



7925 JONES BRANCH DRIVE  
McLEAN, VA 22102  
PHONE 703.905.2800  
FAX 703.905.2820

1776 K STREET NW  
WASHINGTON, DC 20006  
PHONE 202.719.7000  
FAX 202.719.7049

www.wileyrein.com

RECEIVED - FCC

FEB 12 2016

Federal Communications Commission  
Bureau / Office

Mark N. Lipp  
202.719.7503  
MLipp@wileyrein.com

February 12, 2016

**VIA HAND DELIVERY**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: **Request for Tolling Waiver of 47 C.F.R. § 73.3598**  
Black Media Works, Inc.  
FM Translator Station W260CL, West Palm Beach, Florida  
Facility Identifier Number: 146519

2016 FEB 16 P 3:23

Dear Ms. Dortch:

Black Media Works, Inc. (“BMW”), permittee of FM translator Station W260CL, West Palm Beach, Florida, hereby requests a tolling waiver (47 CFR §1.3 and §73.3598) of the construction deadline for this permit pursuant to Note 36 in the *First Report and Order, Further Notice of Proposed Rule Making and Notice of Inquiry* in MB Docket No. 13-249, *Revitalization of the AM Radio Service* 30 FCC Rcd 12145 (2015). Note 36 states that waivers of the Auction 83 FM translator permit deadlines are “presumptively in the public interest for applicants participating in one of the modification windows, 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.”

Station W260CL has a permit that was granted as a result of the Auction 83 window filings (see BNPFT-20030314AEF, BNPFT-20130805ACD). This permit will expire on November 25, 2016. BMW has filed an application in the 250 mile window to relocate the translator (BMPFT-20160129APY) so that it can rebroadcast an AM station (WWBC) as contemplated in the AM Revitalization Order. BMW has a rebroadcast agreement with the licensee of Station WWBC. BMW commits to promptly constructing and initiating operation of the translator once the pending modification application is granted. BMW’s Chairman has provided a Certification statement for this purpose.

Accordingly, BMW respectfully requests a waiver of 47 CFR §1.3 and §73.3598 to toll the construction deadline of the permit for Station W260CL (BNPFT-



February 12, 2016  
Page 2

201300805ACD) until processing of the pending modification application filed in the 250 mile window is complete.

Please contact the undersigned counsel for Black Media Works, if there are any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mark N. Lipp" with a small "D.K." written above the end of the signature.

Mark N. Lipp

Enclosure

cc: Victoria McCauley, Audio Division, Media Bureau

**CERTIFICATION**

Black Media Works, Inc., the permittee of translator Station W260CL, West Palm Beach, Florida, commits to promptly constructing and initiating operation of the proposed facilities applied for in BMPFT-20160129APY in order to rebroadcast AM Station WWBC, Cocoa, Florida, once the application is granted.

  
Raymond A. Kassis  
Chairman of the Board