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JUN 25 2004

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

June 25, 2003

By Hand

Marlene H. Dortch
Secretary
Federal Communications Commission
236 Massachusetts Avenue, N.E.
Suite 110
Washington, D.C. 20002

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. Dortch:

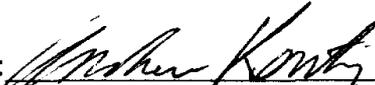
Transmitted herewith on behalf of Chisholm Trail Broadcasting Co., Inc., are an original and four copies of a "Motion for Leave to File Supplement to Application for Review," filed in the above-referenced proceeding.

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

Very truly yours,

DICKSTEIN SHAPIRO MORIN
& OSHINSKY LLP

Attorneys for
Chisholm Trail Broadcasting Co., Inc.

By: 
Andrew S. Kersting

Enclosure

cc: Certificate of Service (w/ encl.) via hand & first class mail

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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: The Commission

MOTION FOR LEAVE TO FILE
SUPPLEMENT TO
APPLICATION FOR REVIEW

Chisholm Trail Broadcasting Co., Inc. (“Chisholm Trail”), by counsel and pursuant to Section 1.41 of the Commission’s rules, 47 C.F.R. §1.41, hereby requests leave to file the accompanying supplement to its pending Application for Review filed September 12, 2002, requesting Commission review of the Assistant Chief, Audio Division’s *Memorandum Opinion and Order*, 17 FCC Rcd 14722 (Aud. Div. 2002) (“*Second MO&O*”) in the above-captioned proceeding. In support of this motion, the following is stated:

This proceeding, which has been pending before the full Commission for over 21 months, involves an unusual set of circumstances. Ralph Tyler (“Tyler”), the allotment proponent, has been disqualified as a Commission licensee as a result of his admitted violations of Sections 1.17 and 73.1015 of the Commission’s rules in this rulemaking proceeding. The license for the Station KTSH(FM), Tishomingo, Oklahoma, which was the subject of this proceeding, has been surrendered to the Commission and all of Tyler’s pleadings in this proceeding have been withdrawn as the result of a Consent Decree which was executed on August 11, 2003. *See Order*, 18 FCC Rcd 16241 (Enfor. Bur. 2003).

On May 26, 2004, the full Commission issued a decision in *Northwye, Cuba, Waynesville, Lake Ozark, and Eldon, Missouri*, FCC 04-116 (released May 26, 2004) (“*Eldon*”), which involved a set of facts substantially similar to those in this proceeding. Chisholm Trail respectfully submits that due to the strong factual similarity and procedural posture between this case and *Eldon*, the Commission should grant this motion and accept the accompanying Supplement to Application for Review (“Supplement”) which contains a discussion of the *Eldon* decision and how it should be applied in this proceeding.

A grant of this motion and acceptance of the accompanying Supplement will not prejudice any party to this proceeding. As stated above, as part of the Consent Decree that Tyler executed last August, Tyler surrendered the KTSH license for cancellation, withdrew all of his pleadings in this proceeding, and agreed to “have no further involvement, *de facto or de jure*, in the ownership, business, management or operation of . . . any other broadcast stations.” 18 FCC Rcd at 16244.

Due to the substantial similarity between the facts and procedural posture of this proceeding and those in *Eldon*, Chisholm Trail believes that acceptance of the accompanying Supplement will enable the Commission to resolve this proceeding based on relevant case law.

WHEREFORE, in light of the foregoing, it is respectfully requested that this motion be granted and that the accompanying Supplement to Application for Review be accepted.

Respectfully submitted,

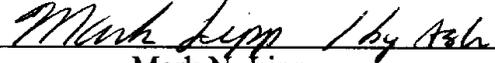
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BROADCASTING CO., INC.

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Its Counsel

June 25, 2004

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of June, 2004, copies of the foregoing "Motion for Leave to File Supplement to Application for Review" were hand-delivered or sent by first-class mail, postage prepaid, to the following:

The Honorable Michael Powell*
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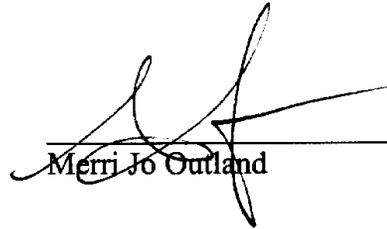
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* Hand Delivered