



February 19, 2020

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Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 Twelfth Street, S.W.
Washington, DC 20554

Attention: Audio Division, Media Bureau

**Re: Construction Permit Tolling Status Report
Capstar TX, LLC, FRN No. 0003726643
FM Translator K298DG, Modesto, California, Facility ID 202581
File No. BNPFT-20181102AAJ**

Dear Ms. Dortch:

On behalf of Capstar TX, LLC (“Capstar”), this is the first six-month status report in regard to the tolling on the construction deadline for the construction permit issued by the Audio Division, Media Bureau, to Capstar on July 18, 2019, for a new FM translator station to serve Modesto, California, Facility ID No. 202581, FCC File No. BNPFT-20181102AAJ, Call Sign K298DG (the “Permit”).

Tolling was granted by the Audio Division, Media Bureau, pursuant to 47 C.F.R. Section 73.3598(b) on September 10, 2019, Reference Number 1800B3-VM, due to the submission of a petition for reconsideration of the construction permit grant by Justin Howze, (the “Petition for Reconsideration”).

In the interim, on December 4, 2019, the Audio Division, Media Bureau, in DA 19-1229, dismissed the Petition for Reconsideration. Justin Howze, on January 3, 2020, filed an Application for Review seeking Commission review of such dismissal. Capstar has opposed the Application for Review, Justin Howze has filed a Reply, and the administrative review matter remains pending.

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Pursuant to 47 C.F.R. Section 73.3598(b)(2), tolling is appropriate when the “grant of the permit is the subject of administrative or judicial review (*i.e.*, petitions for reconsideration and applications for review of the grant of a construction permit pending before the Commission....” As that is the case in regard to the Permit here, tolling of the period for construction for the Permit should be continued.

Please direct communications concerning this matter to the undersigned in addition to the permittee.

Respectfully submitted,

REPP LAW FIRM

By:  _____

Marissa G. Repp

Attorney for Capstar TX, LLC

cc: Victoria McCauley, Media Bureau (by e-mail)