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Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of

WPMI(AM), Mobile, AL
Clear Channel Broadcasting Licenses, Inc.
Facility ID No. 8695

File No. BP-20021010AAH

Application for Minor Modification of
Station Facilities

Federal Communications Commission
Office of Secretary

POSTED

To: Secretary, Federal Communications Commission
Attn: The Commission

APPLICATION FOR REVIEW

Pursuant to Section 1.115 of the Commission's Rules, CC Licenses LLC ("CC Licenses"), licensee of AM broadcast station WPMI, Mobile, Alabama,¹ by its attorneys and pursuant to Section 1.115 of the Commission's rules, 47 C.F.R. § 1.115, hereby submits this Application for Review of the Audio Division's dismissal on May 12, 2006 of the above-captioned application for minor modification of station WPMI (the "Modification Application"). See Letter from Son Nguyen, Supervisory Engineer, to Marnie K. Sarver, Esq. (May 12, 2006) (filed with BP-20021010AAH) ("May 12 Dismissal Letter").²

Full Commission review is necessary because the dismissal of the Modification Application is premature and conflicts with established Commission policy.³ The May 12

¹ WPMI changed its call letters from WNTM on August 12, 2004. Previous pleadings relating to the above-captioned application were filed using the station's former call letters. The licensee of WPMI also has changed from Clear Channel Broadcasting Licenses, Inc. to CC Licenses, LLC, pursuant to a *pro forma* assignment of license in 2005 (see File No. BALH-20050915ARA).

² Public Notice of the action appeared on May 17, 2006. *Public Notice*, Broadcast Actions, Report No. 46237, rel. May 17, 2006. Therefore, this Application for Review is timely.

³ CC Licenses is barred by Commission policy from petitioning for reconsideration of the May 12 Dismissal Letter. See *Commission States Further Policy on Incomplete and Patently Defective AM and FM Construction Permit*

Dismissal Letter states that dismissal is based on a Mexican government objection to the Modification Application, complaining of predicted interference to Mexican station XEYK, Conkal, YC, in violation of the US/Mexican AM Broadcast Agreement. Based on discussions between its FCC counsel and the Commission's International Bureau staff, CC Licenses understands that the FCC has objected to Mexico's notification of station XEYK, and that the objection remains unresolved.

It has been the Commission's policy to delay processing of broadcast applications that are the subject of foreign objections based on interference concerns, where the recipient of the predicted interference is itself objected-to by the Commission and that objection is unresolved. Dismissal of the Modification Application was, therefore, premature. Accordingly, CC Licenses respectfully requests that the Commission reinstate the Modification Application *nunc pro tunc* and delay further consideration of the Modification Application until such time that the issue of the United States government's objection to XEYK is resolved.

Respectfully submitted,

CC LICENSES, LLC

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June 16, 2006

Applications, FCC 84-366, rel. Aug. 2, 1984. A previous Petition for Reconsideration in this matter was granted by the Audio Division on June 8, 2004. *See* Letter from James Bradshaw, Deputy Chief, to Marnie K. Sarver, Esq. (June 8, 2006) (filed with BP-20021010AAB).