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February 28, 2001 **RECEIVED**

FEB 28 2001

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

BY HAND DELIVERY

Magalie R. Salas, Esquire
Secretary
Federal Communications Commission
Room TW-B204
445 12th Street, S.W.
Washington, DC 20554

Re: Amendment of Section 73.202(b),
Table of Allotments, FM Broadcast Stations
(Alva, Mooreland, Tishomingo, Tuttle,
and Woodward, Oklahoma)
MM Docket No. 98-155/RM-9082; RM-9133

Dear Ms. Salas:

Transmitted herewith on behalf of Chisholm Trail Broadcasting Co., Inc., are an original and four copies of its "Motion for Leave to Accept Opposition to Petition for Reconsideration," filed in the above-referenced allotment rulemaking proceeding.

Should any questions arise concerning this matter, please communicate directly with the undersigned.

Very truly yours,

DICKSTEIN SHAPIRO MORIN
& OSHINSKY LLP



Andrew S. Kersting
Counsel for
Chisholm Trail Broadcasting Co., Inc.

Enclosure

cc (w/ encl.): Certificate of Service (by hand & first-class mail)
Mr. Norman Goldstein (FCC) (by hand)

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List A B C D E

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),) MM Docket No. 98-155
Table of Allotments,) RM-9082
FM Broadcast Stations) RM-9133
(Alva, Mooreland, Tishomingo, Tuttle,)
and Woodward, Oklahoma))

To: Chief, Mass Media Bureau

**MOTION FOR LEAVE TO ACCEPT
OPPOSITION TO
PETITION FOR RECONSIDERATION**

Chisholm Trail Broadcasting Co., Inc. (“Chisholm Trail”), licensee of Station KNID(FM), Alva, Oklahoma, by counsel, and pursuant to Section 1.41 of the Commission’s rules, hereby requests leave to file the accompanying “Opposition to Petition for Reconsideration” (“Opposition”) one day beyond the filing deadline.¹ The Opposition is being filed in response to a Petition for Reconsideration, filed January 29, 2001, by Ralph Tyler, which seeks reconsideration of the Allocations Branch’s *Report and Order*, DA 00-2885 (released December 22, 2000), in the above-captioned proceeding. In support of this motion, the following is stated:

Chisholm Trail’s Opposition was prepared and ready to be delivered to the FCC at approximately 2:00 p.m. on February 27, 2001. However, unbeknownst to Chisholm

¹ The filing of Ralph Tyler’s Petition for Reconsideration was published in the Federal Register on February 12, 2001, which announced a deadline of February 27, 2001, for filing oppositions. See 66 Fed.Reg. 9849 (February 12, 2001).

Trail or its FCC counsel, the courier service used by the law firm which serves as Chisholm Trail's FCC counsel did not pick up the Opposition from the law firm's mail room, and failed to deliver it to the FCC. Chisholm Trail did not become aware of these facts until earlier this morning when its FCC counsel discovered that the courier failed to provide a copy of its filing bearing an FCC date-stamp reflecting that it had been filed with the FCC.

In light of the above facts, Chisholm Trail respectfully requests leave to file the accompanying Opposition one day late. As demonstrated above, Chisholm Trail has established good cause for the acceptance of its untimely filing. Moreover, because the parties to this proceeding were served with a copy of Chisholm Trail's intended filing by first-class mail, no party to this proceeding would be prejudiced by the acceptance of Chisholm Trail's Opposition.

WHEREFORE, in light of the foregoing, Chisholm Trail Broadcasting Co., Inc. respectfully requests that the accompanying Opposition to Petition for Reconsideration be ACCEPTED.

Respectfully submitted,

Dickstein Shapiro Morin & Oshinsky LLP
2101 L Street, N.W.
Washington, DC 20037-1526
(202) 785-9700

Attorneys for

CHISHOLM TRAIL
BROADCASTING CO., INC.

By: 
Andrew S. Kersting

February 28, 2001

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of February, 2001, a copy of the foregoing
MOTION FOR LEAVE TO ACCEPT OPPOSITION TO PETITION FOR
RECONSIDERATION was sent by first-class mail, postage prepaid, to the following:

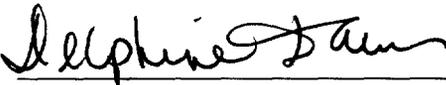
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Delphine Davis

* Hand Delivered