

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of:)
)
ST. GABRIEL COMMUNICATIONS)
)
Application for new NCE Broadcast Station) LMS File No. 0000167515
Facility ID 767664 in Spencer IA)
)

TO: Office of the Secretary
Attn: Chief, Audio Division, Media Bureau

OPPOSITION TO INFORMAL OBJECTION

St. Gabriel Communications (“St. Gabriel”), by its attorney, responds herewith to the Informal Objection (“Objection”) of Kevin J. Youngers (“Youngers”) filed June 14, 2022 (Pleading No. 0000193345), against the above-captioned application (“Application”).¹

Youngers objects to amendment of the Application after the close of the settlement window. However, Section 73.7003(d) of the Commission’s rules permits proposals to be modified at any time. The Commission routinely accepts for filing and grants amended technical proposals filed after the formal settlement period.² It is in the public interest because to do so promotes the growth and expansion of broadcast service to the public.

¹ St. Gabriel was not served with a copy of the Objection and did not learn about it until August 2, 2022.

²² See, for example, File Nos. 166849, 166854, and 167068. All were amended May 31, 2022, and granted July 6, 2022.

Here, St. Gabriel amended its application on May 16, 2022, to remove the mutual exclusivity with the application of VCY America, Inc. (“VCY”), at Sherburn, Minnesota. (St. Gabriel was not MX’d with any other applicant in MX Group 78.) The Commission accepted the amendment for filing on May 19, 2022, Report No. PN-1-220519-01. Acceptance for filing was an acknowledgment that the St. Gabriel application is a singleton, eligible for processing and grant (as well as further amendment). Subsequent to dismissal of the VCY application on May 18, 2022 (See Public Notice Report No. PN-2-220520-01, May 20, 2022), St. Gabriel amended its application to propose further modified facilities as a singleton. The application is now ready for processing and grant.

For these reasons, the Informal Objection should be denied, and the application, as amended, should be granted.

Respectfully submitted,

ST. GABRIEL COMMUNICATIONS



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