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FCC Mailroom

February 16, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554
ATTN: Chief, Media Bureau, Audio Division

Re: FM Translator Station K245CB
Houston, Texas
Facility ID No. 148484
Request for Waiver of
Construction Permit
Expiration Date

Dear Ms. Dortch:

On behalf of Carlos Lopez ("CL"), permittee of FM Translator Station K245CB, Houston, Texas ("the Station") and Martin Broadcasting, ("Martin"), Licensee of AM Station KYOK Conroe, Texas, the proposed primary station specified in the pending Modification Application filed recently for the Station (BMPFT-20160211ACB),¹ and pursuant to Section 1.3 of the Commission's rules, this will request a waiver of Section 73.3598 of the Commission's rules to permit CL additional time to construct the station.

The construction permit for the Station currently expires of April 29, 2016. As noted, CL has filed a Modification Application under the Commission's FM translator window to rebroadcast an AM station, which application is currently pending.² At note 36 of the *AM Revitalization First Report and Order*, the Commission states that there are approximately 1,300 outstanding construction permits for FM translators which are scheduled to expire in 2016 and that modification applicants who participate in AM/FM translator filing windows are encouraged to seek waivers of their construction deadlines.

¹ CL and Martin have entered into a rebroadcast agreement with respect to Stations K245CB and its proposed Primary station, KYOK (AM)
² See *Revitalization of the AM Radio Service* (First Report and Order), 30 FCC Rcd 12145 (2015) ("AM Revitalization First First Report and Order").

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The Commission has recognized that waivers would expand broadcasting opportunities for AM Stations, would allow AM licensees to realize service improvements quickly and would incentivize FM translator permittees to participate in the modification window process, thereby, providing a means to avoid the delays and administrative burdens of re-auctioning the spectrum.

All of those beneficial factors are present in the instant case. As such, a waiver of the Commission construction deadline would clearly be in the public interest with respect to Station K245CB. CL hereby commits to prompt construction and initiation of his broadcast operations by K245CB translator station.

In view of the above, CL and Martin request that the Commission waive its construction deadline rule for Station K245CB and extend the construction permit expiration date for that Station to a date that is six months from the FCC final approval of the Station's pending Modification Application.

Sincerely,
Michael Celenza
Consultant

A handwritten signature in black ink, appearing to read "Michael Celenza", written in a cursive style.

cc (via- e-mail): Robert Gates