Alien Ownership and Control	Licensee certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.	Yes
Non-Discriminatory Advertising Sales Agreements	Commercial licensee certifies that its advertising sales agreements do not discriminate on the basis of race or ethnicity and that all such agreements held by the licensee contain non-discrimination clauses. Noncommercial licensees should select "not applicable."	Yes

**DTV/Class A  
Certification**

Section	Question	Response
<b>Biennial Ownership Report</b>	Licensee certifies that the station's Biennial Ownership Report (FCC Form 323 or 323-E) has been filed with the Commission, as required by 47 CFR Section 73.3615.	Yes
<b>EEO Program</b>	The station's Broadcast EEO Program Report (Form 2100, Schedule 396), has been filed with the Commission as required by 47 CFR Section 73.2080(f)(1).	Yes <b>File Number:</b> 0000175217
	The station has posted its most recent Broadcast EEO Public File Report on the station's website, as required by 47 CFR Section 73.2080(c)(6).	N/A
<b>Online Public Inspection File</b>	Licensee certifies that the documentation required by 47 CFR Sections 73.3526 or 73.3527, as applicable, has been uploaded to the station's public inspection file when required.	Yes
<b>Children's Programming Commercial Limitations</b>	For the period of time covered by this application, the licensee certifies that it has complied with the limits on commercial matter as set forth in 47 CFR Section 73.670 and the Commission's commercial limit policies related to host-selling and program-length commercials.	Yes
<b>Children's Television Programming Reports</b>	For the period of time covered by this application, the licensee certifies that it has filed with the Commission, and incorporates by reference, the Children's Television Programming Reports (FCC Form 2100, Schedule H) as described in 47 CFR Section 73.3526, containing all required information.	Yes
<b>Core Programming Processing Guidelines</b>	For the period of time covered by this application, the licensee certifies that the station has complied with the Core Programming criteria and Core Programming Processing Guidelines, as required by the Commission's rules that were in effect at the time the Core Program was aired.	Yes
<b>E/I Symbol</b>	The licensee certifies that, as required by 47 CFR Section 73.671(c)(5), it identifies each Core Program using the E/I symbol throughout the airing of each program.	Yes
<b>Notifying Publishers Of Program Guides</b>	The licensee certifies that it provides information identifying each Core Program aired on its station to publishers of program guides, as required by 47 CFR Section 73.673.	Yes
<b>Publicizing Children's Reports</b>	The licensee certifies that prior to January 21, 2020, it publicized the existence and location of the station's Children's Television Programming Reports (FCC Form 2100, Schedule H) as required by 47 CFR Section 73.3526 (e)(11)(iii).	Yes
<b>Continued Class A Eligibility</b>	Licensee certifies that its station does, and will continue to, broadcast: (a) a minimum of 18 hours per day; and (b) an average of at least 3 hours per week of programming each quarter produced within the market area served by the station, or by a group of commonly controlled low power or Class A stations whose predicted noise-limited contours are contiguous. See 47 CFR Section 73.6001.	
<b>Discontinued Operations</b>	Licensee certifies that during the preceding license term, the station has not been silent for any consecutive 12-month period.	Yes
<b>Silent Stations</b>	Licensee certifies that the station is currently on the air broadcasting programming intended to be received by the public.	Yes

<b>Environmental Effects</b>	Licensee certifies that the specified facility complies with the maximum permissible radio frequency electromagnetic exposure limits for controlled and uncontrolled environments.	Yes
<b>Adherence to Minimum Operating Schedule</b>	Licensee certifies that during the preceding license term the station has not been silent (or operating for less than its prescribed minimum operating hours) for any period of more than 30 days.	Yes
<b>Adherence to Operating Parameters</b>	Licensee certifies that during the preceding license term, the station has operated pursuant to authorized operating parameters, either pursuant to the terms of its license, special temporary authority, or as otherwise permitted under the Commission's rules.	Yes

Other BroadCast  
Certifications

Section	Question	Response
Other BroadCast Certifications	Does this application include one or more FM translator station(s) or TV translator station(s) or LPTV station(s), in addition to the station listed at the top of this section?	Yes

Other Broadcast Station(s):

Call Sign	Facility Id	Service Code
KCWS-LP	38116	LPX
KAUN-LP	26039	LPX

You have not selected any Other Broadcast Station.

TV Translator/ LPTV Certifications (2)

Call Sign: KCWS-LP

Section	Question	Response
Operational Status		
Silent Stations	Licensee certifies the station is currently on the air broadcasting programming intended to be received by the public.	No
Rebroadcast Status	Licensee certifies that the station is currently rebroadcasting the signal of a full power TV, Class A TV, or LPTV station.	No
Rebroadcast Consent	Licensee certifies that it has obtained written authority from the licensee of the primary station identified above for retransmitting the primary station's programming	N/A
EEO Program Report	Licensee certifies that it has filed with the Commission the station's Broadcast EEO Program Report (Form 2100, Schedule 396), and has posted the most recent Public File Report on the station's website (if it has one), as required by 47 CFR Sections 73.2080(f)(1) and 73.2080(c)(6).	Yes File Number:
Environmental Effects	Licensee certifies that the specified facility complies with the maximum permissible radio frequency electromagnetic exposure limits for controlled and uncontrolled environments.	Yes
Biennial Ownership Report	Licensee certifies that the station's Biennial Ownership Report (Form 2100, Schedules 323 or 323-E) has been filed with the Commission, as required by 47 CFR Section 74.797.	Yes
Discontinued Operations	Licensee certifies that during the preceding license term the station has not been silent for any consecutive 12-month period.	Yes
Adherence to Minimum Operating Schedules	Licensee certifies that during the preceding license term the station has not been silent (or operating for less than its prescribed minimum operating hours) for any period of more than 30 days.	No
Adherence to Operating Parameters	Licensee certifies that during the preceding license term the station has operated pursuant to its authorized operating parameters, either pursuant to the terms of its license, special temporary authority, or as otherwise permitted under the Commission's rules.	Yes

Call Sign: KAUN-LP

Section	Question	Response
Operational Status		
Silent Stations	Licensee certifies the station is currently on the air broadcasting programming intended to be received by the public.	No
Rebroadcast Status	Licensee certifies that the station is currently rebroadcasting the signal of a full power TV, Class A TV, or LPTV station.	No



<b>Rebroadcast Consent</b>	Licensee certifies that it has obtained written authority from the licensee of the primary station identified above for retransmitting the primary station's programming	N/A
<b>EEO Program Report</b>	Licensee certifies that it has filed with the Commission the station's Broadcast EEO Program Report (Form 2100, Schedule 396), and has posted the most recent Public File Report on the station's website (if it has one), as required by 47 CFR Sections 73.2080(f)(1) and 73.2080(c)(6).	Yes <b>File Number:</b>
<b>Environmental Effects</b>	Licensee certifies that the specified facility complies with the maximum permissible radio frequency electromagnetic exposure limits for controlled and uncontrolled environments.	Yes
<b>Biennial Ownership Report</b>	Licensee certifies that the station's Biennial Ownership Report (Form 2100, Schedules 323 or 323-E) has been filed with the Commission, as required by 47 CFR Section 74.797.	Yes
<b>Discontinued Operations</b>	Licensee certifies that during the preceding license term the station has not been silent for any consecutive 12-month period.	Yes
<b>Adherence to Minimum Operating Schedules</b>	Licensee certifies that during the preceding license term the station has not been silent (or operating for less than its prescribed minimum operating hours) for any period of more than 30 days.	No
<b>Adherence to Operating Parameters</b>	Licensee certifies that during the preceding license term the station has operated pursuant to its authorized operating parameters, either pursuant to the terms of its license, special temporary authority, or as otherwise permitted under the Commission's rules.	Yes

## Certification

Section	Question	Response
<b>General Certification Statements</b>	The Applicant 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 authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).	
	The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR §1.2002(b), for the definition of "party to the application" as used in this certification §1.2002 (c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.	
<b>Authorized Party to Sign</b>	<b>FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID</b> Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application. WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND /OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, §503).	
	I certify that this application includes all required and relevant attachments.	Yes
	I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.	<b>James F Simpson</b> <i>Managing Member</i>  12/01/2021

Attachments

File Name	Uploaded By	Attachment Type	Description
<a href="#">KWSD Renewal - EEO Public File Report Exhibit 4892-7186-9443 v.1.pdf</a>	Applicant	DTV/Class A Certifications	EEO Public File Report
<a href="#">Station KAUN-LP Silent Status Renewal Exhibit.pdf</a>	Applicant	Translator/LPTV Certification	KAUN-LP Certifications
<a href="#">Station KCWS-LP Silent Status Renewal Exhibit.pdf</a>	Applicant	Translator/LPTV Certification	KCWS-LP Certifications

## Station KWSD EEO Public File Report

KWSD's employment unit has fewer than five full-time employees and, accordingly, the Station is not required to prepare and/or post on its website an EEO Public File Report.

## Station KWSD Online Public Inspection File

### **Online Public Inspection File**

The FCC granted KWSD a short-term license renewal on January 30, 2018 for a term expiring on January 30, 2020 (CDBS File No. BRCDT- 20131122AVB); licensee filed a subsequent license renewal application on September 20, 2019, which was granted on January 29, 2021 (LMS File No. 0000081836). Accordingly, this renewal application addresses licensee's performance during the current license term beginning February 1, 2020. Since that time, licensee believes that it has fully complied with its obligations related to the online public inspection file.

### **Station KAUN-LP Minimum Operating Schedule and Silent Status**

Station KAUN-LP is currently silent pursuant to STA (LMS File No. 0000156070) while the licensee constructs the Station's post-transition digital facility and accordingly is not currently rebroadcasting the signal of any other broadcast station. That digital facility is authorized by construction permit (LMS File No. 0000138267), the expiration date of which has been extended to January 10, 2022 (LMS File No. 0000139105).

In addition to the current silent period, during the current license term, KAUN-LP was also silent during the following periods:

- February 21, 2015 to January 30, 2016 (Silent Notification (filed Feb. 23, 2015); STA Request, CDBS File No. BLSTA-20150318AAO; Resumption Notification, LMS File No. 0000007908).
- February 11, 2016 to January 30, 2017 (Suspension Notification, LMS File No. 0000008085; STA Request, LMS File No. 0000008341; STA Extension, LMS File No. 0000013887; Resumption Notification, LMS File No. 0000021756)).
- February 7, 2016 to January 30, 2018 (Suspension Notification, LMS File No. 0000022028; STA Request, LMS File No. 0000022170; STA Extension, LMS File No. 0000029422; Resumption Notification, LMS File No. 0000040993).
- January 24, 2019 to January 17, 2020 (STA Request, LMS File No. 0000067963; STA Extension, LMS File No. 0000080154; Resumption Notification, LMS File No. 0000098786).

### **Station KCWS-LP Minimum Operating Schedule and Silent Status**

Station KCWS-LP is currently silent pursuant to STA (LMS File No. 0000156069) while the licensee constructs the Station's post-transition digital facility and accordingly is not currently rebroadcasting the signal of any other broadcast station. That digital facility is authorized by construction permit (LMS File No. 0000138268), the expiration date of which has been extended to January 10, 2022 (LMS File No. 0000139106).

In addition to the current silent period, during the current license term, KCWS-LP was also silent during the following periods:

- February 8, 2014 to February 7, 2015 (STA Request, CDBS File No. BLSTA-20140305ABG; Resumption Notification (filed Feb. 9, 2015)).
- February 21, 2015 to February 17, 2016 (Silent Notification (filed Feb. 23, 2015); STA Request, CDBS File No. BLSTA-20150318AAP; Resumption Notification, LMS File No. 0000008103).
- March 1, 2016 to February 8, 2017 (Suspension Notification, LMS File No. 0000008340; STA Request, LMS File No. 0000008521; STA Extension, LMS File No. 0000014094; Resumption Notification, LMS File No. 0000021968).
- January 26, 2018 to January 24, 2019 (Suspension Notification, LMS File No. 0000041308; STA Request, LMS File No. 0000043044; STA Extension, LMS File No. 0000058894; Resumption Notification, LMS File No. 0000067263).
- October 22, 2020 to January 6, 2021 (Suspension Notification, LMS File No. 0000125179; STA Request, LMS File No. 0000126444; Resumption Notification, LMS File No. 0000130783).