

FILE COPY

BEFORE THE
Federal Communications Commission
WASHINGTON, D. C. 20554

In re Applications of)	NCE FM MX Group No. 412
)	
ST. JOSEPH'S CATHOLIC SCHOOL, INC.)	File No. BNPED-20071022BHF
Ch. 213, Gray Court, South Carolina)	Facility ID # 173384
)	
COMMUNITY BROADCAST SERVICES)	File No. BNPED-20071018AMP
Ch. 213, Laurens, South Carolina)	Facility ID # 172593
)	
For Construction Permit for)	
New Non-Commercial FM Broadcast)	
Stations)	

FILED/ACCEPTED

TO: Honorable Marlene H. Dortch
Secretary of the Commission

ATTN: Audio Division, Media Bureau

DEC 14 2012
Federal Communications Commission
Office of the Secretary

**JOINT REQUEST FOR APPROVAL OF SETTLEMENT AGREEMENT
AND REQUEST FOR GRANT OF APPLICATION**

St. Joseph's Catholic School, Inc. (SJCS) and Community Broadcast Services (CB), by their respective attorneys, hereby respectfully submit their "Joint Request for Approval of Settlement Agreement". Further, SJCS respectfully requests that the Commission grant its application for a construction permit for a new non-commercial educational FM Broadcast Station at Gray Court, South Carolina. In so doing, the following is shown:

1. Attached hereto as Exhibit A is Settlement Agreement by and between SJCS and CB. This agreement

contemplates that, subject to Commission approval of this Joint Request, SJCS would reimburse CB for its expenses reasonably and prudently incurred in the preparation, filing and prosecution of its above-captioned application at Laurens, South Carolina, up to a maximum amount of \$9,500.00, in exchange for the dismissal of the CB application at Laurens. The agreement contains the representations required by Section 73.3525 of the Commission's Rules that the CB application was not filed for the purpose of delay and that no consideration, direct or indirect, has been paid or promised to CB for its decision to dismiss its application other than that which is disclosed in the Settlement Agreement.

2. In their settlement agreement, both SJCS and CB declare under penalty of perjury that: (1) neither application was filed for the purpose of reaching or carrying out a settlement agreement; (2) their settlement agreement will serve the public interest by eliminating the need for expensive and protracted hearing proceedings before the FCC and enabling new service to the public to be implemented at the earliest possible date; and (3) no consideration, direct or indirect, has been paid or promised to be paid by SJCS or any other party to CB or its

principals or affiliates to obtain the dismissal of the CB application at Laurens, South Carolina.

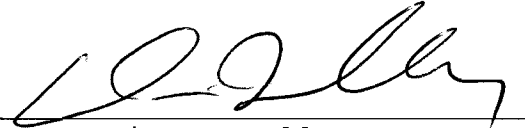
3. This settlement agreement is in the public interest because it will conserve scarce FCC adjudicatory resources, and it will also avoid the confusing scenario of two different licensees operating separate FM stations on the same frequency in the same area. The SJCS application has been accepted for filing and is available for an immediate grant.

WHEREFORE, St. Joseph's Catholic School, Inc. and Community Broadcast Services urge that (1) their Joint Request for Approval of Settlement Agreement **BE GRANTED;** (2) the application of Community Broadcast Services for a new NCE FM Station at Laurens, South Carolina (File No. BNPED-20071018AMP) **BE DISMISSED;** and (3) the application of St. Joseph's Catholic School, Inc. for a new NCE FM Station on Channel 213 at Gray Court, South Carolina (File No. BNPED-20071022BHF) **BE GRANTED.**

[SIGNATURES APPEAR ON FOLLOWING PAGE]

Respectfully submitted,

ST. JOSEPH'S CATHOLIC SCHOOL, INC.

By 
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Its Attorney

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December 14, 2012

Respectfully submitted,

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EXHIBIT A TO “JOINT REQUEST, ETC.”

The parties have agreed in principle on the terms of the settlement. A settlement agreement has been drafted and has been circulated for signatures.

We will file a supplement to the “Joint Request” containing the settlement agreement with signatures from both parties. Further, the supplement will contain a statement relative to the expenses incurred by Community Broadcast Services in the preparation, filing and prosecution of its application at Laurens, SC.

This supplement will be filed as soon as is practicable to do so.