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Federal Communications Commission
Office of the Secretary

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Re: K290CN, Facility No. 142802

Dear Ms. Dortch:

KBYN, Inc., permittee of the above-referenced station, by its attorney, hereby requests tolling and/or an extension of time with respect to the construction deadline for the above-referenced construction permit, pursuant to 47 C.F.R. §1.3 of the Commission's rules in accordance with footnote 36 of AM Revitalization First Report and Order, released on October 23, 2015 (1st R&O), and the Modification Window Procedures Public Notice released on October 26, 2015 (Notice). That footnote states that under certain circumstances, a waiver of an Auction 83 FM translator construction deadline is presumptively in the public interest for applicants that will be participating in one of the modification windows. Since the Release of the *Report and Order*, the FCC has announced two filing windows within which existing FM translator stations and permits may be designated by eligible AM stations to provide supplemental rebroadcast coverage to such stations.

An application has been filed for utilization of the second FM Translator Window, File No. BMPFT-20160729AMO. K290CN will be associated with Station KLOC(AM). The permit for K290CN is currently scheduled to expire on January 6, 2017. Therefore, it is requested that this extension request be processed and granted expeditiously.

If there are any questions, please contact this office.

Very truly yours,

Dan J. Alpert

Counsel for KBYN, Inc.

Cc: Victoria McCauley <Victoria.McCauley@fcc.gov>