

FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION FM

The following application is submitted for action by the Chief, Broadcast Bureau.

ST	FILE NUMBER	CALL	APPLICANT AND LOCATION	NATURE OF APPLICATION
NM	BALED -820118HM	KKTU 103.3MHZ	SPINDIZZY PUBCOM ALBUQUERQUE NM	VOL AL FROM SPINDIZZY PUBCOM TO FAMILY LIFE RADIO AUX FORM 314 *****ATTY. PETER GUTMANN

LICENSE EXPIRATION DATE OCT 1, 1980

CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT() CONSTRUCTION DATES, START _____ END _____

CONTESTED () UNCONTESTED ()

GRANTED

JUL 28 1982

See the attached statement.

STSnouon:abs/rst:2

Typed: 7/13/82

This grant is subject to the following conditions:

(1) That the assignment of license covered by BALED-820118HM be consummated within sixty (60) days of the date of the grant, that the Commission be notified of such consummation within one day thereafter and that the station resume broadcasting within sixty (60) days after consummation of the grant of this application.

(2) That ten days prior to the commencement of regular programming operation, the assignee submit Section IIB of FCC Form 302, including equipment performance measurements made in accordance with Section 73.254 of the Commission's Rules.

APPROVED _____

FOR CHIEF, BROADCAST BUREAU

F.C.C.-WASHINGTON, D.C.

Transaction: This is an application for Commission approval of the sale of the assets and assignment of the license of non-commercial educational station KKTU(FM), Albuquerque, New Mexico, from Spindizzy Pubcom to Family Life Radio. Total consideration is to be \$47,000, and the sales agreement provides for no reversionary interests.

Petition to Deny: A petition to deny this application was filed by the licensee of KKIM, Albuquerque, New Mexico, which alleged substantial and material questions of fact and unresolved public interest questions. It is dealt with in the attached letter.

Assignor: The station's complaint file is clear. However, its license is currently deferred due to the current silent status of the station. It will be granted once the assignee returns KKTU(FM) to the air. Principals of the assignor also control the construction permit for KQIV (ED-FM), Corpus Christi, Texas, which is being assigned to an affiliate of the assignee in a separate application.

The assignor gained control of the license for KKTU(FM) by way of a FCC Form 314 application granted December 26, 1979. As this application was filed January 18, 1982, it comes under the purview of Section 73.3597 of the Commission's rules, the "three-year rule." However, the assignor has requested a grant without hearing based upon the unavailability of capital exception to that rule.

In support of this the assignee has shown expenses of \$98,910 since acquiring the station and present assets of only \$14,300. Furthermore, it states that the station "cannot be completed with our existing resources," and submits a letter from its planned source of funds which states that no further loans will be forthcoming. There is no evidence of trafficking, and the assignor will not make a profit on the sale.

In view of the foregoing a grant of the application without a hearing based upon the unavailability of capital exception to the "three year rule" would be in the public interest.

Assignee: The assignee is a newly-formed New Mexico, non-profit corporation. Its officers and members of its governing board, all U.S. citizens, are:

<u>Name</u>	<u>Position</u>
Warren J. Bolthouse	President
Charlotte A. Bolthouse	Member
Roger Bonney	Member
Harold Sayers	Treasurer
Robert G. Schwartz	Secretary
Maurice Carlson	Member
Charles Vandermeer	Member
Raymond Hausser	Member
Randy Carlson	Executive Vice President

The assignee is an affiliate of Family Life Broadcasting System, a Michigan non-profit corporation.

Assignee Media Interests: In addition to applying to acquire KQIV(FM-ED) affiliates of the assignee hold the following licenses:

<u>Station</u>	<u>Location</u>
WUNN	Mason, Michigan
WUFN(FM)	Albion, Michigan
WUGN(FM)	Midland, Michigan
KFLR	Phoenix, Arizona
KFLT	Tucson, Arizona

All these stations are operating under regular renewals, and their complaint files are clear.

Finances: As KKTU(FM-ED) is presently not operating, the assignee has itemized the construction and first three month operating expenses which must be met. It has demonstrated its financial capability of covering these costs as well as the station's purchase price.

Programming: EEO Program: The assignee has submitted a satisfactory ^{ascertainment survey} ~~proposed programming narrative~~ and its proposed EEO program is adequate to cover its "four or more" employees.

Conclusion: The assignee is legally, financially and otherwise qualified, and a grant of the application would serve the public interest, convenience and necessity. Accordingly, a grant is recommended.

See 106 for silent condition.