

LAW OFFICES

**COHN AND MARKS LLP**

ROBERT B. JACOBI  
ROY R. RUSSO  
RONALD A. SIEGEL  
LAWRENCE N. COHN  
RICHARD A. HELMICK  
ELLEN MANDELL EDMUNDSON

**SUITE 300  
1920 N STREET N.W.  
WASHINGTON, D.C. 20036-1622**

MARCUS COHN (1913-2001)  
LEONARD H. MARKS (1916-2006)

SUSAN V. SACHS

TELEPHONE: (202) 293-3860  
FACSIMILE: (202) 293-4827  
HOME PAGE: WWW.COHNMARKS.COM

DIRECT DIAL: (202) 452-4817

EMAIL ADDRESS:  
Lawrence.Cohn@Cohnmarks.com

August 20, 2015

**VIA HAND DELIVERY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
The Portals II  
445-12<sup>th</sup> Street, S.W.  
Room TW-A325  
Washington, D.C. 20554

Accepted / Filed  
AUG 20 2015  
Federal Communications Commission  
Office of the Secretary

2015 AUG 21 A 10:04

In re: KAHM(FM), Spring Valley (formerly Prescott), Arizona  
BPH-20100813BHN (initially granted January 11, 2013)  
Statement for the Record re: Tolling of Construction Term

Dear Ms. Dortch

This letter is written on behalf of Southwest FM Broadcasting Co., Inc. ("Southwest FM"), licensee of Station KAHM, Spring Valley (permittee to change community of license from Prescott to Spring Valley), Arizona, and is with regard to the Commission's grant of the above-referenced application for a minor change in the station's facilities ("KAHM Grant").

By Memorandum Opinion & Order FCC 15-86 (released July 16, 2015) ("MO & O"), the Commission denied the Application for Review filed by Kemp Communications, Inc. ("Kemp") regarding this matter, thereby affirming the Media Bureau's grant of the above-referenced application.

The thirty (30) day period for Kemp to file a Notice of Appeal regarding the MO & O with the United States Court of Appeals for the District of Columbia Circuit, pursuant to 47 USC Section 402(b), ended on August 17, 2015 (the first business day after August 15). Southwest FM's undersigned counsel has discussed the status of this matter with Kemp's communications counsel (James A. Koerner, Esq.), and has been advised by Mr. Koerner that Kemp did not file a Notice of Appeal with the Court (or a petition for reconsideration with the Commission).

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
August 20, 2015  
Page 2

Based upon the representations made by Kemp's counsel, and in reliance upon such representations, Southwest FM hereby states for the record that it does not seek a further extension of the tolling of the Construction Term set forth in the KAHM Grant.

Sincerely

A handwritten signature in blue ink, appearing to read "Lawrence N. Cohn".

Lawrence N. Cohn

LNC:mcb

cc: Mr. Peter H. Doyle  
(Chief, Audio Division, FCC)

Victoria McCauley (via email)  
(Attorney, Audio Division, FCC)

James A. Koerner, Esq.  
(Counsel for Kemp Communications, Inc.)

Jerrold Miller, Esq.  
(Counsel for Marvin Vosper)