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Federal Communications Commission
Office of the Secretary

Fred R. Keith

For Tolling and Reinstatement of Construction Permit

File No. BNPFT-2013030830APT
File No. BMPFT-20160729ACH

Facility ID No. 156964

To: Marlene H. Dortch, Secretary, FCC
Attn: Audio Division-Media Bureau
Federal Communications Commission

PETITION FOR REINSTATEMENT AND TOLLING

Fred R. Keith ("Keith"), by his attorney, hereby respectfully requests the Audio Division to issue a decision to reinstate and toll the expiration of the above-referenced construction permits noted above.

1. Keith is the Permittee of the above captioned FM Translator Station. Keith timely filed a 250 –mile move in accordance with the FCC'S *Public Notice, DA 15-1491*, (released December 23, 2015), implementing provisions of the FCC's *Revitalization of the AM Radio Service, First Report and Order and Further Notice of Proposed Rule Making, FCC 15-142*, (released October 23, 2015) ("Revitalization Order"). This translator is to be used with his AM Station WKXR (AM), Asheboro, North Carolina ("WKXR (AM)")¹.

¹ Mr. Keith owns WKXR (AM) through his company South Triad Broadcasting Corp.

2. In his FCC Form 349 Application, Keith properly and timely requested a tolling pursuant to *Footnote 36* of the *Revitalization Order*. A copy of the Keith's Application is attached hereto as Attachment 1. At the time of its filing, the original construction permit date was January 7, 2017. In that request, Keith sought a waiver/tolling of the expiration deadline to the longest period permitted by the Commission.

3. Apparently, the Commission Staff did not see the timely filed tolling request and cancelled this instant construction permit authorization (no Public Notice has been issued). Upon discovery of this error, Counsel contacted Mr. Robert Gates of the Commission's Audio Division Staff. Mr. Gates requested that Keith file a paper submission for the tolling through the Secretary's office and to serve Mr. James Bradshaw and Ms. Victory McCauley, Esq., in the Audio Division. Pursuant to the direction of Mr. Gates, this submission is being filed today.

4. Under the circumstances good cause exists for the reinstatement and tolling of this instant Permit. Therefore, Keith respectfully requests that this Permit be reinstated and tolled.

Respectfully submitted,

Fred R. Keith

By: 

John C. Trent, Esq.
His Attorney

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February 9, 2017

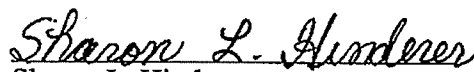
Certificate of Service

I, Sharon L. Hinderer, a legal assistant in the firm of Putbrese Hunsaker & Trent, P.C, hereby certify that on this 9th day of February, 2017, a copy of the foregoing "Petition For Tolling" was sent by first-class mail, postage prepaid, to:

*James Bradshaw
Audio Division-Media Bureau
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

*Victoria McCauley, Esq.
Audio Division-Media Bureau
Federal Communications Commission
445 12th Street, SW
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*Robert Gates
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Sharon L. Hinderer

*Also E-mailed