

Before the
Federal Communications Commission
Washington, D.C. 20554

ORIGINAL
FILE

In re Applications of) MM Docket No. 92-33
)
Central Florida Educational)
Foundation, Inc., et al.) File No. BPED-881207MA
) et al
For Construction Permit for a New)
Noncommercial FM Station)
(Union Park, Conway, Oak Hill and)
Lake Mary, Florida))

To: The Honorable Edward J. Kuhlmann
Administrative Law Judge

Request for Dismissal

Mims Community Radio, Inc. ("Mims"), by its attorney, hereby respectfully requests dismissal of its "Petition for Leave to Amend" filed on July 1, 1992 in the above-referenced proceeding. In support thereof, the following is shown:

1. On July 1, 1992 Mims filed a Petition for Leave to Amend seeking to amend its pending FCC Form 340 application in order to remove its mutual-exclusivity with the other four remaining applicants and allow separate grant of Mims' application, notwithstanding resolution of the underlying proceeding. However, after consultation with the FCC's engineering staff, it was determined that there existed prohibited overlap problems with respect to Mims' amendment and two of the remaining applicants in the proceeding. As such, Mims is submitting contemporaneously herewith another Petition for Leave to Amend which addresses the overlap problem and which it believes will

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satisfy the FCC's engineering staff.

2. In light of the amendment being filed contemporaneously herewith, the July 1, 1992 Petition for Leave to Amend is moot and should be dismissed.¹

Wherefore, based on the foregoing, it is respectfully requested that Mims' Request be granted and its July 1, 1992 Petition for Leave to Amend be dismissed.

Respectfully submitted,
Mims Community Radio, Inc.

By: Stephen C. Simpson
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Its Attorney

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¹ In light of the requested dismissal of Mims' July 1, 1992 Petition for Leave to Amend, Mims respectfully submits that the "Opposition to Petition for Leave to Amend" filed on July 9, 1992 by First Media Corporation and the "Opposition to Petition for Leave to Amend" filed on July 9, 1992 by Central Florida Educational Foundation, Inc. are similarly moot.

Certificate of Service

I hereby certify that a copy of the foregoing document was this 13th day of July, 1992 delivered by hand delivery to the following:

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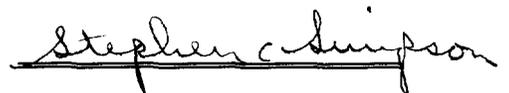
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* By overnight service.