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ACCEPTED/FILED

NOV 22 2013

Federal Communications Commission  
Office of the Secretary

Ms. Mariene Dortch, Esq.  
Federal Communications Commission  
445 14<sup>th</sup> St. S.W.  
Washington, D.C. 20554

**RE: Petition for Reconsideration for DKCRX Station ID# 57700**

Ms. Dortch:

Enclosed are three (3) copies of a Petition for Reconsideration for the DKCRX for facility # 57700.

If you have any questions please do not hesitate to contact me.

Respectfully,

Charles D. Hatley, Esq.

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**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

**ACCEPTED/FILED**

NOV 22 2013

In the matter of:

Federal Communications Commission  
Office of the Secretary

DKCRX  
Facility ID # 57700

BL -

BR-20131112 GWH

To: The Commission

**Petition for Reconsideration**

Rosendo Casarez Jr. respectfully submits this *Petition for Reconsideration* of the September 30, 2013 *Notice of License Expiration*.

1. On September 30, 2013, Mr. Casarez Jr. received *Notice of License Expiration* for DKCRX (operating as KCRX 1430 in Roswell, N.M) for violation of 47 CFR §§ 73.3539(a) and 73.1020(a)(13)(i).
2. Mr. Casarez did not file the FCC 303-S, application for renewal license, by June 01, 2013 pursuant to 47 CFR § 73.3539(a) because of an extraordinary event that destroyed all assets of KCRX 1430.
3. On March 18, 2013, the KCRX 1430 studio was completely destroyed when a 10,000-gallon water tank used for fire suppression, stored on the roof of the building that housed the studio, burst. Everything in the studio was destroyed; including all paper files, all electronic files, all computer equipment, and all broadcast equipment. Proof of this incident is attached hereto. Exhibit A is the newspaper report of the incident and Exhibit B is letter from the Fire Chief acknowledging the incident.

4. Due to this incident, all assets of DKCRX were destroyed, and KCRX 1430 was forced to go off air.
5. In the short time since this event occurred, Mr. Casarez has found a new broadcast location, procured alternate broadcasting equipment, and worked diligently to replace all of the assets that he lost.
6. Had this extraordinary event not occurred, Mr. Casarez would have filed his application for renewal in a timely manner pursuant to 47 CFR § 73.3539(a) and 47 CFR § 73.1020(a)(13)(i).
7. KCRX 1430 is a historical cornerstone of A.M. radio in New Mexico, it was found in 1927. KCRX 1430 was the second licensed radio station in New Mexico, and the first licensed radio station in Roswell. In fact, KCRX 1430 was the first to broadcast the news of the now infamous Roswell U.F.O crash.
8. KCRX 1430 is one of the few A.M. radio stations owned entirely by a minority. Mr. Casarez Jr. is of hispanic decent.
9. Further, KCRX 1430 broadcasts in Spanish, serving an underrepresented portion of the Roswell, N.M. community.
10. Although Mr. Casarez Jr. missed the deadline proscribed by 47 CFR § 73.3539(a), he has since filed the FCC 303-S.
11. Mr. Casarez Jr. is only the third owner of DKCRX, and he is willing and wanting to resume broadcasting activities. In fact, until this extraordinary event, Mr. Casarez Jr. had dutifully followed all of the rules and regulations set forth by the F.C.C.; and if allowed to resume broadcasting, he will continue to be a model broadcast station owner.

12. Accordingly, Mr. Casarez Jr. respectfully asks this Commission to reconsider  
the September 30, 2013 *Notice of License Expiration* and reinstate the  
operating license for DKCRX.

Respectfully Submitted,

Rosendo Casarez Jr.

Through Counsel,

A handwritten signature in blue ink, appearing to read 'CDH', is written over a horizontal line.

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