

MICHAEL COUZENS

ATTORNEY AT LAW

6536 TELEGRAPH AVENUE, SUITE B201

OAKLAND, CALIFORNIA 94609

TELEPHONE (510) 658-7654

FAX NO. (510) 654-6741

MAILING ADDRESS

POST OFFICE BOX 3642

OAKLAND, CALIFORNIA 94609

e-mail cuz@lptv.tv

www.lptv.tv

ADMITTED IN
CALIFORNIA AND IN THE
DISTRICT OF COLUMBIA

February 14, 2014

Received & Inspected

FEB 24 2014

FCC Mail Room

Rudolfo F. Bonacci
Assistant Chief, Audio Division
Media Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Blue Mountain Coalition for Youth and Families
West Point, CA
BMPED-20131017AFA
Construction Permit for KQBM
Facility ID 176193

Dear Mr. Bonacci:

Blue Mountain Coalition for Youth and Families hereby requests acceptance at this time, *nunc pro tunc*, of a license application on FCC Form No. 302-FM for the referenced facility. By its terms the construction permit expired at 3:00 a.m. local time on February 7, 2014. Good cause exists for acceptance of this license application, and no party would be prejudiced. The facility is fully constructed, including studio, STL, transmitter, transmission line and antenna. Acceptance would result in the continuation of service, as commenced under program test notification as of February 8, 2014. In support of this request the following is submitted:

Construction of KQBM was completed in December 2013 and a notification of commencement of Equipment Tests was faxed to the Technical Processing Group on December 29, 2013, pursuant to Section 73.1610 of the Rules. Subsequently there occurred a mix-up in communication as between the licensee and consulting engineer, with the result that the request for commencement of Program Tests was submitted to the Technical Processing Group, pursuant to Sec. 73.1620, but not until February 8, 2014, the day after the expiration of the permit.

By that point, likewise, the license application should have been filed but was not. The situation was compounded by the fact that the consulting engineer was in process of moving his services across four time zones, and communication had not become fully set. The situation was further compounded by the fact that this was a difficult build, involving four minor modifications to the permit, and the permittee had not fully understood the caution that these successive grants had "no effect on the expiration date of the underlying permit," when such date was not carried forward on the face of the grants. This was, of course, an unexcused failure, but the public should not have to suffer by the termination of service that exists today and will be successful in full conformity with the rules hereafter.

Rudolfo F. Bonacci
February 14, 2014
Page two.

Permittee regrets being in the position of having to make this request. Because the facility remains in the data base, the grant of the request will prejudice no one. Wherefore it is requested that the FCC Form 302 application for license be accepted *nunc pro tunc* as of February 6, 2014, and if grantable by its terms that it be granted.

Respectfully submitted,



Michael Couzens,
Attorney for
Blue Mountain Coalition for Youth and Families