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RADIO SERVICES DIVISION

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Federal Communications Commission
Office of the Secretary

BY HAND DELIVERY

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

RE: Capstar TX, LLC (FRN No. 0019362953)
Request for waiver of Construction Permit Expiration Date
W225CJ (FX), 92.9 MHz, Channel 225, Asheville, NC; FID No. 141057

Dear Ms. Dortch:

On behalf of Capstar TX, LLC ("Capstar"), the permittee of FM Translator Station W225CJ, (the "Station") and Clear Channel Broadcasting Licenses, Inc., licensee of AM Station WPEK, Fairview, NC, the proposed primary station specified in the Modification Application filed recently for the Station (BMPFT-20160129AHB), and pursuant to Section 1.3 of the Commission's rules, this will request a waiver of Section 73.3598 of the Commission's rules to permit Capstar additional time to construct the Station.

The construction permit for the Station currently expires on December 11, 2016. As noted, Capstar has filed a Modification Application under the Commission's FM Translator window to rebroadcast an AM station, which was granted on February 18, 2016. At note 36 of the *AM Revitalization First Report and Order*, the Commission states that there are approximately 1,300 outstanding construction permits for FM Translators which are scheduled to expire in 2016 and that modification applicants who participate in AM/FM Translator filing windows are encouraged to seek waivers of their construction deadlines.

The Commission has recognized that waivers would expand broadcasting opportunities for AM stations, would allow AM licensees to realize service improvements quickly and would incentivize FM translator permittees to participate in the modification window process, thereby, providing a means to avoid the delays and administrative burdens of re-auctioning the spectrum.

All of those beneficial factors are present in the instant case. As such, a waiver of the Commission construction deadline would clearly be in the public interest with respect to Station W225CJ. Capstar hereby commits to prompt construction and initiation of broadcast operations by the translator station.

In view of the above, Capstar and Clear Channel Broadcasting Licenses, Inc. request that the Commission waive its construction deadline rule for Station W225CJ and extend the construction permit expiration date for that Station to a date that is six months from December 11, 2016.

Respectfully submitted,

Capstar TX, LLC

By: 

Stephen G. Davis
Senior Vice President, RE, Facilities & Corporate
Development

cc: Public Inspection File