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COUNSEL

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February 5, 2016

Accepted/Files

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

FEB - 5 2016  
Federal Communications Commission  
Office of the Secretary

**Re: W298BP, Wise, Virginia**  
**Proposed Community: Charlottesville, VA**  
**Facility ID No. 141162**  
**Construction Permit File No. BNPFT-20130827ABY**  
**Application File No. BMPFT-20160129ALA**  
**Assignment Application File No. BAPFT-20160129AIS**  
**Notice of Tolling Event and Request for Tolling**

Dear Ms. Dortch:

Pursuant to Section 73.3598 of the Commission's Rules, in triplicate, on behalf of Saga Communications of Charlottesville, LLC ("Saga"), proposed assignee of the original construction permit for W298BP, Wise, Virginia (File No. **BNPFT-20130827ABY**) ("Construction Permit), this letter requests the tolling of the authorized period of construction under the Construction Permit.

Positive Alternative Radio, Inc. ("PAR") is the holder of the Construction Permit. On January 29, 2016, Saga filed a contingent application (File No. **BMPFT-20160129ALA**) to modify the Construction Permit to operate at Charlottesville, Virginia. Saga is the proposed assignee (See File No. **BAPFT-20160129AIS**) of the Construction Permit which will be used to rebroadcast Saga's Class C AM Station, WVAX, Charlottesville, VA. File No. **BMPFT-20160129ALA** was filed in accordance with the Commission's Public Notice, *Media Bureau Announces Filing Dates and Procedures for AM Station Filing Window for FM Translator Modifications and Availability of FM Translator Technical Tools*, DA 1491, released December 23, 2015.

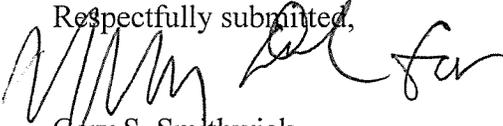
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The Construction Permit is scheduled to expire on December 12, 2016. Pursuant to Foot note 36 of *Revitalization of the AM Service*, 30 FCC Rcd 12145 (2015), Saga seeks waiver/tolling of the expiration deadline to the longest period permitted by the Commission.

Attached is a declaration from the treasurer of Saga wherein Saga commits to promptly construct the modified FM translator station. The applicant commits to commence construction within 30 days of receipt of a final, non-appealable construction permit for the modified facilities, by ordering an antenna, feedline and transmitter, and complete construction within six months following the receipt of the equipment.

For the forgoing reason, Saga respectfully submits that good cause exists to grant the tolling of the expiration of the Construction Permit.

Respectfully submitted,  
  
Gary S. Smithwick  
Counsel for  
Saga Communications of Charlottesville, LLC

ATTACHMENT

cc: Victoria McCauley, Esq. (FCC) (by hand and by electronic mail to [victoria.mccauley@fcc.gov](mailto:victoria.mccauley@fcc.gov))

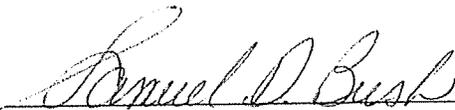
## DECLARATION OF SAMUEL D. BUSH

Samuel D. Bush, under penalty of perjury, declares as follows:

I am treasurer of Saga Communications of Charlottesville, LLC ("Saga"), licensee of WVAX(AM), Charlottesville, Virginia. On January 29, 2016, Saga filed an application (File No. BAPFT-20160129AIS) seeking FCC consent to the assignment of the construction permit for W298BP, Wise, Virginia, from Positive Alternative Radio, Inc., to Saga.

Saga commits to promptly construct the modified FM translator station. Saga commits to commence construction within 30 days of receipt of a final, non-appealable construction permit for the modified facilities, by ordering an antenna, feedline and transmitter, and complete construction within six months following the receipt of the equipment.

Executed this 5<sup>th</sup> day of February, 2016.

  
\_\_\_\_\_  
Samuel D. Bush