

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554

In reply refer to:  
1800B3-JR

December 20, 1996

Noble Broadcast Licenses, Inc.  
125 South Superior Street  
Toledo, OH 43602

In re: WSPD(AM), Toledo, Ohio  
File No. BR-960530W4  
Petition for Reconsideration

Dear Licensee:

This concerns the November 4, 1996 Petition for Reconsideration of the City of Toledo, Board of Community Relations ("Toledo"). For the reasons set forth below, Toledo's petition is dismissed.

Toledo characterizes its pleading as an "Informal Objection" to the captioned application of Noble Broadcast Licenses, Inc. to renew the license of Station WSPD, Toledo, Ohio (File No. BR-960530W4). As Toledo acknowledges, that application had been granted on September 27, 1996. Thus, the pleading cannot be considered as an informal objection to the renewal grant. *See* 47 C.F.R. §73.3587.

Moreover, Toledo's pleading, considered as a petition for reconsideration pursuant to 47 C.F.R. §1.106, is likewise deficient. Specifically, Toledo's pleading was not filed within 30 days of the October 2, 1996 *Public Notice* announcing grant of the application (Report No. 23838). *See* §1.106(f). Further, Toledo has not demonstrated good reason why it could not have participated in this proceeding prior to grant of the renewal application as mandated by §1.106(b)(1). Finally, even were we to consider its merits, Toledo's pleading does not raise substantial and material questions of fact which warrant review of the renewal grant.

In light of the above and pursuant to 47 C.F.R. §0.283, the petition for reconsideration filed November 4, 1996 by the City of Toledo, Board of Community Relations IS DISMISSED. *See* Footnote 1.

Sincerely,

Linda Blair, Chief  
Audio Services Division  
Mass Media Bureau

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**Footnote:**

Footnote 1: A copy of Toledo's petition will be retained in the WSPD permanent license file.