

Federal Communications Commission Washington, D.C. 20554 <p style="text-align: center;">FCC 314</p>	Approved by OMB 3060-0031 (June 2010) FOR FCC USE ONLY
<p>APPLICATION FOR CONSENT TO ASSIGNMENT OF BROADCAST STATION CONSTRUCTION PERMIT OR LICENSE</p> <p>Read INSTRUCTIONS Before Filling Out Form</p>	FOR COMMISSION USE ONLY FILE NO. - 20120104ABV

Section I - General Information

1.	Legal Name of the Licensee/Permittee PACIFIC BROADCASTING OF MISSOURI, LLC	
	Mailing Address 1921 CRAMPTON CT.	
	City CHESTERFIELD	State or Country (if foreign address) MO
	Zip Code 63017 -	
	Telephone Number (include area code) 3144060601	E-Mail Address (if available) JGWITHERS@EARTHLINK.NET
	FCC Registration Number: 0005022694	Call Sign KYRK
		Facility ID Number 40798
2.	Contact Representative (if other than licensee/permittee) PACIFIC BROADCASTING OF MISSOURI, LLC	Firm or Company Name
	Mailing Address 1921 CRAMPTON CT.	
	City CHESTERFIELD	State or Country (if foreign address) MO
		ZIP Code 63017 -
	Telephone Number (include area code) 3143451030	E-Mail Address (if available) JIM@KOPLAR.COM
3.	Legal Name of the Assignee WITHERS FAMILY TEXAS HOLDINGS, LP	
	Mailing Address 1921 CRAMPTON CT.	
	City CHESTERFIELD	State or Country (if foreign address) MO
		ZIP Code 63017 - 8038
	Telephone Number (include area code) 3144060601	E-Mail Address (if available) JGWITHERS@EARTHLINK.NET
4.	Contact Representative (if other than assignee)	Firm or Company Name
	Mailing Address	
	City	State or Country (if foreign address)
		Zip Code -
	Telephone Number (include area code)	E-Mail Address (if available)

5.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial Educational Licensee/Permittee <input type="radio"/> Other <input checked="" type="radio"/> N/A (Fee Required)	
6.	Purpose of Application: <input checked="" type="radio"/> Assignment of license <input type="radio"/> Assignment of construction permit <input type="radio"/> Amendment to pending application File number of pending application: - If an amendment, submit as an Exhibit a listing by Section and Question Number of the portions of the pending application that are being revised.	[Exhibit 1]
7.	Were any of the authorizations that are the subject of this application obtained through the Commission's competitive bidding procedures (see 47 C.F.R. Sections 1.2111(a) and 73.5001)? If yes, list pertinent authorizations in an Exhibit.	<input type="radio"/> Yes <input checked="" type="radio"/> No [Exhibit 2]
8.	a. Were any of the authorizations that are the subject of this application obtained through the Commission's point system for reserved channel noncommercial educational stations (see 47 C.F.R. Sections 73.7001 and 73.7003)? b. If yes to 8(a), have all such stations operated for at least 4 years with a minimum operating schedule since grant pursuant to the point system? If no, list pertinent authorizations in an Exhibit and include in the Exhibit a showing that the transaction is consistent with the holding period requirements of 47 C.F.R. Section 73.7005 (a). c. LPFM Licenses Only: Has the assignor held the station license and operated the station for at least three years?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No [Exhibit 3] <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A
9.	a. Were any of the authorizations that are the subject of this application obtained after award of a dispositive Section 307(b) preference using the Tribal Priority, or through the Tribal Priority as applied before the NCE fair distribution analysis set forth in 47 C.F.R. § 73.7002 (b)? b. If yes to 9(a), have all such stations operated for at least 4 years with a minimum operating schedule since grant? c. If no to 9(b), are both the assignor/transferor and assignee/transferee either (1) a federally recognized Native American tribe or Alaska Native village (a "Tribe") or consortium of Tribes, (2) an enrolled member of a Tribe, or (3) an entity 70 percent or more owned or controlled by a Tribe or Tribes, or enrolled member(s) of a Tribe or Tribes, and are the qualifying Tribe or Tribes in factors (1), (2), or (3) occupying tribal lands, portions of which are covered by at least 50 percent of the stations' principal community contours? If no, list pertinent authorizations in an Exhibit and include in the Exhibit a showing that the transaction is consistent with the established Tribal Priority holding period restrictions, or that the policy should be waived.	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No [Exhibit 4]

Section II - Assignor

1.	Certification. Licensee/permittee certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Licensee further	<input checked="" type="radio"/> Yes <input type="radio"/> No
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	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.											
2.	<p>Authorizations to be Assigned. List the authorized stations and construction permits to be assigned. Provide the Facility Identification Number and the Call Sign, or the Facility Identification Number and the File Number of the Construction Permit, and the location, for each station to be assigned. Include main stations, FM and/or TV translator stations, LPTV stations, FM and/or TV booster stations.</p> <p>[Enter Station Information]</p> <p>List the authorized stations and construction permits to be assigned. Provide the Facility Identification Number and the Call Sign, or the Facility Identification Number and the File Number of the Construction Permit, and the location, for each station to be assigned. Include main stations, FM and/or TV translator stations, LPTV stations, FM and/or TV booster stations.</p> <table border="1"> <thead> <tr> <th>Facility ID Number</th> <th>Call Sign</th> <th>or Construction Permit File Number</th> <th>City</th> <th>State</th> </tr> </thead> <tbody> <tr> <td>40798</td> <td>KYRK</td> <td>-</td> <td>TAFT</td> <td>TX</td> </tr> </tbody> </table>	Facility ID Number	Call Sign	or Construction Permit File Number	City	State	40798	KYRK	-	TAFT	TX	
Facility ID Number	Call Sign	or Construction Permit File Number	City	State								
40798	KYRK	-	TAFT	TX								
3.	<p>Agreements for Sale of Station. Licensee/permittee certifies that:</p> <p>a. it has placed in its public inspection file(s) and submitted as an exhibit to this item copies of all agreements for the sale of the station(s);</p> <p>b. these documents embody the complete and final understanding between licensee/permittee and assignee; and</p> <p>c. these agreements comply fully with the Commission's rules and policies.</p> <p>Exhibit Required</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No [Exhibit 5]										
4.	<p>Other Authorizations. List call signs, locations and facility identifiers of all other broadcast stations in which licensee/permittee or any party to the application has an attributable interest.</p>	<input checked="" type="checkbox"/> N/A [Exhibit 6]										
5.	<p>Character Issues. Licensee/permittee certifies that neither licensee/permittee nor any party to the application has or has had any interest in, or connection with:</p> <p>a. 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; or</p> <p>b. any pending broadcast application in which character issues have been raised.</p>	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 7]										
6.	<p>Adverse Findings. Licensee/permittee certifies that, with respect to the licensee/permittee 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 law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.</p>	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 8]										
7.	<p>Local Public Notice. Licensee/permittee certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.</p>	<input type="radio"/> Yes <input type="radio"/> No										
8.	<p>Auction Authorization. Licensee/permittee certifies that more than five years have passed since the issuance of the construction permit for the station being assigned, where that permit was acquired in an auction through the use of a bidding credit or other special measure.</p>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A See Explanation in [Exhibit 9]										
9.	<p>Anti-Drug Abuse Act Certification. Licensee/permittee certifies that neither licensee/permittee 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.</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No										

<p>10. Anti-Discrimination Certification. Licensee/permittee certifies that neither licensee/permittee nor any party to the application have violated the Commission's prohibition against discrimination on the basis of race, color, religion, national origin or sex in the sale of commercially operated AM, FM, TV, Class A TV or international broadcast stations.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p><input type="radio"/> N/A</p> <p>See Explanation in [Exhibit 10]</p>
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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.

<p>Typed or Printed Name of Person Signing P. STEPHEN BUNYARD</p>	<p>Typed or Printed Title of Person Signing MEMBER AND MANAGER</p>
<p>Signature</p>	<p>Date 1/4/2012</p>

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 FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Section III - Assignee

<p>1.</p>	<p>Certification. Assignee certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Assignee 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.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
<p>2.</p>	<p>Assignee is:</p> <p><input type="radio"/> an individual <input type="radio"/> a general partnership <input type="radio"/> a for-profit corporation</p> <p><input checked="" type="radio"/> a limited partnership <input type="radio"/> a not-for-profit corporation <input type="radio"/> a limited liability company (LLC/LC)</p> <p><input type="radio"/> other</p> <p>a. If "other", describe nature of applicant in an Exhibit.</p>	<p>[Exhibit 11]</p>
<p>3.</p>	<p>Agreements for Sale of Station. Assignee certifies that:</p> <p>a. the written agreements in the licensee/permittee's public inspection file and submitted to the Commission embody the complete and final agreement for the sale of the station(s) which are to be assigned; and</p> <p>b. these agreements comply fully with the Commission's rules and policies.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>See Explanation in [Exhibit 12]</p>
<p>4.</p>	<p>Parties to the Application.</p> <p>a. List the assignee, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. If a corporation or partnership holds an attributable interest in the assignee, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. Create a separate row for each individual or entity. Attach additional pages if necessary.</p> <p>(1) Name and address of the assignee and each party to the application holding an attributable interest (if other than individual also show name, address and citizenship of natural person authorized to vote the stock or holding the attributable interest). List the assignee first, officers next, then directors and, thereafter, remaining stockholders and other entities with attributable interests, and</p> <p>(2) Citizenship.</p> <p>(3) Positional Interest: Officer, director, general partner, limited partner, LLC member, investor/creditor attributable under the Commission's equity/debt plus standard., etc.</p> <p>(4) Percentage of votes.</p> <p>(5) Percentage of total assets (debt plus equity).</p>	

<p>partners. [Enter Parties/Owners Information]</p> <p>or [Exhibit 13]</p>	
<p>b. Assignee certifies that equity interests not set forth above are non-attributable.</p>	<p><input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A</p> <p>See Explanation in [Exhibit 14]</p>
<p>5. Other Authorizations. List call signs, locations and facility identifiers of all other broadcast stations in which licensee/permittee or any party to the application has an attributable interest.</p>	<p><input checked="" type="checkbox"/> N/A [Exhibit 15]</p>
<p>6. Multiple Ownership.</p>	
<p>a. Is the assignee or any party to the application the holder of an attributable radio joint sales agreement or an attributable radio or television time brokerage agreement with the station(s) subject to this application or with any other station in the same market as the station(s) subject to this application?</p> <p>If "Yes," radio applicants must submit as an Exhibit a copy of each such agreement for radio stations.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No [Exhibit 16]</p>
<p>b. Assignee certifies that the proposed assignment complies with the Commission's multiple ownership rules and cross-ownership rules.</p> <p>AM and/or FM Radio applicants only: If "Yes," submit an Exhibit providing information regarding the market, broadcast station(s), and other information necessary to demonstrate compliance with 47 C.F.R. § 73.3555(a).</p> <p>All applicants: If "No," submit as an Exhibit a detailed explanation in support of an exemption from, or waiver of, 47 C.F.R. § 73.3555.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No [Exhibit 17]</p>
<p>c. Assignee certifies that the proposed assignment:</p> <ol style="list-style-type: none"> 1. does not present an issue under the Commission's policies relating to media interests of immediate family members; 2. complies with the Commission's policies relating to future ownership interests; and 3. complies with the Commission's restrictions relating to the insulation and nonparticipation of non-party investors and creditors. 	<p><input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 18]</p>
<p>d. Does the Assignee claim status as an "eligible entity," that is, an entity that qualifies as a small business under the Small Business Administration's size standards for its industry grouping (as set forth in 13 C.F.R. § 121-201), and holds (1) 30 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet; or (2) 15 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet, provided that no other person or entity owns or controls more than 25 percent of the outstanding stock or partnership interests; or (3) more than 50 percent of the voting power of the corporation that will own the media outlet (if such corporation is a publicly traded company)?</p> <p>All applicants: If "Yes," submit as an Exhibit a detailed showing demonstrating proof of status as an eligible entity.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No See Explanation in [Exhibit 19]</p>
<p>e. Does this assignment include a grand-fathered cluster of stations? All applicants: If "Yes", applicant certifies that it will come in compliance by divesting the necessary station(s) within 12 months of the consummation of this transaction to:</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>A. An Eligible Entity (as defined in Item 6d, above).</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>

	B. An Irrevocable Trust that will assign the station(s) to an Eligible Entity.	<input type="radio"/> Yes <input type="radio"/> No
	All applicants: If "Yes" to Item 6e A or B: Submit as an Exhibit a copy of the form of irrevocable trust agreement providing for the assignment of the station(s) to an Eligible Entity.	See Explanation in [Exhibit 20]
7.	Character Issues. Assignee certifies that neither assignee nor any party to the application has or has had any interest in, or connection with: a. 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; or b. any pending broadcast application in which character issues have been raised.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 21]
8.	Adverse Findings. Assignee certifies that, with respect to the assignee 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 law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 22]
9.	Alien Ownership and Control. Assignee 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.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 23]
10.	Financial Qualifications. Assignee certifies that sufficient net liquid assets are on hand or are available from committed sources to consummate the transaction and operate the station(s) for three months.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 24]
11.	Program Service Certification. Assignee certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.	<input checked="" type="radio"/> Yes <input type="radio"/> No
12.	Auction Authorization. Assignee certifies that where less than five years have passed since the issuance of the construction permit and the permit had been acquired in an auction through the use of a bidding credit or other special measure, it would qualify for such credit or other special measure.	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A See Explanation in [Exhibit 25]
13.	Anti-Drug Abuse Act Certification. Assignee certifies that neither assignee 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.	<input checked="" type="radio"/> Yes <input type="radio"/> 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.	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A

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 JAMES G. WITHERS	Typed or Printed Title of Person Signing PRESIDENT
Signature	Date 1/4/2012

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 FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 5

Description: AGREEMENTS FOR SALE OF STATION

THE APPLICANT CERTIFIES THAT THE ASSET PURCHASE AGREEMENT ATTACHED TO THIS EXHIBIT EMBODIES THE ENTIRE AGREEMENT BETWEEN THE PARTIES AND FULLY COMPLIES WITH THE COMMISSION'S RULES REGARD ASSIGNMENT OF BROADCAST LICENSES.

Attachment 5

Description
Asset Purchase Agreement

Exhibit 12

Description: ASSET PURCHASE AGREEMENT

THE ASSIGNEE CERTIFIES THAT THE ASSET PURCHASE AGREEMENT ATTACHED TO EXHIBIT 5 OF THE THE ASSIGNOR SECTION OF THIS APPLICATION EMBODIES THE FULL AND COMPLETE UNDERSTANDING BETWEEN THE ASSIGNOR AND ASSIGNEE AND COMPLIES FULLY WITH THE COMMISSION'S RULES.

Attachment 12

Exhibit 13

Description: PARTIES TO THE APPLICATION

WITHERS FAMILY TEXAS HOLDINGS, LP, ('WFTH' OR 'ASSIGNEE') 1921 CRAMPTON CT., CHESTERFIELD, MO 63017 IS THE ASSIGNEE OF THE STATION. WFTH CONSISTS OF GENERAL PARTNER WITHERS GENERAL, LLC. ('GENERAL') AND LIMITED PARTNER THE JAMES G. AND GINA. M. WITHERS REVOCABLE TRUST ('TRUST'). GENERAL HOLDS ONE PERCENT OF THE VOTING CONTROL AND EQUITY/DEBT OF THE ASSIGNEE. TRUST HOLDS 99 PERCENT OF THE VOTING CONTROL AND EQUITY/DEBT OF THE ASSIGNEE.

JAMES G. WITHERS IS A US CITIZEN RESIDING AT 1921 CRAMPTON CT., CHESTERFIELD, MO 63017, AND IS THE SOLE MEMBER AND MANAGER OF GENERAL AND IS PRESIDENT OF THE ASSIGNEE. GINA M. WITHERS IS A US CITIZEN RESIDING AT 1921 CRAMPTON CT., CHESTERFIELD, MO 63107. JAMES G. AND GINA M. WITHERS ARE HUSBAND AND WIFE AND ARE BOTH CO-EQUAL TRUSTEES OF TRUST.

THE ADDRESS OF WFTH, GENERAL, TRUST AND JAMES G. AND GINA. M. WITHERS IS 1921 CRAMPTON CT., CHESTERFIELD, MO 63017-8038

Attachment 13

Exhibit 17

Description: COMPLIANCE WITH MULTIPLE/CROSS OWNERSHIP RULES

NEITHER WITHERS FAMILY TEXAS HOLDINGS, LP, ('WFTH') ASSIGNEE OF THE KYRK, NOR ANY OF THE PRINCIPLES, PARTNERS, MEMBERS OR OFFICERS OF WFTH HOLDS AN ATTRIBUTABLE INTEREST IN ANY OTHER BROADCAST PROPERTY. THE APPLICATION COMPLIES WITH THE COMMISSION'S MULTIPLE AND CROSS OWNERSHIP RULES.

Attachment 17

Exhibit 18

Description: OWNERSHIP INTERESTS

THE ASSIGNEE CERTIFIES THAT NO PARTY TO THIS APPLICATION OWNS OR HAS ANY ATTRIBUTABLE INTEREST IN ANY OTHER BROADCAST PROPERTY.

Attachment 18
