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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Received & Inspected
DEC 11 2013
FCC Mail Room

In re:)
)
Application for Construction)
Permit For A Low Power FM) File No. BNPL-20131112AGW
Broadcast Station Channel 240) Facility ID - 194531
Columbus, Ohio)
)

RECEIVED
2013 DEC 12 A 6:08

VERIFIED PETITION TO DENY

Office of the Secretary
445 12th St., S.W.
Room TW A325
Washington, D.C. 20554
ATTN: Media Bureau

I. INTRODUCTION

Percy Squire (hereinafter "Petitioner") pro se, in accordance with Section 73.8000 of the Commission's Rules and 47 C.F.R. §73.801, et seq. in his individual listener capacity and as a representative of the class of Columbus, Ohio listeners, hereby respectfully requests that the Commission summarily dismiss or deny the above referenced application for a construction permit for a low power FM (LPFM) broadcast station on Channel 240 in Columbus, Ohio, and immediately set aside the application so as not to encumber Channel 240 by reason of the totally frivolous and fraudulent nature of the representations within the application. In support of this request Petitioner respectfully states as follows:

II. THE PUBLIC INTEREST WILL NOT BE SERVED BY A GRANT OF THIS APPLICATION

Review of the application is governed by 47 C.F.R. Part 73, Subpart 6, which obligates the Commission to determine that the public interest, convenience and necessity will be served by a grant of the Application. In making this determination, the Commission considers the following factors:

1. Whether the proposed transaction complies with the specific provisions of other applicable statutes and the Commission's rules;

2. Whether the transaction could result in public interest harms by substantially frustrating or impairing the objectives or implementation of the Communications Act or related statutes; and

3. Whether the potential public interest harms of the proposed transaction outweigh the potential public interest benefits.¹

Applying these criteria to the instant application clearly demonstrates that: (1) the transaction does not comply with the Commission's rules and policies, (2) the transaction would result in public interest harms by substantially frustrating and impairing the Commission's policy of local focus in relation to low power FM licenses, and (3) the potential public interest harms of the proposed transaction substantially outweigh any potential public interest benefits.

Petitioner sets forth below concrete and particularized support for the above assertions based upon the Affidavit of Martin Yant, Certificate of the Ohio Secretary of State, Declarations of Ted Schober and Attorney Leo P. Ross and Ohio law.

III. STANDING

¹ *EchoStar Communications Corp.*, 17 FCC Rcd 20559,20574, par. 25 (2002) (EchoStar/DirectTV)

Petitioner is an individual residing within the “primary community coverage contour” of proposed facility 194531. Indeed, Petitioner resides at 547 Mohawk Street, Columbus, Ohio 43206. Petitioner resides in Columbus, Ohio, the community of licenses of proposed facility 194531. Petitioner would not be a “transitory” listener. Petitioner asserts “listener standing” as well as the requisite personal stake he has in the media industry to oppose the instant application. Office of Communication of the United Church of Christ v. FCC, 359 F.2d 994 (D.C. Cir. 1966); Chet-5 Broadcasting, L.P., 14 FCC Rcd 13041 (1999).

IV. PARTIES

A. Petitioner Percy Squire is a resident of Columbus, Ohio and has a business and separate residence in Youngstown, Ohio. I am a listener in the Columbus, Ohio market.

B. North Columbus Community Radio

The applicant North Columbus Community Radio, (hereinafter “NCCR”) is a Texas Domestic non-profit corporation established on October 25, 2013. See, Exhibit A.

V. DISCUSSION

The Application of NCCR is deficient in the following respects and should be summarily rejected.

1. NCCR is not authorized to do business in the State of Ohio and is not a community organization within the meaning of the Commissions’ LPFM rules.

Under Ohio law:

(B) “Foreign corporation” means a corporation incorporated under the laws of another state of a bank, savings bank, or savings and loan association chartered under the laws of the United States, the main office of which is located in another state.

Ohio Revised Code §1703.01(B).

Ohio law also provides in pertinent part:

1703.03 License Required.

No foreign corporation not excepted from sections 1703.01 to 1703.31 of the Revised Code, shall transact business in this state unless it holds an unexpired and uncanceled license to do so issued by the secretary of state. To procure such a license, a foreign corporation shall file an application, pay a filing fee, and comply with all other requirements of law respecting the maintenance of the license as provided in those sections.

Id. (emphasis added.)

NCCR is not only not authorized to do business in Ohio and unlicensed, the State of Ohio has no record whatsoever of NCCR even requesting to do business in Ohio at all. See, Exhibit B, Certificate of No Record from the Ohio Secretary of State. NCCR is not a local community organization and has no standing in Columbus, Ohio whatsoever. Accordingly, NCCR is not a local organization.

2. NCCR's Application does not satisfy the Commission Community based criteria.

A. NCCR is neither physically headquartered nor has a campus within 10 miles of the proposed transmitting antenna site specified on its application.

According to NCCR's application, its campus is located at 64 W. Lane Avenue, Columbus, Ohio 43201. NCCR's proposed antenna site is located at (NAD27) Latitude Degrees 40 Minutes 4 Seconds 16, North; Longitude Degrees 82 Minutes 48 Seconds 35 West. Attached at Exhibit C is the Declaration of Ted Schober which states the distance between these two location is greater than 10 miles, the distance is 11.58 miles. Accordingly, NCCR's Application is deficient in this respect.

B. NCCR is a non-profit organization however 75% of its directors do not reside within 10 miles of its proposed transmitting antenna site

NCCR's Application states that all of its board members reside at 64 W. Lane Avenue, Columbus, Ohio 43201. Contrary to NCCR's representation, the St. Thomas More Newman Center, the official Catholic campus ministry to the Ohio State University is at 64 W. Lane

Avenue. See, Exhibit D, Affidavit of Martin Yant. No one resides at 64 W. Lane Avenue. There is no rectory at this address. The representation that NCCR's directors live at 64 W. Lane Avenue, Columbus, OH is false.

According to Father Charles Cunniff, C.S.P. Pastoral Associate of the Newman Center, the NCCR directors are unknown to them and do not reside at 64 W. Lane Avenue as claimed in the application. No one at Newman Center has any awareness of NCCR or any of its directors. The application's representations to the contrary are totally false and fraudulent.

C. Main Studio

The Application alleges that NCCR's main studio will be located at 64 W. Lane Avenue, Columbus, Ohio 43201. This location is more than 10 miles from the proposed antenna transmitting site. See, Schober Declaration.

Also according to Father Cunniff, there are no plans known to him to locate a radio station for NCCR within the Newman Center at 64 W. Lane Avenue, Columbus, Ohio. See, Yant Affidavit, Exhibit D. Accordingly, the statements that the applicant will have a publically accessible main studio reachable by telephone staffed at least 20 hours per week, located within 10 miles of the antenna site are all false.

The allegation within the application that the application qualifies for a point under the main studio criteria is also false for the reason, there is no studio present or planned at 64 W. Lane Avenue, Columbus, Ohio.

D. Established Community Presence

As stated above the Application's claim that it had established a community presence in Columbus, Ohio as of October 25, 2013, is totally without foundation. See, Exhibit A.

VI. CONCLUSION

The NCCR application is totally fraudulent. The application's representations concerning community focus, residence of directors and studio location are false. NCCR is not licensed to do business in Ohio. Its directors do not reside at the address shown on the application, 64 W. Lane Avenue, Columbus, Ohio 43201, nor do they reside within ten miles of the proposed antenna location. The main studio is not within ten miles of the proposed antenna location. The address for the main studio has been misrepresented on the application.

The NCCR application is a complete sham. It should be summarily rejected without any chance to amend. Channel 240 should be immediately relieved of this pending application.

The application should be summarily denied and Channel 240 immediately made available for meritorious applicants.

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VERIFICATION

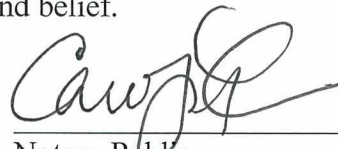
The undersigned declares in accordance with the provisions of 28 U.S.C. §1746 under penalty of perjury that the information stated herein above is true to the best of my personal knowledge, information and belief.



Percy Squire
341 S. Third Street, Suite 10
Columbus, OH 43215
614-224-6528 (T)
614-224-6529 (F)
psquire@sp-lawfirm.com

NOTARY PUBLIC

Percy Squire appeared before me December 9, 2013, and did affirm that the forgoing statements are true to his knowledge, information and belief.



Notary Public



CAROLYN PIERRE-LOUIS
Notary Public, State of Ohio
My Commission Expires 02/22/17

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CERTIFICATE OF SERVICE

I hereby certify that on this ^{10th} 3rd day of December, 2013, a copy of the foregoing was

served via email or U.S. Postal Service upon the following:

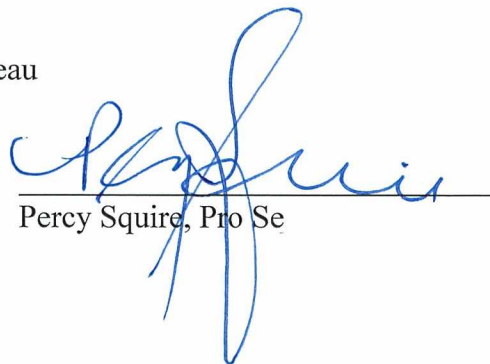
Dan J. Alpert
Law Office of Dan J. Alpert
2120 21st Rd.
Arlington, VA 22201
DJA@commlaw.tv

Peter H. Doyle, Chief
Audio Division, Media Bureau
Federal Communications Commission
445 12th St., SW, Room 2-A360
Washington, DC 20554
Peter.Doyle@fcc.gov

Federal Communication Commission
9300 East Hampton Drive
Capital Heights, MD 20743

Best Copy and Printing, Inc.
445 12th St. SW, Room CY-B 402
Washington, D.C. 20554

Federal Communications Commission, Media Bureau
445 12th St., SW
Washington, DC 20554

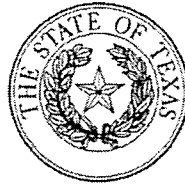

Percy Squire, Pro Se

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DEC 11 2013

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EXHIBIT A



Office of the Secretary of State

CERTIFICATE OF FILING OF

North Columbus Community Radio
File Number: 801869790

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Nonprofit Corporation has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 10/21/2013

Effective: 10/25/2013



A handwritten signature in black ink, appearing to read "John Steen".

John Steen
Secretary of State

Come visit us on the internet at <http://www.sos.state.tx.us/>

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697



John Steen
Secretary of State

Office of the Secretary of State

October 22, 2013

Attn: Antonio Cesar Guel

Antonio Cesar Guel
2605 Hyacinth Dr
Mesquite, TX 75181 USA

RE: North Columbus Community Radio
File Number: 801869790

It has been our pleasure to file the certificate of formation and issue the enclosed certificate of filing evidencing the existence of the newly created nonprofit corporation.

Nonprofit corporations do not automatically qualify for an exemption from federal and state taxes. Shortly, the Comptroller of Public Accounts will be contacting the corporation at its registered office for information that will assist the Comptroller in setting up the franchise tax account for the corporation. Information about franchise tax, and contact information for the Comptroller's office, is available on their web site at <http://window.state.tx.us/taxinfo/franchise/index.html>. For information on state tax exemption, including applications and publications, visit the Comptroller's Exempt Organizations web site at <http://window.state.tx.us/taxinfo/exempt/index.html>. Information on exemption from federal taxes is available from the Internal Revenue Service web site at www.irs.gov.

Nonprofit corporations do not file annual reports with the Secretary of State, but do file a report not more often than once every four years as requested by the Secretary. It is important for the corporation to continuously maintain a registered agent and office in Texas as this is the address to which the Secretary of State will send a request to file a periodic report. Failure to maintain a registered agent or office in Texas, failure to file a change to the agent or office information, or failure to file a report when requested may result in the involuntary termination of the corporation. Additionally, a nonprofit corporation will file documents with the Secretary of State if the corporation needs to amend one of the provisions in its certificate of formation. If we can be of further service at any time, please let us know.

Sincerely,

Corporations Section
Business & Public Filings Division
(512) 463-5555
Enclosure

Come visit us on the internet at <http://www.sos.state.tx.us/>

Phone: (512) 463-5555
Prepared by: Delores Eitt

Fax: (512) 463-5709
TID: 10286

Dial: 7-1-1 for Relay Services
Document: 510557500010

Form 202

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709

Filing Fee: \$25



**Certificate of Formation
Nonprofit Corporation**

Filed in the Office of the
Secretary of State of Texas
Filing #: 801869790 10/21/2013
Document #: 510557500010
Image Generated Electronically
for Web Filing

Article 1 - Corporate Name

The filing entity formed is a nonprofit corporation. The name of the entity is :

North Columbus Community Radio

Article 2 - Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be corporation named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:

Maria Cristina Guel

C. The business address of the registered agent and the registered office address is:

Street Address:

5787 S. Hampton Rd, Suite 200 Dallas TX 75232

Consent of Registered Agent

A. A copy of the consent of registered agent is attached.

OR

B. The consent of the registered agent is maintained by the entity.

Article 3 - Management

A. Management of the affairs of the corporation is to be vested solely in the members of the corporation.

OR

B. Management of the affairs of the corporation is to be vested in its board of directors. The number of directors, which must be a minimum of three, that constitutes the initial board of directors and the names and addresses of the persons who are to serve as directors until the first annual meeting or until their successors are elected and qualified are set forth below.

Director 1: **Jose Cabrera**

Title: **Director**

Address: **64 W Lane Ave Columbus OH, USA 43201**

Director 2: **Jose Gonzales**

Title: **Director**

Address: **64 W Lane Ave Columbus OH, USA 43201**

Director 3: **Juan Pineda**

Title: **Director**

Address: **64 W Lane Ave Columbus OH, USA 43201**

Article 4 - Organization Structure

A. The corporation will have members.

or

B. The corporation will not have members.

Article 5 - Purpose

The corporation is organized for the following purpose or purposes:

Community Radio

Supplemental Provisions / Information

[The attached addendum, if any, is incorporated herein by reference.]

Effectiveness of Filing

A. This document becomes effective when the document is filed by the secretary of state.

OR

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is: **October 25, 2013**

Organizer

The name and address of the organizer are set forth below.

Antonio Cesar Guel **2605 Hyacinth Dr Mesquite, TX 75181**

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Antonio Cesar Guel

Signature of organizer.

FILING OFFICE COPY

**ARTICLES OF INCORPORATION
OF
NORTH COLUMBUS COMMUNITY RADIO**

We, the undersigned natural persons over the age of eighteen (18), acting as incorporators, adopt the following Articles of incorporation of NORTH COLUMBUS COMMUNITY RADIO (referred to as the "Corporation") under the Texas Non-Profit Corporation Act (referred to as the "ACT").

ARTICLE I - NAME

The name of this Corporation shall be NORTH COLUMBUS COMMUNITY RADIO.

ARTICLE II - PRINCIPAL OFFICE

The principal office of this Corporation shall be located at 64 W Lane Ave Columbus OH, USA 43201.

ARTICLE III - EDUCATIONAL PURPOSE

The Corporation is organized exclusively for religious, charitable, and educational purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code (or the corresponding provision of any future United States internal revenue law), including the making of distributions to or for the use of organizations exempt at the time under Section 501(c) (3) of the Internal Revenue Code (or the corresponding provision of any future United States internal revenue law). Specifically, the purposes of the Corporation include Christian worship and to share the Gospel of Jesus Christ, the Bible and information about the Christian faith to as many people as possible using any effective lawful means.

ARTICLE IV - EXISTENCE

The existence of this Corporation shall be perpetual.

ARTICLE V - RESTRICTIONS

- a. No Private Increment. No part of the earnings or assets of the Corporation shall inure to the benefit of, or be distributable to, its Trustees, trustees, officers, or other private persons; except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in article III hereof. The Corporation shall not have capital stock or shareholders.
- b. No Substantial Lobbying. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation.
- c. No Political Campaigning. The Corporation shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office.
- d. Irrevocable Dedication. The income and assets of the Corporation shall be irrevocably dedicated to its exclusive purposes.

ARTICLE VI - TRUSTEES

- a. Number. The Trustees of the Corporation shall consist of not fewer than three (3) trustees or directors and not more than a maximum number determined by the Corporation's Bylaws as amended from time to time.
- b. Powers. The Trustees or Directors shall govern the Corporation, and shall have all the rights and powers granted to it as outlined in the Corporation's Bylaws.

- c. Term. The term of each Trustee or Director shall be as established in the Corporation's Bylaws.
- d. Election. The method of electing the Trustees and Directors shall be contained in the corporation's Bylaws.
- e. The initial Board of Directors shall consist of the following persons at the following addresses:
 - 1. Jose Cabrera 64 W Lane Ave Columbus OH, USA 43201
 - 2. Jose Gonzales 64 W Lane Ave Columbus OH, USA 43201
 - 3. Juan Pineda 64 W Lane Ave Columbus OH, USA 43201

ARTICLE VII - DISSOLUTION

Upon the dissolution of the Corporation, the Corporation's assets remaining after payment of all costs and expenses of such dissolution shall be distributed to an entity or entities described in sections 501(c) (3) and 170(c) (2) of the Internal Revenue Code.

ARTICLE VIII – MEMBERS

The qualifications of the members of the Corporation, the manner of their admission, voting, and other rights and privileges of members shall be regulated by the Corporation's by laws.

ARTICLE IX – POWERS

- a. General. The Corporation shall have all the rights and powers customary and proper for tax-exempt non-profit Corporations.
- b. Restrictions. Notwithstanding any other provisions of the Articles of incorporation, the Corporation shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c) (3) of the Internal Revenue code, or by a Corporation to which contributions are deductible under Sections 170(b) (1) (A) or (B) and 170(c) (2) of the Internal Revenue Code (or the corresponding provisions of any future United States Internal Revenue law).
- c. Charitable Trusteeship, etc. The Corporation shall be empowered to hold or administer property for the purposes stated in Article III of the Articles of Incorporation, including the power to act as trustee.

ARTICLE X - AMENDMENTS

- a. Bylaws. Amendments to the Corporation's Bylaws may be made at any regular business meeting or special properly called meeting of the membership provided each amendment shall have been presented in writing to the membership at a previous business meeting. Amendments shall be by two-thirds (2/3) vote of members present and voting.
- b. Articles of Incorporation. Amendments to the Articles of Incorporation may be made at any regular business meeting or special properly called meeting of the membership provided each amendment shall have been presented in writing to the membership at a previous business meeting. Amendments shall be by two-thirds (2/3) vote of members present and voting.

EXHIBIT B

Received & Inspected
DEC 11 2013
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UNITED STATES OF AMERICA
STATE OF OHIO
OFFICE OF THE SECRETARY OF STATE

I, Jon Husted, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show NO RECORD of any Ohio corporation, foreign corporation, Ohio limited liability company, foreign limited liability company, Ohio limited partnership, foreign limited partnership, Ohio limited liability partnership, foreign limited liability partnership, trade name registration or report of use of fictitious name, either active or inactive, known as NORTH COLUMBUS COMMUNITY RADIO, filed in this office, as of the date of this certificate.



Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 2nd day of December, A.D. 2013.

Jon Husted

Ohio Secretary of State

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DEC 11 2013

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EXHIBIT C

RADIOTECHNIQUES

402 Tenth Avenue • PO Box 367 • Haddon Heights, NJ 08035

Engineering Report
Petition to Deny BNPL-20131112AGW
Columbus, OH
December 2013

Abstract

Radiotechniques has been engaged to determine the distance between the transmitter location specified in Low Power FM application BNPL-20131112AGW, and 64 Lane Avenue, Columbus, OH, - the address specified in the application for the applicant's chapter or branch location, the residence address for each of the corporate board members and the main studio of the station.

Locations

The transmitter is specified as being located at a tower having FCC tower registration number 1010765, having NAD-83 coordinates of North 40° 04' 16" latitude and West 082° 48' 35" longitude. Conversion to NAD-27 datum do not change the coordinates.

The address specified in the application for the chapter or branch location, residence address of the board members and proposed main studio is 64 Lane Avenue, Columbus, OH. This address was retrieved from Google Earth as North 40° 00' 22" latitude and West 081° 00' 40" longitude and confirmed by GPS measurements at the location. The attached certification of the location measurement lists this address as North 40° 00' 21.9" latitude and West 081° 00' 39.72" longitude, in complete agreement with the map coordinates.

Distance Calculations

The distance calculator on the FCC website was used to determine the distance between these two locations, which uses the method specified in §73.808. The distance between the location specified as the "campus or board member residence and the transmitting antenna must not exceed 10 miles to comply with §73.853(1) and (2) of the FCC rules. Columbus, Ohio is ranked as the 37th market.

RADIOTECHNIQUE[®]

402 Tenth Avenue • PO Box 367 • Haddon Heights, NJ 08035

Engineering Report
Petition to Deny BNPL-20131112AGW
Columbus, OH
December 2013

Distance between

N Latitude 40 0 21.90, W Longitude 83 0 39.72 (Point 1)

and N Latitude 40 4 16.00, W Longitude 82 48 35.00
(Point 2)

18.637 kilometers; 11.580 miles

Azimuth from point 1 to point 2 = 67.06°

Azimuth from point 2 to point 1 = 247.19°

Another Distance Computation?

Use Sprong to find the terminal or end coordinates, given a bearing and a distance.

This program is located at <http://www.fcc.gov/fcc-bin/audio/distance.html>

Conclusion

The location specified for the physical headquarters or campus in Section I, Question 5A, and the residence of board members in Section I, Question 5B do not meet the requirements of the certification, as the transmitting antenna site is 1.58 miles further than is permitted in the rules and regulations, thereby making the applicant ineligible to be licensed an LPFM station at the application coordinates.

Engineer's Statement

This is to certify that this report has been prepared by myself. It is correct and accurate of my own knowledge, except where stated otherwise, and where that is so, the information is correct to the best of my knowledge and belief.

I further certify that I am a Licensed Professional Engineer in the State of New Jersey, and the Commonwealth of Pennsylvania with a BSEE degree from the Newark College of Engineering of NJIT, and that I am, and have been for over thirty years, regularly engaged in

RADIOTECHNIQUES®

402 Tenth Avenue • PO Box 367 • Haddon Heights, NJ 08035

Engineering Report

Petition to Deny BNPL-20131112AGW

Columbus, OH

December 2013

the practice of radio engineering with the firm of Radiotechniques Engineering, LLC, with offices at 402 Tenth Avenue, Haddon Heights, NJ. I am a member of the AFCCE, Life Senior member of the IEEE and SBE and hold a FCC General Radiotelephone Operator License. My qualifications are a matter of record with the FCC.



3 December 2013

Edward A. Schober, PE

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In re:)
)
Application for Construction)
Permit For A Low Power FM) File No. BNPL-20131112AGW
Broadcast Station Channel 240) Facility ID - 194531
Columbus, Ohio)
)

AFFIDAVIT OF LEO P. ROSS

STATE OF OHIO :
: ss
COUNTY OF FRANKLIN :

Leo P. Ross, being first duly cautioned and sworn does hereby state as follows:

1. This is to certify that on December 3, 2013, I traveled to 64 W. Lane Avenue, Columbus Ohio 43201.
2. Using a Garmin model NUVI3790 GPS Receiver I read the location coordinates of the front entry of this address as North 40 degrees 00.365 minutes Latitude, and West 83 degrees 00.662 minutes Longitude.
3. I certify that the measurements were taken according to the Garmin instruction manual and that they were taken in the clear with adequate satellite signal.
4. FURTHER THE AFFIANT SAYETH NAUGHT.

Leo P. Ross

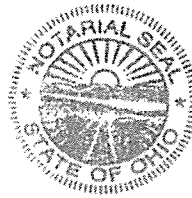
Leo P. Ross

NOTARY PUBLIC

Leo P. Ross appeared before me December 3, 2013, and did affirm that the forgoing statements are true to his knowledge, information and belief.

Carolyn Pierre-Louis

Notary Public



CAROLYN PIERRE-LOUIS
Notary Public, State of Ohio
My Commission Expires ~~04/22/2017~~

04/22/2017

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EXHIBIT D

AFFIDAVIT OF MARTIN D. YANT

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

I, Martin D. Yant, depose and state under oath as follows:

1. I am a licensed private investigator in Columbus, Ohio. In November 2013, I was retained to conduct a background investigation on North Columbus Community Radio and the company's directors, Jose Cabrera, Jose Gonzales and Juan Pineda.

2. The address for North Columbus Community Radio and its directors in its application listed in its pending FCC application was 64 W. Lane Ave., Columbus, OH 43201. This proved to be the address of the St. Thomas More Newman Center, a Roman Catholic church.

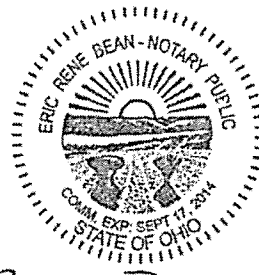
3. On December 2, 2013, I spoke with the office receptionist at the Newman Center. After identifying myself, I showed the receptionist the FCC application and asked her if she could direct me to the office of North Columbus Community Radio. The receptionist told me she had never heard of the company and that it was not located at their facility. I then asked her if Jose Cabrera, Jose Gonzales and Juan Pineda possibly worked at the Newman Center. The receptionist told me she had never heard of them.

4. I then spoke with Father Chuck Cuniff, a pastoral associate at the church. Cuniff told me he had worked at the Newman Center for 10 years and had never heard of North Columbus Community Radio or any of its directors. Cuniff suggested that I check to see if there was a building at 64 E. Lane Ave. in case the wrong direction was listed, but I found that no such address exists.

5. I also ran numerous searches on investigative databases, including Dun & Bradstreet, the leading source for information on businesses and corporations. I could find no information on North Columbus Community Radio in any of these databases. Searches for North Columbus Community Radio and its three directors on the Ohio Secretary of State's web site also were unproductive.

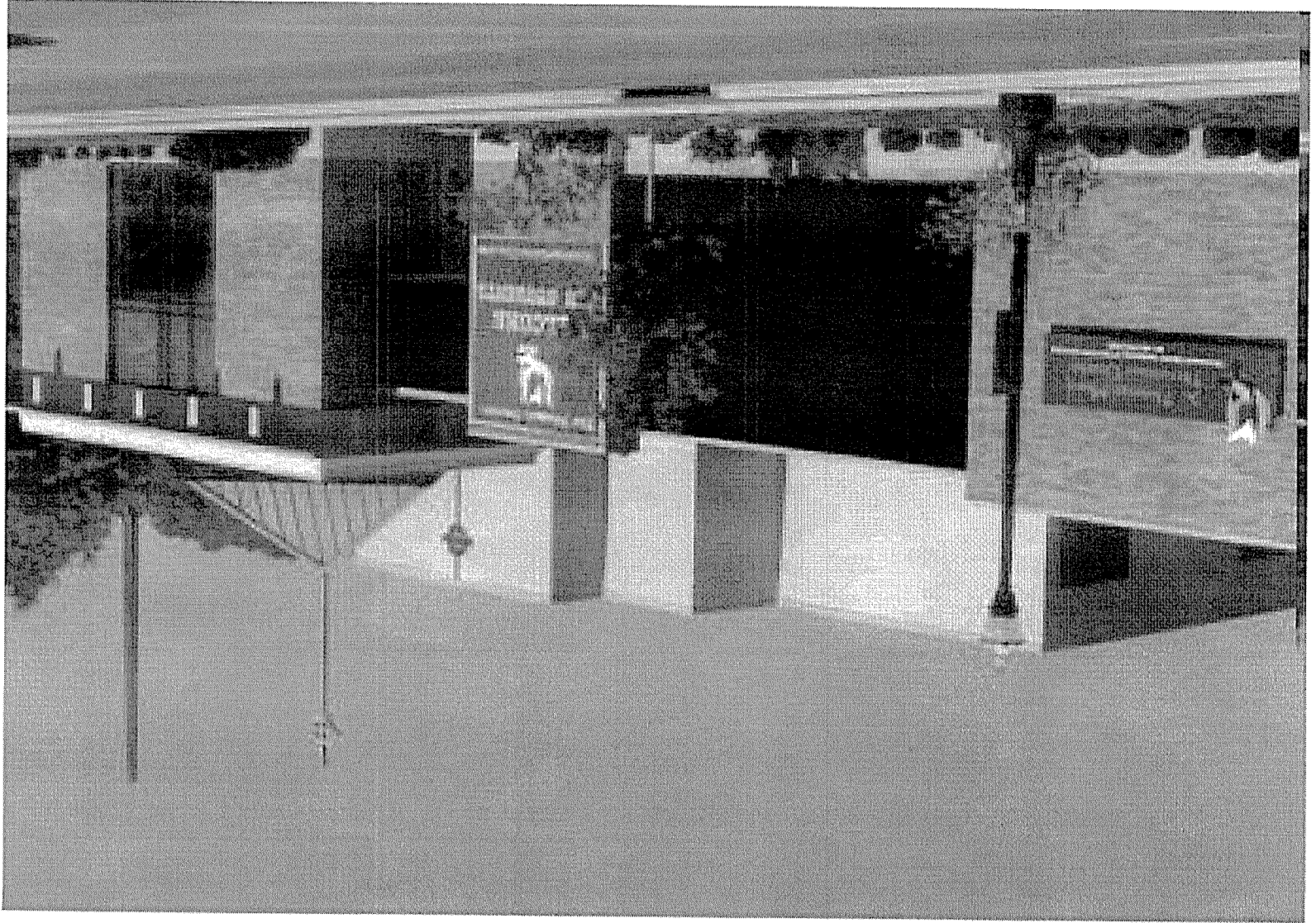
Further I sayeth naught.

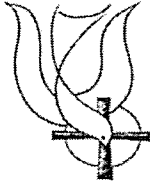
Martin D. Yant
Martin D. Yant



Sworn and subscribed in my presence this 3 day of DECEMBER, 201~~2~~³ 2013

Eric Bean
NOTARY PUBLIC





St. Thomas More Newman Center

The Home for the Catholic Community at The Ohio State University
1100 State Street, Columbus, Ohio 43210

419.246.1200



Staff

(614) 291-4674

Paulist Fathers

- Fr. Joe Ciccone, C.S.P., Director,
jjciccone@buckeyecatholic.com
(mailto:jjciccone@buckeyecatholic.com), x102
- Fr. Chuck Cunniff, C.S.P., Pastoral Associate,
ccunniff@buckeyecatholic.com
(mailto:ccunniff@buckeyecatholic.com), x103
- Fr. Vinny McKiernan, C.S.P., Pastoral Associate,
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Pastoral Staff

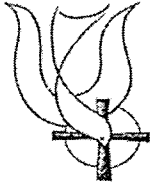
- Austin Schafer, Pastoral Associate for Campus Ministry,
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- Eric Utsler, Pastoral Associate and Music Minister,
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ssilva@buckeyecatholic.com
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Not pictured: Fr. Dave O'Brien, Stephanie Fisher





St. Thomas More
Newman Center

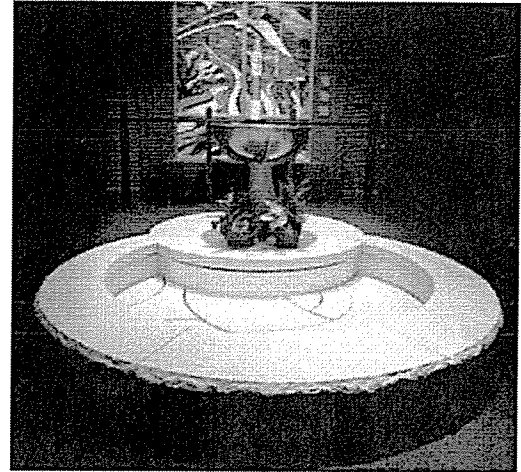
The Best of Catholic Christianity in The Ohio State Community
A Ministry of the Basilica of St. Thomas More

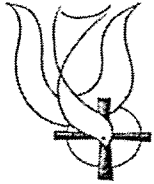


Leadership

The Church carries out its pastoral mission to the world both through its communal life and through the Christian witness of its individual members. By virtue of one's baptism, all disciples of Jesus Christ carry the responsibility of offering personal witness in order to make a difference in the Church and world.

Our vibrant and ever evolving community could not thrive as it does without the commitment and work of talented people to lead our student and music ministries, our outreach programs, and the many committees needed for us to function and grow. The Newman Center facilitates the development of leaders by encouraging members of the faith community to identify their gifts and to use them for the common good.





St. Thomas More Newman Center

The Newman Catholic Community at The Ohio State University
Inspired by Pope St. John

www.stmnewman.org



Mission and Values

St. Thomas More Newman Center Mission Statement:

To be the Roman Catholic campus ministry for The Ohio State University, where all can develop and live their Catholic faith.

St. Thomas More Newman Center Statement of Values:

The mission of our community is shaped by these values:

1. The Mission Direction Statement of the Paulist Fathers

(http://www.paulist.org/about/mission_statement.php)

- Evangelization
- Reconciliation
- Ecumenism
- Interfaith dialogue
- Collaboration

2. Empowered by the Spirit

(<http://www.usccb.org/education/highered/empowered.shtml>)
(USCCB document on Campus Ministry)

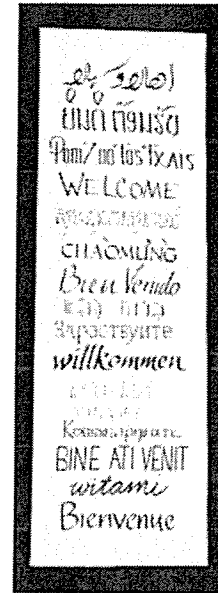
- Forming the Faith Community
- Appropriating the Faith
- Forming the Christian Conscience
- Educating for Justice
- Facilitating Personal Development
- Developing Leaders for the Future
- Promoting Discernment and Vocations

3. Stewardship and Young Adults

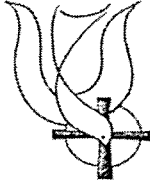
(<http://www.usccb.org/bishops/stewardship.shtml>) (USCCB, 2003)

- We work as partners with God in the redemption of the world.
- We respect human life and dignity.
- We protect the natural environment.
- We share our gifts (time, talents, and treasures) with others.
- We communicate our enthusiasm.

All are welcome...



...in this place.



St. Thomas More Newman Center

The Roman Catholic Community of The Ohio State University
A Ministry of The Paulist Fathers

419.246.1237



History

Founded in September 1946, the St. Thomas More Newman Center is the official Catholic campus ministry to The Ohio State University. The Newman Center was placed in the charge of the Paulist Fathers (<http://www.paulist.org>) on Sept. 8, 1956. The original location was a house on Iuka St., on the east side of campus. The present Newman Center, located across from the northeastern corner of the OSU campus, was dedicated in October 1971. In October 2002, the Newman Center was rededicated after renovations that included the addition of a daily Chapel, expanded office space, meeting rooms and dedicated student space.

