

ORIGINAL

WILKINSON) BARKER) KNAUER) LLP

2017 MAR -7 A 10:57

1800 M STREET, NW
SUITE 800N
WASHINGTON, DC 20036
TEL 202.783.4141
FAX 202.783.5851
WWW.WBKLaw.COM

March 6, 2017

VIA HAND DELIVERY

Accepted / Filed

MAR - 6 2017

Federal Communications Commission
Office of the Secretary

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Re: K273CT, Oxnard, California (Fac. Id. 143607)
Request for Waiver of Construction Permit Deadline

Dear Ms. Dortch:

This request for waiver of the construction permit deadline is filed on behalf of Gold Coast Broadcasting LLC ("Gold Coast") pursuant to 47 C.F.R. §1.3 of the Commission's rules, in accordance with footnote 36 of the Commission's *AM Revitalization First Report and Order*, released October 23, 2015 ("*First R&O*"),¹ *Modification Window Procedures Public Notice*, released October 26, 2015 ("*Procedure PN*"),² and the *AM Revitalization Second Report and Order* ("*Second R&O*").³ Footnote 36 of the *First R&O* stated that waivers of the Auction 83 FM translator construction deadlines are "presumptively in the public interest for applicants participating in one of the modification windows, provided that the AM station licensee proposing to use the FM translator for rebroadcasting its AM station commits to prompt FM translator station construction and initiation of broadcast operations." The *Second R&O* relaxes the rules as to where FM translators can be located to serve AM stations, and footnote 22 of that order allows further extensions of FM construction permits to allow AM licensees to take advantage of the new flexibility offered by this order. However, it allows only one extension that will expire 6 months after the effective date of the new rules. .⁴

¹ *Revitalization of the AM Radio Service*, First Report and Order, Further Notice of Proposed Rulemaking and Notice of Inquiry, 30 FCC Rcd 12145 (2015).

² *Media Bureau Announces Filing Dates and Procedures for AM Station Filing Window for FM Translator Modifications and Availability of FM Translator Technical Tools*, Public Notice, 30 FCC Rcd 14690 (MB 2015).

³ *Revitalization of the AM Radio Service*, Second Report and Order, 2017 FCC Lexis 535, FCC 17-14 (rel. Feb. 27, 2017).

⁴ *Id.* at *10.

Marlene H. Dortch, Secretary
March 6, 2017
Page 2

Gold Coast holds a construction permit for FM translator K273CT, Oxnard, California (Fac. Id. 143607) (BMPFT-20160129AYL) (the "CP") that was initially set to expire on October 31, 2016. Gold Coast filed an application to modify the K273CT permit for use with AM station KUNX(AM), Santa Paula, California in the initial modification window announced by the *First R&O*.⁵ Gold Coast requested a six-month waiver of the October 31, 2016 construction deadline for the CP to enable it to realize service improvements for its AM station quickly. The requested time was needed because of the additional engineering complexity entailed in locating a translator antenna on an existing AM tower. The Commission granted this request and the expiration date was changed to March 23, 2017.⁶

In light of the Commission's recent relaxation of the translator placement rules in its *Second R&O*, Gold Coast respectfully requests an additional 6-month waiver of the construction permit deadline so it can investigate alternative sites under the revised rules. Gold Coast commits to promptly construct the facilities authorized by the CP and commence broadcast operations, thereby satisfying the *First R&O*'s requirement for this waiver request to be granted presumptively in the public interest. Grant of this waiver also would serve the public interest because it will allow Gold Coast to realize AM service improvements quickly and would further the FCC's effort to expand cross-service opportunities for AM stations.

Please do not hesitate to contact the undersigned with any questions or requests for additional information.

Respectfully submitted,

A handwritten signature in blue ink that reads "Kelly Donohue" followed by a stylized flourish.

Kelly Donohue
Counsel to Gold Coast Broadcasting LLC

cc: Victoria McCauley (Via Email)

⁵ That application was granted on February 23, 2016. See FCC File No. BMPFT-20160129AYL.

⁶ See Email from Victoria McCauley, Audio Division, Media Bureau, Federal Communications Commission, to Kelly Donohue, counsel to Gold Coast Broadcasting (dated Sept. 30, 2016).