

You will be presented with the FCC FORM 159, Fee Remittance Advice after submitting your application and obtaining a confirmation number. This Fee Remittance Advice, FCC Form 159, must currently be submitted in paper form along with payment to the address indicated in the FCC Fee Filing Guide. Electronic submission of FCC Form 159 is not currently available.

Expires 11/30/99

**FCC FORM 702 - FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR CONSENT TO ASSIGNMENT OF RADIO STATION
CONSTRUCTION AUTHORIZATION OR LICENSE (For Stations in Services Other Than
Broadcast)**

PART I - To Be Completed By Assignor

1. Name of Assignor:*

ROCKWELL COLLINS, INC.

Attention:

LINDA C. SADLER

Street Address:*

1300 WILSON BOULEVARD, SUITE 200

P.O. Box

City:*

ARLINGTON

State:*

VA

Zip Code:*

22209

E-Mail Address:

mbwilson@collins.rockwell.com

2. Provide the following information for the facilities authorized to assignor for which assignment is sought in this application:*

Call Sign	File Number	Location	Expiration Date	No. of Stations	Service
KA2XYL	5531-EX-RR-1997	N/A	08/01/1999	N/A	XD

3. Provide below the following information for incomplete or unconstructed facilities (listed in item 3) in which assignment is sought: (a) callsign; (b) file numbers; and (c) date by which construction must be completed.*

4. Certification *

The undersigned represents that the license will not be assigned, or that control will not be transferred until the Commission's consent has been received; that all the attached exhibit are a material part hereof and are incorporated herein as if set out in full in this application; and that all the statements made in Part 1 of this application is true, complete and correct to the best of his (her) knowledge and belief.

I request that the Commission grant its written consent to the foregoing assignment.

Date:*

07/23/1999

Signature of Authorized Officer or Agent (if signed by an agent other than the authorized officer or assignor, power of attorney, of agent to sign must be attached).*

First Name of Person Signing:*

Linda

Last Name of Person Signing:*

Sadler

Number and Street Address:*

1300 Wilson Boulevard, Suite 200

P.O. Box

City:*

Arlington

State:*

VA

Zip Code:*

22209

E-Mail Address:

mbwilson@collins.rockwell.com

**WILLFUL FALSE STATEMENTS MADE 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).**

Signature of Authorized Officer or Agent (if signed by an agent other than the authorized officer or assignor, power of attorney or other authority of agent to sign must be attached). * Linda C. Sadler	Date: 07/23/1999
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PART II - To Be Completed By Assignee

5. Name of Assignee:* (if a corporation, state corporate name; if a partnership, state names of all partners and the name under which the partnership does business; if an unincorporated association, state the name of an executive officer, the office held by him/her, and the name of the association. The same name or names should be signed in the place provided at the end of the application, except that in the case of a partnership, the application may be signed in the name of the partnership by one of the partners).

Westinghouse Air Brake Company

Attention:*

Alvaro Garcia-Tunon

Street Address:*

1001 Air Brake Avenue

P.O. Box**City:***

Wilmerding

State:*

PA

Zip Code:*

15148

E-mail Address:

agarcia-tunon@wab.wabco-rail.com

6(a). Is this application made for consent to voluntary or involuntary assignment of permit or license?*☒ **VOLUNTARY** ☐ **INVOLUNTARY****(b). Name of Present Licensee and Call Sign****(c). Submit an exhibit containing a copy of the court order or other legal instrument by which assignee has obtained the legal right to construct or control the use and operation of station as a result of involuntary act or assignor.****7. State whether assignee is: ***☐ **INDIVIDUAL** ☐ **PARTNERSHIP** ☒ **CORPORATION** ☐ **ASSOCIATION****8. Include an exhibit containing a statement of assignee's principal business.****9. Include an exhibit stating any other business(es) applicant is directly or indirectly interested in. If applicant is a corporation, explain in statement other business(es) the officers, directors, or principal stockholders are directly or indirectly interested in.****10. Is individual assignee, or if partnership, each member of partnership a citizen of the United States?****11. Is assignee or any party to this application a representative of an alien or of a foreign government? *** ☐ **Yes** ☒ **No****12(a). Has the assignee been finally adjudged guilty by a Federal Court of unlawfully monopolizing, or attempting to monopolize, radio communication directly or indirectly through control of manufacture or sale of radio apparatus, exclusive traffic arrangements, or any other means, or of unfair methods of competition?****12(b). Has the assignee, or any party to this application, or any person directly or indirectly controlling the assignee ever been convicted of a crime for which the penalty imposed was a fine of \$500 or more, or an imprisonment of six months or more? If "YES", submit an exhibit containing a statement relating the facts.****12(c). Is assignee directly or indirectly controlled by any party finally adjudged guilty as above stated?****13(a). Is assignee directly or indirectly, through stock ownership, contract or otherwise, interested in the ownership or have control of any other radio stations? If "YES", submit an exhibit giving call letters and location of such stations.****13(b). Has the assignee in the past fifteen years been directly or indirectly interested in the ownership or control of any radio stations other than those referred to under (a)? If "YES", submit an exhibit giving classes of stations and exact names of licenses.****14. If assignment involves any Multipoint Distribution Service (MDS or MMDS) authorizations, is assignee directly or indirectly interested in or affiliated with, or has leasing arrangements with a cable television company? If "YES", submit an exhibit describing the relationship and a map showing overlap of boundaries of cable franchise area and MDS station's protected service area, if any.****15. If assignment involves any authorizations for Part 21 stations, answer (a), (b), and (c) below:****(a) Does the authorization involve facilities that have not been constructed?**

If "YES", does assignee represent that it has, or has reasonable assurance that it will have, the ability to meet the expected cost of constructing any such facilities within the construction period, and the estimated operating expenses for twelve months?

(b) Where facilities authorized following a comparative hearing and have been operated less than one year; or involve facilities that have not been constructed; or involve facilities that were authorized following a random selection proceeding in which the successful applicant received a preference and that have been operated for less than one year?

(c) Does assignee acknowledge that, if Commission consents, assignment must be completed within 45 days of date consent and Commission must be notified by assignee in writing within 10 days of consummation?

16. If assignee is a corporation or association, answer the following:

(a) Under laws of what State or County is it organized?

(b) Submit an exhibit containing a certified copy of the Articles of Incorporation if not heretofore filed with the Commission. If previously filed, state date and FCC Division?

(c) Is more than one-fifth of capital stock owned of record or may it be voted by aliens or their representatives or by a foreign government or representatives thereof, or by any corporation organized under the laws of a foreign country?

(d) Is any director or officer an alien? If "YES", submit an exhibit containing the names and position of each. Submit an exhibit giving the names and addresses of all stockholders owning and/or voting 10% or more of assignee's stock and percentage of stock held by each.

17.

(a) Is assignee directly or indirectly controlled by any other corporation? If "YES", submit an exhibit giving name and address of such controlling corporation.

(b) Under the laws of what State or country is the controlling corporation organized?

(c) Is more than one-fourth of capital stock of such, corporation owned of record or may it be voted by aliens, their representatives, or by a foreign government or representative thereof, by any corporation organized under the laws of a foreign country?

(d) Is any director or officer of the controlling corporation an alien? If "YES", submit an exhibit giving names and position of each.

(e) Is the above described controlling corporate in turn a subsidiary?

If "YES", submit an exhibit answering questions 17(a) to 17(e), inclusive, for each corporation to and including the organization having final control.

18.

(a) If applicant is an unincorporated association, answer 18(a) to (c):

Submit an exhibit describing purpose of association and provide number of members in the association.

(b) Submit as an exhibit a certified copy of the Articles of Association if not heretofore filed with the Commission. If previously filed, state date and FCC Division:

(c) Are any members aliens?

If "YES", submit an exhibit giving names and position of each.

19(a). Is assignee personally familiar with the Commission's rules governing the service which are the subject of this application? * ☒ Yes ☐ No

19(b). Has assignee examined the subject facilities and determined that construction and operation is in compliance with current authorizations and the Commission's rules? * ☒ Yes ☐ No

20(a). State assignee's relation to assignor, station or license: *

☐ Pro Forma Assignment ☐ Lessee ☐ Manager ☐ Financier

☒ Other (please specify in an exhibit)

20(b). Identify ultimate parent corporation, if assignee is a subsidiary and give names and addresses of controlling individuals:

N/A

20(c). Submit as an exhibit a copy of the agreement showing assignee's interest in station, if not on file with the Commission. If previously filed, state date and FCC Division:

20(d). Submit as an exhibit a statement of the nature of assignee's interest in use and control of station, if assignee is not lessee, or if this is not a pro forma assignment.

21. Will assignee have absolute control of station, both as to physical operation and service provided? If "NO", submit an exhibit a copy of any contract which may affect assignee's right to do so.

22. Submit as an exhibit a statement showing assignee's financial responsibility with respect to construction and/or operation of station.

23. Submit as an exhibit a statement indicating whether stock is to be sold for purpose of raising money to construct and/or operate station.

24. Submit as an exhibit a statement explaining how the construction and/or operation of the station will be in the public convenience, interest, or necessity.

25. The assignor's most recent applications for authorization are to be considered as part of this application, and the truth of the statements therein contained is hereby reaffirmed by the assignee, except insofar as the contrary expressly appears herein, and in the following particulars:

26. CERTIFICATION: 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 license or otherwise, and requests that written consent be granted to assign the authorizations herein mentioned to him(her). The assignee assumes all the obligations and agrees to abide by all the conditions imposed upon the assignor under the subject authorization except that he/she shall not be liable for any act done by, or any right accrued or any suit or proceeding had or commenced against, the assignor prior to said assignment. Neither the applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21. U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance.

I certify that the statements made in Part II are true, complete, and correct to the best of my knowledge and belief.
27. FCC Form 442 certification as required by 47CFR Section 5.59 (d):

THE APPLICANT CERTIFIES THAT:

- a. Copies of the FCC Rule Parts 2 and 5 are on hand; and
- b. Adequate financial appropriations have been made to carry on the program of experimentation which will be conducted by qualified personnel; and
- c. All operations will be on an experimental basis in accordance with Part 5 and other applicable rules, and will be conducted in such a manner and at such a time as to preclude harmful interference to any authorized station; and
- d. Grant of the authorization requested herein will not be construed as a finding on the part of the Commission:
 - 1. that the frequencies and other technical parameters specified in the authorization are the best suited for the proposed program of experimentation, and
 - 2. that the applicant will be authorized to operate on any basis other than experimental, and
 - 3. that the Commission is obligated by the results of the experimental program to make provision in its rules including its table of frequency allocations for applicant's type of operation on a regularly licensed basis.

THE APPLICANT FURTHER CERTIFIES THAT:

- e. All the statements in the application and attached exhibits are true, complete and correct to the best of the applicant's knowledge; and
- f. The applicant is willing to finance and conduct the experimental program with full knowledge and understanding of the above limitations; and
- g. The applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the USA.

WILLFUL FALSE STATEMENTS MADE 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).

Signature:*

Alvaro Garcia-Tunon

Date:

07/23/1999

☐ Individual Applicant ☐ Member of Applicant Partnership ☒ Officer of Applicant Corporation or Association

NOTE: An asterisk '*' displayed after a field indicates it must be completed before this application can be submitted.

Submit

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