

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

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In the Matter of) MM Docket No. 95-31
)
)
Reexamination of the Comparative)
Standards for Noncommercial)
Educational Applicants)
)
TO: The Full Commission

PARTIAL WITHDRAWAL OF PETITION FOR RECONSIDERATION

Spring Arbor College ("Spring Arbor"), by its attorney, hereby respectfully withdraws those portions of its Petition for Reconsideration, filed in this proceeding under date of July 5, 2000, which requests the Commission to reconsider those portions of its Report and Order¹, which contemplated that applications filed for non-commercial licenses will be made the subject of government auctions. In particular, Spring Arbor withdraws paragraphs 3 and 4 of its petition. In support thereof, it is alleged:

1. The Commission's Report and Order in this proceeding adopts rules which contemplate that applications for new non-commercial educational stations filed by legitimate educational institutions will be made subject to government auctions. Under date of July 5, 2000, Spring Arbor filed a Petition for Reconsideration, asking the FCC, inter alia, to reconsider those portions of the Report and Order which contemplate the auctioning of non-commercial educational

¹Report and Order (FCC 00-120), published in the Federal Register on June 8, 2000, at 65 F.R. 36375-01.

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licenses.

2. Subsequently, Spring Arbor has learned that National Public Radio, Inc., has filed a Petition for Review of the Commission's Report and Order in the United States Court of Appeals for the District of Columbia Circuit. Spring Arbor has also learned that the FCC has asked the Court of Appeals to delay action on National Public Radio's Petition for Review until such time as the Commission disposes of Spring Arbor's Petition for Reconsideration and another Petition for Reconsideration, filed by Lay Catholic Broadcasting Network.

3. Spring Arbor believes that the public interest will be served by a prompt resolution of National Public Radio's Petition for Review in the Court of Appeals. Therefore, in order to relieve the FCC of the need to consider and dispose of Spring Arbor's petition, Spring Arbor hereby respectfully withdraws the petition in so far as it challenges the Commission's Rules which provide that applications for new non-commercial educational radio stations filed by legitimate educational institutions will be made subject to government auction.

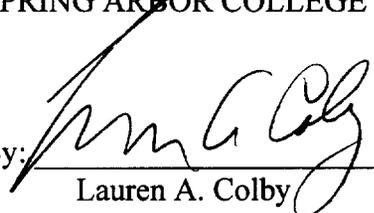
Respectfully submitted,

SPRING ARBOR COLLEGE

July 28, 2000

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By:



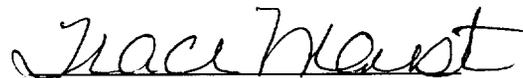
Lauren A. Colby
Its Attorney

CERTIFICATE OF SERVICE

I, Traci Maust, a secretary in the law office of Lauren A. Colby, do hereby certify that copies of the foregoing have been sent via first class, U.S. mail, postage prepaid, this 28th day of July, 2000, to the offices of the following:

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