

(REFERENCE COPY - Not for submission)
 Resumption of Operations of an FM Translator Station Application

File Number: | Submit Date: **05/18/2009** | Lead Call Sign: **W231BS** | Facility ID: **147849** |

FRN: **0004246443**

Service: **FM Translator** | Purpose: **Resume Operations** | Status: **Granted** | Status Date: **05/20/2009** | Filing Status: **Active**

General Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	

Applicant Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
FIFTH AVENUE BROADCASTING COMPANY, INC. Applicant Doing Business As: FIFTH AVENUE BROADCASTING COMPANY, INC.	401 11TH STREET SUITE 200 HUNTINGTON, WV 25701 United States	+1 (304) 523-8401		OTH

Contact Representatives (1)

Contact Name	Address	Phone	Email	Contact Type
SUSAN A. MARSHALL, ESQ. FLETCHER, HEALD & HILDRETH, P.L.C.	1300 NORTH 17TH STREET 11TH FLOOR ROSSLYN, VA 22209 United States	+1 (703) 812-0400	MARSHALL@FHHLAW.COM	Legal Representative

Station Status

Section	Question	Response
Station Status	Date the station resumed full power/operations:	05/13/2009

Certification

Section	Question	Response
General Certification Statements	The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).	

	<p>The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification § 1.2002(c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.</p>	
Authorized Party to Sign	<p>FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID</p> <p>Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application.</p> <p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND /OR FORFEITURE (U.S. Code, Title 47, §503).</p>	
	<p>I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.</p>	<p>RICHARD MICHAEL KIRTNER</p>

Attachments

File Name	Uploaded By	Attachment Type	Description	Upload Status
<u>1313113_757876.txt</u>	Applicant	All Purpose	RESUMPTION OF OPERATIONS EXPLANATION	Done with Virus Scan and /or Conversion