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LOUIS SCHWARTZ  
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May 2, 2016

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Accepted/Files**

MAY -2 2016  
Federal Communications Commission  
Office of the Secretary

Re: FM Translator Station W298BK  
Geneseo, Illinois  
FAC ID. 147710  
FCC File No. BNPFT-20130308AEC  
Tolling Request

Dear Ms. Dortch,

Neuhoff Media Decatur, LLC ("Neuhoff"), by its attorney, respectfully requests tolling of the deadline to construct the above-referenced facilities, as proposed to be modified by FCC File No. BMPFT-20160429ABY ("Modification Application"), pursuant to the 250-mile waiver of the minor change rule as provided in the AM Revitalization Order.<sup>1</sup> The underlying construction permit expires on May 2, 2016. Neuhoff has reached an agreement in principle with the permittee of the facility to purchase the construction permit for Station W298BK, Geneseo, Illinois. The modified facilities will be used to rebroadcast Neuhoff's Station WSOY(AM), Decatur, Illinois (Fac. ID No. 36945). The parties expect to file an appropriate assignment application very shortly.

Footnote 36 of the AM Revitalization Order provides that a waiver of an Auction 83 FM translator construction deadline is presumptively in the public interest provided that the AM station licensee proposing to use the FM translator for rebroadcasting its AM station commits to prompt FM translator station construction and initiation of broadcast operations. Neuhoff submits that the current situation falls squarely within

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<sup>1</sup> Revitalization of AM Radio Service, First Report and Order, Further Notice of Proposed Rule Making and Notice of Inquiry, FCC 15-142, note 36 (rel. October 23, 2015) ("AM Revitalization Order").

the circumstances described by the Commission and warrants relief in the public interest. Neuhoff is committed to promptly construct the facilities authorized in the Modification Application following grant thereof and FCC approval of the assignment application.

Accordingly, Neuhoff respectfully requests waiver of Sections 1.3 and 73.3598 of the Commission's rules to toll the current expiration date of the construction permit for a period of six months following grant of the Modification Application.

Please address any questions concerning this request to the undersigned.

Very truly yours,

SCHWARTZ, WOODS & MILLER

By: 

Malcolm G. Stevenson  
Counsel for Neuhoff  
Media Decatur, LLC

cc: John Garziglia, Esq. (via electronic mail)  
Victoria McCauley, Esq. ([Victoria.McCauley@fcc.gov](mailto:Victoria.McCauley@fcc.gov))  
MGS/nmc