

Shainis & Peltzman, Chartered

Counselors at Law

Aaron H. Shainis
aaron@s-plaw.com

Lee J. Peltzman
lee@s-plaw.com

Suite 240
1850 M Street, N.W.
Washington, D.C. 20036

(202) 293-0011
Fax (202) 293-0810
e-mail: shainispeltzman@s-plaw.com

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Federal Communications Commission
Office of the Secretary

February 8, 2016

VIA HAND DELIVERY

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 W269CO
Big Chimney, WV
Facility ID No. 158550
Request for Waiver of
Construction Permit Expiration Date

Dear Ms. Dortch:

On behalf of Kristi D. Syner ("KDS"), permittee of FM Translator Station W269CO, Big Chimney, West Virginia (the "Station") and Shilo Communications, Inc. ("Shilo"), licensee of AM Station WRRL, Rainelle, West Virginia, the proposed primary station specified in the pending Modification Application filed recently for the Station (BMPFT-20160129AWQ),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 KDS additional time to construct the Station.

The construction permit for the Station currently expires on April 26, 2016. As noted, KDS 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 KDS and Shilo have entered into a rebroadcast agreement with respect to Stations W269CO and its proposed primary station, WRRL(AM).

² See *Revitalization of the AM Radio Service* (First Report and Order), 30 FCC Rcd 12145 (2015) ("AM Revitalization 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 W269CO. KDS hereby commits to prompt construction and initiation of broadcast operations by her translator station.

In view of the above, KDS and Shilo request that the Commission waive its construction deadline rule for Station W269CO and extend the construction permit expiration date for that Station to a date that is six months from FCC final approval of the Station's pending Modification Application.

Sincerely,



Lee J. Peltzman
Counsel for
Kristi D. Syner and
Shilo Communications, Inc.

cc (via e-mail): Peter Doyle, Esq.
Victoria McCauley, Esq.
James Bradshaw
Robert Gates