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Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

POSTED

October 9, 2007

RE: BMPED-20070521AIL

Petition for Reconsideration

Dear Secretary:

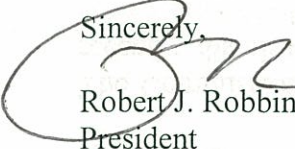
In this letter, WMKL requests Petition for Reconsideration of its modification of construction permit application BMPED-20070521AIL for WMKL. The above-mentioned application was filed to relocate WMKL to a different tower site for numerous technical reasons stated in the application.

The Commission has been processing this particular application for more than 4 months, and recently dismissed the modification application because of a "Section 73.215(e) violation" which essentially amounts to 23 meters short-spacing (before rounding, depending the level of precision chosen). Unless the Commission can grant the application as currently proposed, WMKL will amend the application by downgrading from Class C2 to Class C3 and requesting a grant of a construction permit.

However, we understand that the existing NCE-FM filing freeze prevents any immediate technical modification of WMKL's application until the close of the NCE-FM filing window (after October 19, 2007). The application was dismissed on the first business day of the current filing freeze preventing any technical changes to the application until after the freeze is lifted.

Therefore we request that either the Commission reconsider it's decision on WMKL's application or permit time for WMKL to amend its application to technical parameters that the Commission finds acceptable to grant a construction permit. Please do not hesitate to contact me should you have any questions.

Sincerely,

  
Robert J. Robbins, Ph.D.  
President

Cc: Rodolfo Bonacci (AUDIO DIVISION)