

**DESCRIPTION OF MODIFICATION AND
EXPLANATION OF RESPONSE TO BASIC QUALIFICATION QUESTION**

Koch Membrane Systems, Inc. (“KMS”) submits this filing to correct its response to a question in connection with its May 11, 2009 request for modification of business radio call sign WQFM402 (File No. 0003834283). Because the Commission has granted that modification application, KMS hereby corrects the record through the filing of this modification application. No technical changes are being made to the business radio facility in this application, and thus, a new frequency coordination is not required.

KMS filed a request for modification on May 11, 2009 and indicated on the Form 601 that neither it nor any party directly or indirectly controlling the applicant had ever been convicted of a felony by any state or federal court. In the original license application, KMS correctly answered this question in the affirmative and included an explanation of the 1980 felony conviction of Koch Industries, Inc., which indirectly controls KMS. However, when it filed the modification application, the question was answered in the negative due to an oversight. In this filing, KMS responds to this question correctly in the affirmative to reflect the Koch Industries, Inc. plea.

On September 19, 1980, Koch Industries, Inc. was sentenced to a \$50,000 fine by the U.S. District Court for the District of Colorado. The sentence was the result of Koch Industries, Inc.’s plea agreement resolving charges that it and other defendants had manipulated a lottery administered by the Federal Bureau of Land Management by submitting more applications for oil and gas leases than the rules permitted. Although the incident in question occurred nearly 30 years ago, KMS is making this disclosure out of an abundance of caution.