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AUDIO SERVICES DIVISION

April 7, 2016

Accepted/Files

APR - 7 2016

Federal Communications Commission
Office of the Secretary

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Attn.: Chief, Media Bureau
Victoria McCauley, Media Bureau

**Re: K287BI, Dumas, Arkansas (Facility ID No. 151624)
Request for Tolling of Construction Deadline**

Dear Ms. Dortch:

Capital City Radio Corporation (“Capital City”), by its attorney, respectfully requests tolling of the deadline to construct the facilities authorized by BNPFT-20130327AGP, pursuant to note 36 of the *First Report and Order, Further Notice of Proposed Rulemaking and Notice of Inquiry in the Matter of Revitalization of the AM Service*, FCC 15-142, released October 23, 2015 (“*AM Revitalization Order*”).

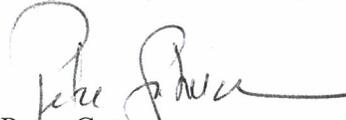
Presently pending before the Commission is an application to assign the construction permit for K287BI to Capital City (BAPFT-20160329AEC). As provided in the Asset Purchase Agreement submitted therewith, Capital City has filed an application for a minor modification of the K287BI permit to rebroadcast its Class D AM station KIOU, Shreveport, Louisiana, which is licensed to Capital City (BMPFT-20160406AAR). That modification fully complies with the requirements of the *AM Revitalization Order* and will enable KIOU to provide more reliable service to its listeners.

The K287BI permit is due to expire on April 24, 2016. Consequently, Capital City respectfully requests that the construction deadline be tolled pending disposition of the pending minor change application and extended for a period of six months following grant thereof, so as to afford Capital City a reasonable opportunity to construct the facilities requested therein. Capital City hereby commits to promptly construct and commence operation of the modified K287BI facility for which it has applied in the present window for Class D primary stations.

At note 36 of its *AM Revitalization Order* the Commission stated that a waiver of the construction deadline for an FM translator would be presumptively in the public interest under circumstances comparable to those presented here.

In view of the foregoing, we respectfully (a) request waiver of the deadline in § 73.3598(a) of the Commission's rules by which the currently authorized K287BI facility must be constructed and (b) tolling until a reasonable time following grant of the minor construction permit modification for which Capital City has applied in the current filing window.

Respectfully submitted,



Peter Gutmann
Counsel for Conner Media Corporation

cc: Robert Wilkins (LPF)