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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations.)
(Gadsden and Springville, Alabama))

MM Docket No. 00-57
RM-9825

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To: The Chief, Allocations Branch

REQUEST FOR DISMISSAL OF PETITION FOR RULEMAKING

Capstar TX Limited Partnership, the licensee of WQEN(FM), Channel 279C1, Gadsden, Alabama, hereby requests that the Commission dismiss the petition for rulemaking (the "Petition") filed in the captioned proceeding by Capstar Royalty II Corporation, the predecessor licensee of WQEN(FM).¹ The Petition sought the amendment of the FM Table of Allotments to substitute Channel 279C for Channel 279C1 and reallocate the channel from Gadsden, Alabama to Springville, Alabama, and the modification of WQEN(FM)'s authorization accordingly. In response to the Petition, the Commission initiated the instant proceeding with the issuance of a Notice of Proposed Rulemaking, DA 00-700 (released March 31, 2000) ("Notice") seeking comment on Capstar's proposal.

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¹ Capstar TX Limited Partnership acquired the license of WQEN(FM) from Capstar Royalty II Corporation on January 14, 2000 pursuant to a *pro forma* assignment authorized in File No. BALH-19991119ALK. For convenience, this pleading refers to Capstar TX Limited Partnership and Capstar Royalty II Corporation collectively as "Capstar."

Capstar, however, has elected not to pursue the proposal advanced in the Petition, and it did not file comments expressing its continuing interest in the proposal by the May 22, 2000 comment deadline established in the Notice. Accordingly, Capstar respectfully requests that the Commission dismiss the Petition and terminate the captioned proceeding.

Respectfully submitted,

CAPSTAR TX LIMITED PARTNERSHIP

By:



Gregory L. Masters
E. Joseph Knoll III

Its Attorneys

Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006
(202) 719-7000

May 26, 2000

CERTIFICATE OF SERVICE

I, Storm Turner, a secretary in the law firm of Wiley, Rein & Fielding, hereby certify that a true copy of the foregoing "Request for Dismissal of Petition for Rulemaking" was sent this 26th day of May, 2000, by hand delivery, to the following:

Ms. Nancy Joyner
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Room 3-A267
Washington, D.C. 20554

A handwritten signature in black ink, appearing to read "Storm Turner", written over a horizontal line.

Storm Turner