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Accepted / Filed

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.; Room TWD-204
Washington, D.C. 20554

OCT 28 2016

Federal Communications Commission
Office of the Secretary

Re: K234CS (Facility ID No. 88248)
Carmel Valley, CA
Construction Permit BMPFT-20160104AMU

Notice of Tolling Event and Request for Tolling

Dear Ms. Dortch:

Pursuant to Section 73.3598 of the Commission's Rules, and on behalf of Zwerling Broadcasting System Ltd. ("ZBS"), the permittee of unbuilt FM Translator Station K234CS at Carmel Valley, California, we hereby submit in triplicate this request for the tolling of the authorized period of construction for underlying Construction Permit BMPFT-20160104AMU (hereinafter referred to as "K234CS Construction Permit"). A copy of the K234CS Construction Permit is attached.

ZBS consummated the purchase of the K234CS Construction Permit on August 12, 2016 pursuant to assignment application BAPFT-20160523ABJ. The long term goal for acquiring K234CS was to subsequently move the translator facility to the Santa Cruz, California area to serve as a fill-in for Radio Station KSCO-AM. KSCO-AM is also owned by ZBS.

On October 27, 2016, ZBS filed a 250-mile modification application to move K234CS to the Watsonville, California for the purpose of serving as a fill-in for KSCO-AM on proposed new Channel 300. See, *Application BMPFT-20161027AAK*. Application BMPFT-20161027AAK was filed in accordance with the Commission's *Public Notice DA 1491 (released December 23, 2015), Media Bureau Announces Filing Dates and Procedures for AM Station Filing Window for FM Translator Modifications and Availability of FM Translator Technical Tools*.

ZBS paid \$37,500 to acquire the K234CS Construction Permit and has every intention to complete this project. However, the underlying Construction Permit is scheduled to expire on January 31, 2017. Once the FCC grants modification application BMPFT-20161027AAK,

ZBS will need adequate time to order the transmitting equipment and install the same. ZBS submits that a modest extension of the construction deadline is not only in the public interest but also consistent with the Commission's AM Revitalization policies. Therefore, pursuant to footnote 36 of *Revitalization of the AM Service*, 30 FCC Rcd 12145 (2015), ZBS seeks waiver/tolling of the expiration deadline for at least six (6) months.

Also attached is a Declaration from the President of ZBS wherein ZBS commits to promptly construct BMPFT-20161027AAK.

Based upon the foregoing, ZBS respectfully submits that good cause exists to grant the tolling of the expiration of the Construction Permit.

Respectfully submitted,



Cary S. Tepper
Counsel for
Zwerling Broadcasting System Ltd.

Attachments

cc: Victoria McCauley, Esq. (FCC – by email)
James Bradshaw (FCC – by email)

Construction Permit BMPFT-20160104AMU



United States of America
FEDERAL COMMUNICATIONS COMMISSION
FM BROADCAST TRANSLATOR/BOOSTER STATION
CONSTRUCTION PERMIT

Authorizing Official:

Official Mailing Address:

ZWERLING BROADCASTING SYSTEM LTD
2300 PORTOLA DRIVE
SANTA CRUZ CA 95062

James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

Facility Id: 88248

Call Sign: K234CS

Permit File Number: BMPFT-20160104AMU

Grant Date: January 28, 2016

The authority granted herein has no effect on the expiration date of the underlying construction permit.

This permit modifies permit no.: BNPFT-20130924AHN

Commission rules which became effective on February 16, 1999, have a bearing on this construction permit. See Report & Order, Streamlining of Mass Media Applications, MM Docket No. 98-43, 13 FCC RCD 23056, Para. 77-90 (November 25, 1998); 63 Fed. Reg. 70039 (December 18, 1998). Pursuant to these rules, this construction permit will be subject to automatic forfeiture unless construction is complete and an application for license to cover is filed prior to expiration. See Section 73.3598.

Name of Permittee: ZWERLING BROADCASTING SYSTEM LTD

Principal community to be served: CA-CARMEL VALLEY

Primary Station: KSCO (AM) , Frequency 1080 kHz, SANTA CRUZ, CA

Via: Direct - off-air

Frequency (MHz): 94.7

Channel: 234

Hours of Operation: Unlimited

Callsign: K234CS

Permit No.: BMPFT-20160104AMU

Antenna Coordinates: North Latitude: 36 deg 32 min 05 sec
West Longitude: 121 deg 37 min 14 sec

Transmitter: Type Accepted. See Sections 73.1660, 74.1250 of the Commission's Rules

Antenna type: (directional or non-directional): Directional

Major lobe directions 195
(degrees true):

	Horizontally Polarized Antenna:	Vertically Polarized Antenna:
Effective radiated power in the Horizontal Plane (kw):	0.01	0.01
Height of radiation center above ground (Meters):	30	30
Height of radiation center above mean sea level (Meters):	1063	1063

Antenna structure registration number: 1015714

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.
- 2 Prior to commencing program test operations, FM Translator or FM Booster permittee must have on file at the Commission, FCC Form 350, Application for an FM Translator or FM Booster Station License, pursuant to 47 C.F.R. Section 74.14.

*** END OF AUTHORIZATION ***

Declaration of Michael Zwerling

Michael Zwerling, under penalty of perjury, declares as follows:

I am the President and 100% equity owner of Zwerling Broadcasting System Ltd ("ZBS"), the new permittee of unbuilt FM Translator Station K234CS, which has pending before the FCC modification application BMPFT-20161027AAK to relocate the translator facility to Watsonville, California for the purpose of serving as a fill-in translator for Radio Station KSCO-AM at Santa Cruz, California. ZBS is also the licensee of KSCO-AM.

ZBS recently acquired K234CS at a cost of \$37,500. Matching up K234CS with KSCO-AM (once the K234CS modification application is approved and implemented) will secure the long time viability of KSCO-AM. We will promptly order the broadcast equipment necessary to implement BMPFT-20161027AAK once that application is granted, and we will promptly arrange for the installation of that equipment so that the modified translator facility can commence operations at an early date. We are committed to this project.

Since the current expiration date of the underlying Construction Permit is January 31, 2017 we ask for additional time to complete this project. ZBS just recently became the permittee of K234CS. The upcoming holidays may delay the FCC processing of BMPFT-20161027AAK, and may also delay the scheduling of a tower crew to implement the modified facilities. Therefore, within the spirit of the FCC's AM Revitalization Proceeding, we submit that the grant of this extension request is justified.

Executed this 28th day of October, 2016



Michael Zwerling