

modoc broadcasting
6343 shasta way
klamath falls, oregon 97603

June 4, 2023

Ken Smith, Public Relations Director
Klamath Tribe
P.O. Box 436
501 Chiloquin Blvd.
Chiloquin, OR 97624

RE: Proposal for Klamath Tribe / Klamath Vicinity Radio Service, KHYK (FM)

Dear Ken,

This letter is a follow-up per our conversation concerning a full service non-commercial, educational FM station license for the Klamath vicinity. I wanted to discuss the finer points moving forward, documenting the purpose of the radio project and how the Klamath Tribe ("KT") fit into being a future operator of the facility.

Since the genesis of this project more than a decade ago, the intent has been to work-up to creating a "community radio" station for the Chiloquin-Klamath Falls vicinity. The project has been shepherded by a Northern California-based nonprofit named Common Frequency, Inc ("CFI") which has been a partner and subsidizer of the project. The key vision was to develop "community inclusion" or "community ownership" station, enshrining the tenets of media access/literacy and diversity on the airwaves, while serving the distinct needs of the Tribal Community. This was to be developed by Modoc Broadcasting ("MB"), as for many years the Klamath Tribe did not have any interest in being associated with a radio station.

So I would like to provide a summary of the concepts to be proposed for the radio facility to be entertained by the Council:

- MB and CFI have invested time and money into achieving FCC permitting
- MB would like to afford the KT considerable ownership and head operation of a non-commercial FM station
- MB would like KT to develop a studio facility for broadcast at the KT headquarters where community members can learn and be involved with broadcasting production, from youth to elderly.
- MB would like to have a "community radio" format and operation, with a variety of programming co-determined by public-access, volunteer programmers.
- MB would like to maintain inclusion of the Klamath Falls community with the station, perhaps with a small satellite facility in Klamath Falls.

- MB would like to co-locate the transmitter at Swan Lake Point this summer/fall for the best potential broadcast reach.

Action Items

Ownership:

FCC prevents sale of new NCE permits for a term of four years to discourage trafficking. We propose modifying the MB Corporate By-Laws to foster KT ownership:

- The board of the KT shall be placed on the board of MB, constituting a 50% ownership share of the nonprofit.
- The remaining 50% share of board members shall be three (expandable to a ceiling of five if opted) members of the greater Klamath-area community to round-out community interests and diversity of leadership. A prime concern is we do not want a situation where all of a sudden a leadership change for the entity holding the license could subvert the station (e.g., where there is one person who could decide to sell the station, or dictates selective access to the station in perpetuity).
- A new mission statement of the station stating operation of a community station to serve the people of Klamath Basin with independent community radio, with key attention to address the concerns and needs of the local Native population.
- Moving the base of operation to the KT headquarters with hopes of creating a local/live program studio.

Construction:

- CFI and grant money has funded the FCC engineering and legal work. MB has funds for equipment installation at Swan Lake Point.
- We would appreciate it if KT could secure access to the BPA site at Swan Lake Point.
- We would like to co-locate a couple pieces of broadcast equipment owned by CFI for KQCF addition to MB's new license at SLP. Using a shared antenna, there is no additional physical infrastructure other than an additional small transmitter. We see this as mutually beneficial because CFI has covered all the engineering and legal expenses for MB's operation of KQCF, and the new FCC construction permit, and CFI has agreed to re-broadcast local Native affairs programming created by MB in the the Medford area on a station CFI holds the license to out in that area (KDXA). This would extend the sphere of tribal communication.
- MB and CFI would like to finish installation of the new equipment for broadcast by the end of the fall 2023. This equipment would be selected with the assistance of CFI and Open Sky Radio Corp.

Please get back to me regarding your thoughts concerning this proposal.

Sincerely,

Randy Henry