



PUBLIC NOTICE

Federal Communications Commission
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MEDIA BUREAU INVITES APPLICANTS TO SELECT FM TRANSLATOR APPLICATIONS FOR VOLUNTARY DISMISSAL TO COMPLY WITH PROCESSING CAP

On December 11, 2007, the Federal Communications Commission released *Creation of a Low Power Radio Service*, Third Report and Order and Second Further Notice of Proposed Rulemaking.¹ The *Third Report and Order* established a going-forward limit of ten pending short-form applications per applicant from FM translator Auction No. 83 and directed the Media Bureau to resume processing of applications of those applicants in compliance with the cap.

By this Public Notice and to effectuate the ten-application limit, the Media Bureau invites Auction No. 83 applicants to identify pending short-form applications for voluntary dismissal. In accordance with the *Third Report and Order*, long-form applications will be processed without regard to the cap. Thus, applicants that have more than ten pending long-form applications and no pending short-form applications will have all of their long-form applications processed. Where an applicant has more than ten pending long-form and short-form applications combined, construction permits granted from the group of pending long-form applications will count toward the ten-application limit. Therefore, certain applicants may prefer to request dismissal of long-form applications to avoid the dismissal of higher-priority short-form applications.

Applicants will have thirty days from the date of release of this Public Notice to file dismissal requests. After the close of this voluntary dismissal period, the Media Bureau will dismiss applications based on file number and pursuant to the instructions set forth in the *Third Report and Order*. Thus, in the case of an applicant with more than ten pending short-form applications, the Bureau will retain the ten first-filed applications and dismiss all later-filed applications should the applicant take no action in response to this Public Notice. In addition, the Bureau may dismiss additional short-form applications following the grant of currently pending long-form applications.

Filing Instructions. Applicants must submit hard copies of their requests for dismissal and retention of applications to any of the following addresses.

¹ See *Creation of a Low Power Service*, Third Report and Order and Second Further Notice of Proposed Rulemaking, FCC 07-204 (rel. December 11, 2007) (“*Third Report and Order*”).

Hand or Messenger Delivered (accepted between 8:00 a.m. and 7:00 p.m. only)

Marlene H. Dortch, Secretary
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Commercial overnight mail, except United States Postal Service

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9300 East Hampton Drive
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All other mail, including United States Postal Service Express Mail, Priority Mail, and First Class Mail

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For further information, contact Robert Gates, Media Bureau, Audio Division, at (202) 418-2700.

By: Chief, Media Bureau