



State of West Virginia
Office of the Attorney General

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Attorney General

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**WRITTEN DETERMINATION REGARDING THE
APPOINTMENT OF OUTSIDE COUNSEL ON BEHALF OF
THE WEST VIRGINIA EDUCATIONAL BROADCASTING AUTHORITY**

The West Virginia Educational Broadcasting Authority (hereinafter “WVEBA”) has requested legal representation to assist with the WVEBA’s ongoing compliance with numerous telecommunications and regulatory laws.

More specifically, the WVEBA is seeking representation to assist with meeting Federal Communications Commission (“FCC”) license requirements and Federal Aviation Administration (“FAA”) regulations for WVEBA’s fifteen (15) radio and twelve (12) television transmitters and translators located throughout the state (hereinafter “FCC & FAA legal & regulatory issues”).

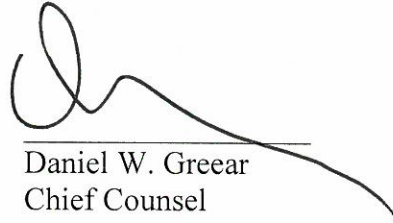
In accordance with the Attorney General’s Policy on Outside Counsel (Policy #WVAGO-004), the Office of the Attorney General has determined that it is both cost-effective and in the interest of the public to appoint outside counsel to assist the WVEBA with the legal matter set forth herein, based on the following factors:

- The matter at issue requires specific expertise in both telecommunications and regulatory law that is not sufficiently possessed by the Office of the Attorney General.
- The legal services requested would require a significant time commitment from the Office of the Attorney General to familiarize itself with telecommunications law generally, as well as the numerous FCC and FAA rules and regulations involved.
- While Kanawha County is the geographic area where the WVEBA is located, the nature of the legal services requested allow them to be performed outside of the geographic area.
- It is critical for the WVEBA to maintain the legal services in question, as failure to comply with the FCC and FAA rules and regulations in question could result in thousands of dollars in

finer for the WVEBA, or even jeopardize the WVEBA's ability to broadcast.

- It is not feasible or cost-effective for the Office of the Attorney General to provide the requested legal services at this time.

Accordingly, the Attorney General authorizes the appointment of outside counsel for the legal matter in question pursuant to commencement of the request for proposal process laid out in subsection (D) of Policy #WVAGO-004.



Daniel W. Greear
Chief Counsel

Date Signed: September 5, 2014