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Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W., TW-A325  
Washington, D.C. 20544

**Re: Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Goldsboro, Smithfield, Louisburg, and Rolesville, North Carolina)  
MM Docket No. 02-40  
RM-10377  
RM-10508**

Dear Ms. Dortch:

This letter serves as a formal request for approval to withdraw the counterproposal previously filed by Franklin Broadcasting Company ("Franklin"), the former licensee of WHLQ(FM), Louisburg, North Carolina, to amend the Table of FM Allotments by reallocating Channel 273A from Louisburg to Rolesville, North Carolina, in the above-referenced proceeding. On April 16, 2003, the Commission granted the application to assign WHLQ's license from Franklin to New Century Media Group, LLC ("New Century"), see File No. BALH-20030206AAC, and the transaction was consummated on June 1, 2003.

On March 8, 2004, New Century had filed notice with the Commission that it sought to withdraw the counterproposal. Now, in further support of that notice, New Century makes this formal request and submits the Affidavit of Donald W. Curtis pursuant to 47 C.F.R. § 1.420(j). The

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Ms. Marlene H. Dortch  
July 12, 2004  
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original and four copies of this letter and the Affidavit are enclosed for filing in the above-referenced proceeding.

If any questions should arise during the course of your consideration of this matter, it is respectfully requested that you communicate with the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "David Kushner", with a long, sweeping flourish extending to the right.

David Kushner  
*Counsel to New Century Media Group, LLC*

Enclosures

cc: R. Barthen Gorman

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

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MM Docket No. 02-40
Table of Allotments	)	RM-10377
FM Broadcast Stations	)	RM-10508
(Goldsboro, Smithfield, Louisburg, and	)	
Rolesville, North Carolina	)	

**Affidavit of Donald W. Curtis**

Donald W. Curtis, being first duly sworn, alleges and says:

1. I am more than eighteen (18) years old and am under no disability. I have personal knowledge of the matters set forth in this Affidavit, and I am competent to testify to them.
2. I am the 100% stockholder of New Age Communications, Inc. ("NAC"), licensee of Station WKIX(FM), Channel 272A, Goldsboro, North Carolina. I am also the 100% owner of New Century Media Group, LLC ("New Century"), licensee of Station WHLQ(FM), Channel 273A, Louisburg, North Carolina.
3. This Affidavit is in support of New Century's request for approval to withdraw the counterproposal, filed by Franklin Broadcasting Company ("Franklin"), the former licensee of WHLQ, in MM Docket No. 02-40 to amend the Table of FM Allotments by reallocating Channel 273A from Louisburg to Rolesville, North Carolina.
4. On April 16, 2003, the Commission granted the application to assign WHLQ's license from Franklin to New Century, *see* File No. BALH-20030206AAC, and the transaction was consummated on June 1, 2003.
5. On March 8, 2004, New Century had filed notice with the Commission that it sought to withdraw the counterproposal.
6. As the individual ultimately in control of both New Century and NAC, I have determined that it is in the best interests of both licensees to withdraw the New Century counterproposal and to prosecute the NAC petition to amend the Table of FM Allotments by reallocating Channel 272A from Goldsboro to Smithfield, North Carolina.

7. I hereby certify, on behalf of New Century, that neither New Century nor its principals has received or will receive any consideration for the withdrawal of its counterproposal. I further certify that there is no agreement, oral or written, related to the withdrawal of the counterproposal.

8. I also hereby certify, on behalf of NAC, that neither NAC nor its principals has paid or will pay any consideration for the withdrawal of New Century's counterproposal. I further certify that there is no agreement, oral or written, related to New Century's withdrawal of the counterproposal.

This the 7<sup>th</sup> day of July, 2004.

*Donald W. Curtis*

Donald W. Curtis

WAKE COUNTY  
NORTH CAROLINA

Sworn to and subscribed before me  
this the 7<sup>th</sup> day of July, 2004.

*Nancy T. Ginger*  
Notary Public

