

State of Maryland:

SS

County of Montgomery:

#### AFFIDAVIT

I am Jerrold Miller, an attorney at law with offices in Bethesda, Maryland. I am licensed to practice law in the State of Maryland and the District of Columbia. I have represented radio broadcast stations and other parties before the Federal Communications Commission (hereinafter "Commission") for approximately thirty years.

Pursuant to Section 301 of the Communications Act of 1934, as amended (47 U.S.C. §301) which authority derives from the US Constitution's delegation of the right to regulate interstate commerce to the Federal Government, no one may operate a broadcast station except pursuant to a license granted by the Commission. In addition, Section 310(d) of this statute and Section 73.3540 of the Commission's rules and regulations (47 C.F.R. §73.3540) prohibits the transfer or assignment of any station license to any other party, unless the Commission has first approved an application for such transfer or assignment.

Under the rules and policies of the Commission, a station licensee has many responsibilities in areas such as the station's technical operations, its programming, its hiring and promotion practices, and its relationship to the residents of its city of license. The licensee must have ultimate authority, both de jure and de facto, over station programming, operations and finances.

It is permissible for licensees to enter into local marketing agreements in which another party supplies programming and advertising to the station in exchange for consideration to the licensee.

I have become familiar with the history of Radio Station KBKH (formerly called KRMN until July 26, 2002), an FM broadcast station licensed to Shamrock, Texas, based on publicly-available information contained on the Commission's internet web site and my review of a Local Programming and Marketing/Purchase Agreement between Terry Keith Hammond and then KRMN-FM license holder James A. Turvaville, dated February 2, 2002.

The Commission granted the initial construction permit for the station to Turbo Radio Limited Partnership, a limited partnership, whose general partner was James A. Turvaville, on May 2, 1997, and granted a license to that partnership on February 20, 1998. This license was held continuously by Turbo Radio Limited Partnership, until August 26, 2002, when it was assigned to Terry Keith Hammond, in accordance with the Commission's grant of application File No. BALH-20020624AAP. A copy of this application, as it appears on the Commission's web site, is attached hereto. As may be seen, the application was

Jerrold Miller Affidavit  
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signed on behalf of the assignor licensee by James A. Turvaville, who represented himself on the application as the licensee's general partner.

The Commission granted this application on August 23, 2002, and the license assignment consummation was reported to have occurred on August 26, 2002. From that date forward, Mr. Hammond has been, and continues to be, the sole party to hold the station's license. On occasion he used the business name of MonsterFM.com/Broadcast Services.

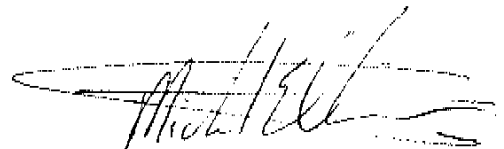
~~The license for KBKH~~, as well as for all radio stations licensed to communities in the state of Texas, expired on August 1, 2005. An application for license renewal was timely filed by Hammond on April 1, 2005. That application remains pending. Pursuant to the Administrative Procedure Act, 5 U.S.C. 558(c)(2), Mr. Hammond's authority to operate KBKH continues until there is final action on the renewal application.

There is nothing in the files of the Commission to indicate that David Rushing, or any other person or entity other than those identified above, has ever been the licensee of KBKH.

Further affiant sayeth not.

27 Subscribed and sworn to before me, a Notary Public, this day of February, 2006.

  
Jerrold Miller



My commission expires August 13, 2008.

Embossed Hason in My  
Montgomery County, Maryland Notary Public Seal  
My Commission Expires August 13, 2008  
MICHAEL ELLISON JR.

Federal Communications Commission Washington, D.C. 20554  <b>FCC 314</b>	Approved by OMB 3060-0031 (September 2004)	FOR FCC USE ONLY
<b>APPLICATION FOR CONSENT TO ASSIGNMENT OF                  BROADCAST STATION CONSTRUCTION PERMIT                  OR LICENSE</b>		FOR COMMISSION USE ONLY FILE NO. BALH - 20020624AAP
Read INSTRUCTIONS Before Filling Out Form		

**Section I - General Information**

1.	Legal Name of the Licensee/Permittee TURBO RADIO LIMITED PARTNERSHIP	
	Mailing Address P.O. BOX 688	
	City SHAMROCK	State or Country (if foreign address) TX
	Zip Code 79079 -	
	Telephone Number (include area code) 8062563838	E-Mail Address (if available)
	FCC Registration Number: 0007300544	Call Sign KBKH
	Facility ID Number 81640	
2.	Contact Representative (if other than licensee/permittee)	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)
3.	Legal Name of the Assignee TERRY KEITH HAMMOND	
	Mailing Address P.O. BOX 243	
	City SHAMROCK	State or Country (if foreign address) TX
	ZIP Code 79079 -	
	Telephone Number (include area code) 8663009292	E-Mail Address (if available) ENGINEERING@MONSTERFM.COM
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 checked="" type="radio"/> Other
6.	<b>Purpose of Application:</b> <input type="radio"/> Assignment of license <input type="radio"/> Assignment of construction permit <input checked="" type="radio"/> Amendment to pending application File number of pending application: - If an amendment, <b>submit as an Exhibit</b> 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)? <input type="radio"/> Yes <input checked="" type="radio"/> No 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). <input type="radio"/> Yes <input checked="" type="radio"/> No [Exhibit 3]

**Section II - Assignor**

1.	<b>Certification.</b> Licensee/permittee certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Licensee 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.	<input checked="" type="radio"/> Yes <input type="radio"/> No										
2.	<b>Authorizations to be Assigned.</b> 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, SCA, FM and/or TV booster stations, and associated auxiliary service stations.  [Enter Station Information]  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, SCA, FM and/or TV booster stations, and associated auxiliary service stations.											
<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>81640</td> <td>KBKH</td> <td>-</td> <td>SHAMROCK</td> <td>TX</td> </tr> </tbody> </table>			Facility ID Number	Call Sign	or Construction Permit File Number	City	State	81640	KBKH	-	SHAMROCK	TX
Facility ID Number	Call Sign	or Construction Permit File Number	City	State								
81640	KBKH	-	SHAMROCK	TX								
3.	<b>Agreements for Sale of Station.</b> Licensee/permittee certifies that:	<input checked="" type="radio"/> Yes <input type="radio"/> No										

<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><b>Exhibit Required</b></p>	<p>[Exhibit 4]</p>
<p>4. <b>Other Authorizations.</b> 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 5]</p>
<p>5. <b>Character Issues.</b> 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>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  See Explanation in [Exhibit 6]</p>
<p>6. <b>Adverse Findings.</b> 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>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  See Explanation in [Exhibit 7]</p>
<p>7. <b>Local Public Notice.</b> Licensee/permittee certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>8. <b>Auction Authorization.</b> 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>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No  <input checked="" type="checkbox"/> N/A  See Explanation in [Exhibit 8]</p>
<p>9. <b>Anti-Drug Abuse Act Certification.</b> 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>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

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 JAMES A TURVAVILLE</p>	<p>Typed or Printed Title of Person Signing GENERAL PARTNER</p>
<p>Signature</p>	<p>Date 07/16/2002</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. <b>Certification.</b> 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="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>2. Assignee is: <input checked="" type="checkbox"/> an individual      <input type="checkbox"/> a general partnership      <input type="checkbox"/> a for-profit corporation</p>	

	<input type="radio"/> a limited partnership <input type="radio"/> a not-for-profit corporation <input type="radio"/> a limited liability company (LLC/LC)											
	<input type="radio"/> other a. If "other", describe nature of applicant in an Exhibit. <span style="float:right">[Exhibit 9]</span>											
3.	<b>Agreements for Sale of Station.</b> Assignee certifies that: 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 b. these agreements comply fully with the Commission's rules and policies.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 10]										
4.	<b>Parties to the Application.</b> 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.											
	(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 partners. (2) Citizenship. (3) Positional Interest: Officer, director, general partner, limited partner, LLC member, investor/creditor attributable under the Commission's <b>equity/debt plus</b> standard., etc. (4) Percentage of votes. (5) Percentage of total assets (debt plus equity).											
	[Enter Parties/Owners Information]											
	<b>4a. Parties to the Application</b>											
	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.											
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	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:40%;">(1) Name and Address</th> <th style="width:10%;">(2) Citizenship</th> <th style="width:20%;">(3) Positional Interest</th> <th style="width:10%;">(4) Percentage of Votes</th> <th style="width:10%;">(5) Percentage of total assets (debt plus equity)</th> </tr> </thead> <tbody> <tr> <td>TERRY KEITH HAMMOND, P.O. BOX 243, SHAMROCK, TEXAS, 79079</td> <td style="text-align:center">Y</td> <td>PRESIDENT/TECHNICAL DIRECTOR</td> <td style="text-align:center">100</td> <td style="text-align:center">100</td> </tr> </tbody> </table>		(1) Name and Address	(2) Citizenship	(3) Positional Interest	(4) Percentage of Votes	(5) Percentage of total assets (debt plus equity)	TERRY KEITH HAMMOND, P.O. BOX 243, SHAMROCK, TEXAS, 79079	Y	PRESIDENT/TECHNICAL DIRECTOR	100	100
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TERRY KEITH HAMMOND, P.O. BOX 243, SHAMROCK, TEXAS, 79079	Y	PRESIDENT/TECHNICAL DIRECTOR	100	100								
	or [Exhibit 11]											
	b. Assignee certifies that equity interests not set forth above are non-attributable.	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A										

		See Explanation in [Exhibit 12]
5.	<b>Other Authorizations.</b> 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.	<input checked="" type="checkbox"/> N/A [Exhibit 13]
6.	<b>Multiple Ownership.</b>	
	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?  If "Yes," radio applicants must submit as an Exhibit a copy of each such agreement for radio stations.	<input type="checkbox"/> Yes <input type="checkbox"/> No  [Exhibit 14]
	b. Assignee certifies that the proposed assignment complies with the Commission's multiple ownership rules and cross-ownership rules.  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).  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.	<input type="checkbox"/> Yes <input type="checkbox"/> No  [Exhibit 15]
	c. Assignee certifies that the proposed assignment: 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.	<input type="checkbox"/> Yes <input type="checkbox"/> No See Explanation in [Exhibit 16]
7.	<b>Character Issues.</b> 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 type="checkbox"/> Yes <input type="checkbox"/> No  See Explanation in [Exhibit 17]
8.	<b>Adverse Findings.</b> 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 type="checkbox"/> Yes <input type="checkbox"/> No  See Explanation in [Exhibit 18]
9.	<b>Alien Ownership and Control.</b> 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 type="checkbox"/> Yes <input type="checkbox"/> No  See Explanation in [Exhibit 19]
10.	<b>Financial Qualifications.</b> 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 type="checkbox"/> Yes <input type="checkbox"/> No  See Explanation in [Exhibit 20]
11.	<b>Program Service Certification.</b> 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 type="checkbox"/> Yes <input type="checkbox"/> No
12.	<b>Auction Authorization.</b> 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	<input type="checkbox"/> Yes <input type="checkbox"/> No

	measure.	<input checked="" type="radio"/> N/A See Explanation in [Exhibit 21]
13.	<b>Anti-Drug Abuse Act Certification.</b> 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.	<b>Equal Employment Opportunity (EEO).</b> 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 <b>TERRY KEITH HAMMOND</b>	Typed or Printed Title of Person Signing <b>PRESIDENT/TECHNICAL DIRECTOR</b>
Signature	Date 07/16/2002

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 1**

**Description:** EXPLANATION OF PURPOSE OF AMENDMENT

THIS AMENDMENT MODIFIES EXHIBITS 4 & 10 TO INCLUDE THE FINAL STATEMENT 'THERE ARE NO FINANCIAL CONSIDERATIONS INVOLVED IN THIS TRANSFER', WHICH WAS INADVERTENTLY OMITTED FROM THE PREVIOUS FILING.

**Attachment 1**

**Exhibit 4**

**Description:** AGREEMENT FOR TRANSFER

TRANSFER IS SOUGHT DUE TO STATION'S NEAR FINANCIAL INSOLVENCY. ASSIGNOR AGREES TO A VOLUNTARY TRANSFER OF LICENSE DUE TO ASSIGNEE HAVING BEEN APPOINTED AS STATION MANAGER AND ASSIGNEE'S WILLINGNESS TO PAY STATION DEBTS THAT ARE IMPOSSIBLE FOR ASSIGNOR TO PAY DUE TO ILLNESS AND OUTSIDE FINANCIAL OBLIGATIONS.

BEYOND REMOVING THE RESPONSIBILITIES FROM THE ASSIGNOR, THERE ARE NO FURTHER AGREEMENTS AS NO OTHER PAYMENT IS BEING SOUGHT.

THERE ARE NO FINANCIAL CONSIDERATIONS INVOLVED IN THIS TRANSFER.

**Attachment 4**

<http://svartifoss2.fcc.gov/cgi-bin/ws.exe/prod/cdbs/forms/prod/cdbsmenu.hts?context=25&a...> 2/27/2006

**Exhibit 10**

**Description:** TRANSFER AGREEMENT TERMS

TRANSFER IS SOUGHT DUE TO STATION'S NEAR FINANCIAL INSOLVENCY. ASSIGNOR AGREES TO A VOLUNTARY TRANSFER OF LICENSE DUE TO ASSIGNEE HAVING BEEN APPOINTED AS STATION MANAGER AND ASSIGNEE'S WILLINGNESS TO PAY STATION DEBTS THAT ARE IMPOSSIBLE FOR ASSIGNOR TO PAY DUE TO ILLNESS AND OUTSIDE FINANCIAL OBLIGATIONS.

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**Attachment 10**