

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12th Street, S.W.**  
**WASHINGTON DC 20554**

MASS MEDIA BUREAU  
AUDIO SERVICES DIVISION  
TECHNICAL PROCESSING GROUP  
APPLICATION STATUS: (202) 418-2730  
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In re: WXAJ(FM), Hillsboro, IL  
Benjamin L. Stratemeyer  
("Stratemeyer")  
BLH-19990806KC  
Informal Objection

Dear Gentlemen:

This refers to: (1) the above-captioned license application and the request for program test authority<sup>1</sup>; (2) the September 7, 1999 Informal Objection filed by Randal J. Miller ("Miller")<sup>2</sup>; and (3) the September 29, 1999 Opposition to the Informal Objection. For the reasons stated below, the license application will be granted and the informal objection will be dismissed as moot.

Stratemeyer filed an application for license on August 6, 1999 to cover the unbuilt construction permit BPH-891228MG facility as replaced by BPH-19950629JA and as modified by permit BMPH-19960712IG. The modified construction permit was granted on March 11, 1999 and expired on August 6, 1999. However, Stratemeyer revealed in the application for license that construction of the directional FM facility has not been completed. Stratemeyer amended the license application on September 24, 1999 to indicate that the construction of facility has been completed.

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<sup>1</sup> Amended on September 24, 1999.

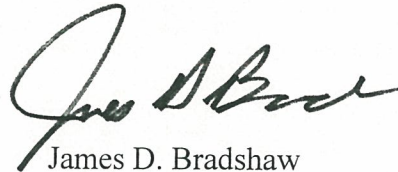
<sup>2</sup> Miller is President and a principal of FM stations WMKR, WTIM, Taylorville, Illinois; FM stations WXKO, Pana, Illinois; WRAN, Tower Hill, Illinois; and WKEI(AM)/WJRE(FM), Kewanee, Illinois.

In the September 7, 1999 informal objection, Miller argued that the license application filed on August 6, 1999 is defective because Stratemeyer failed to complete construction of facility by the expiration date on the construction permit. Miller requested that the license be dismissed.

We have reviewed the objection and determined that it will be dismissed. In the *Report and Order*, MM Docket Nos. 98-43 and 94-149, 13 FCC Rcd 23,056 (1998), the Commission extended the construction period for all broadcast stations to three years (from 18 months for radio stations and 24 months for television stations). Further, the *Memorandum Opinion and Order, Streamlining of Mass Media Applications*, MM Docket No. 98-43, 64 Fed. Reg. 56,974 (effective October 22, 1999) specified that the subject modified construction permit is automatically extended through October 22, 2000, after which it will be forfeit unless an application for license to cover the permit is filed prior to that date. Thus, the license application BLH-19990806KC was filed prior to this date. Accordingly, the modified construction permit was automatically extended through October 22, 2000. Pursuant to the *Memorandum Opinion and Order*, the license application was timely filed and construction has been completed. Therefore, it will be granted.

In light of the above, the license application filed by Benjamin L. Stratemeyer IS HEREBY GRANTED. The informal objection filed on September 7, 1999 by Randal J. Miller IS HEREBY DISMISSED AS MOOT. These actions are taken pursuant to 47 C.F.R. § 0.283.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Bradshaw", written in a cursive style.

James D. Bradshaw  
Assistant Chief  
Audio Services Division  
Mass Media Bureau

cc: Benjamin L. Stratemeyer