



Federal Communications Commission  
Washington, D.C. 20554

March 8, 2018

*In reply refer to: 1800B3-VM*

Ms. Amy Meredith  
PMCC  
7884 Peacock Lane  
Frisco, TX 75035

In re: W270CS, Gulfport, MS  
Facility ID No. 142760  
  
K221GE, Wickenburg, AZ  
Facility ID No. 143311  
  
K287BP, South Padre Island, TX  
Facility ID No. 142717  
  
Request for tolling

Dear. Ms. Meredith:

This is in reference to the June 19, 2017, and February 5, 2018 tolling requests you filed for three construction permits for new FM Translator Stations: W270CS, Gulfport, Mississippi, File No. BNPFT-20150518AFL (Facility ID No. 142760), K221GE, Wickenburg, Arizona, File No. BNPFT-20130827AEC (Facility ID No. 143311), and K287BP, South Padre Island, Texas, File No. BNPFT-20130826AGH (Facility ID No. 142717) (collectively, Stations). Those permits were all granted on January 29, 2016 for three-year terms ending on January 29, 2019. On February 5, 2018, you filed a follow-up to that original request. You state that these stations are "tied up" in litigation and a bankruptcy proceeding and that the court has ordered a stay which prevents you from building the stations. Your request falls within the tolling provisions in 47 CFR § 73.3598(b) of the Commission's Rules (Rules) and is granted.

Because other parties are involved in the bankruptcy proceeding, we are including them on this tolling grant so that they are aware that tolling is in effect for the Stations. Those parties are: Community Translator Network, John Christian Barlow, Rockwell Media Services, and Morgan Skinner. All parties must be notified when tolling updates are filed.

Section 73.3598(b)(3) of the Rules provides the period of construction shall toll when . . . construction is delayed by any cause of action pending before any court of competent jurisdiction relating to any necessary local, state or federal requirement for the construction or operation of the station.... Although the documentation you submit falls short of the proof that we typically require for this provision, and was originally denied, we have determined that tolling is appropriate based on your supplemental material, combined with our own research. These show that the Stations are encumbered by the automatic stay in the bankruptcy proceeding pursuant to 11 U.S.C § 362, and construction and operation cannot proceed on the Stations until the bankruptcy matter, and the connected lawsuits, conclude. Our determination dates to the original request for tolling and pursuant to §73.3598(c) of the Rules, because the request was filed more than 30 days from the date that the tolling event occurred, we look back 30 days from the date of filing to determine the effective date of tolling. Therefore, tolling is granted effective May 19, 2017. Based on this, 1 year, 8 months and 11 days will remain on the permits when the bankruptcy proceeding concludes.

Grant of the request is subject to the following conditions:

Tolling is effective as of May 19, 2017. Once tolling ends, 1 year, 8 months and 11 days will remain on the permit.

Tolling will remain in effect until August 7, 2018, absent an earlier resolution that terminates the automatic stay in bankruptcy, or renders the automatic stay inapplicable to any of the Stations. If the matter is not resolved within six months, you would need to file a status report by August 7, 2018, and at six-month intervals thereafter, requesting continued tolling treatment.

These status reports must be sent by letter to Secretary, FCC, 445 12 St., S.W., Washington, DC 20554 with a courtesy copy by e-mail to me at [Victoria.McCauley@fcc.gov](mailto:Victoria.McCauley@fcc.gov). You are also required to notify by email Morgan Skinner at [morgan@rockwellmedia.net](mailto:morgan@rockwellmedia.net) and John Christian Barlow at [JCB@JohnChristianBarlow.com](mailto:JCB@JohnChristianBarlow.com).

You also must notify the Commission within 30 days of any pending court matter relating to any of the Stations being resolved. *See* 47 CFR § 1.65

When tolling ends (either because you have not filed a request for continued tolling or because the matter has been resolved) we will calculate a new permit expiration date by adding the remaining 1 year 8 months and 11 days.

Sincerely,