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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

Federal Communications Commission
Office of Secretary

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 04-201
Table of Allotments)	RM - 10972
FM Broadcast Stations)	RM - 11103
(Shorter, Orrville, Selma and Birmingham,)	
Alabama))	
)	DOCKET FILE COPY ORIGINAL

To: Office of the Secretary
Attn: Assistant Chief, Audio Division,
Media Bureau

**REQUEST FOR APPROVAL OF SETTLEMENT
AND EXPEDITED ACTION**

Scott Communications, Inc., licensee of Station WJAM-FM, Orrville, Alabama, and Alexander Broadcasting Co., Inc., licensee of Station WALX(FM), Selma, Alabama, (the "Joint Parties") by their counsel and pursuant to paragraphs 48-52 of the *Notice of Proposed Rule Making*, FCC 05-120 (released June 14, 2005), and the Public Notice, DA 05-1688 (released June 20, 2005) (the "Notice"), hereby request approval of settlement and expedited action in the above captioned proceeding.¹

On July 6, 2005, the Joint Parties and SSR Communications Incorporated ("SSR") entered into a settlement agreement pursuant to which SSR agreed to withdraw (i) its proposal to allot Channel 300A at Shorter, Alabama, and (ii) its expression of interest in applying for Channel 300A at Shorter, Alabama. In order to effectuate this withdrawal, SSR also filed a Request for Approval of Withdrawal, a copy of which is attached hereto as Exhibit A.

¹ The Notice does request a copy of a settlement agreement. However, if the FCC would like a copy of the settlement agreement in this proceeding, the Joint Parties can provide it.

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Therefore, this is a universal settlement because the Joint Parties' proposal to (i) delete Channel 300A at Orrville, Alabama, and allot Channel 300C3 to Shorter, Alabama as that community's first local service, and (ii) delete Channel 265C2 at Selma, Alabama, and allot Channel 265C2 to Orrville, Alabama, is the only remaining proposal in this proceeding.

In the *Report and Order* in this proceeding, the Media Bureau indicated that the Joint Parties' proposal was grantable but for its mutual exclusivity with SSR's proposal.² In other words, the Joint Parties' proposal was in the public interest because it proposed a first local service at Shorter, Alabama, and there were no technical defects. It was not granted solely because the Bureau determined that SSR's proposal better served the public interest. Thus, because SSR has withdrawn its proposal, the Joint Parties' proposal can now be granted.

Pursuant to the last paragraph of the Notice, the FCC indicated that it "will expedite the processing of all complete and rule-compliant settlement agreements." This is a complete and rule-compliant settlement because a Notice of Proposed Rule Making has been released and the comment date fell on or before June 14, 2005.³ Further, grant of the Joint Parties' proposal will help reduce the backlog of unresolved rule makings and will help the Bureau avoid a somewhat difficult decision regarding the FM allotment priorities. Finally, because SSR's proposal was for a new allotment at Shorter while the Joint Parties' proposal will reallocate an existing station to Shorter, grant of the Joint Parties' proposal will result in commencement of a first local service at Shorter in a significantly earlier date.

² 20 FCC Rcd 8236 (2005).

³ The Notice of Proposed Rule Making was released on May 28, 2004, and the Comment date was July 19, 2004. 19 FCC Rcd 9233 (2004).

Thus, for the foregoing reasons, the Joint Parties respectfully request that the FCC approve the settlement agreement between the Joint Parties and SSR, and expedite grant of the Joint Parties proposal as it is in the public interest.

Respectfully submitted,

SCOTT COMMUNICATIONS, INC.
ALEXANDER BROADCASTING CO., INC.

By:



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Their Counsel

July 7, 2005

**Before the
FEDERAL COMMUNICATIONS COMMISSION
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To: Office of the Secretary
Attn: Assistant Chief, Audio Division
Media Bureau

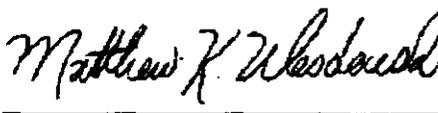
REQUEST FOR APPROVAL OF WITHDRAWAL

SSR Communications Incorporated ("SSR"), pursuant to paragraphs 48-52 of the *Notice of Proposed Rule Making*, FCC 05-120 (released June 14, 2005), and the Public Notice, DA 05-1688 (released June 20, 2005), hereby withdraws its proposal filed on January 6, 2004 in the above captioned proceeding, which requested the allotment of a new FM Channel 300A at Shorter, Alabama. SSR also withdraws its expression of interest in applying for Channel 300A at Shorter, Alabama.

WHEREFORE, the Commission should approve this request for withdrawal of SSR's proposal and expression of interest.

Respectfully Submitted,

SSR COMMUNICATIONS INCORPORATED

By: 

Matthew K. Wesolowski
Chief Executive Officer
5270 West Jones Bridge Road
Norcross, GA 30092-1628
770-447-0026

July 6, 2005

CERTIFICATE OF SERVICE

I, Giselle Abreu, in the law firm of Vinson & Elkins, do hereby certify that on this 7th day of July, 2005, I caused copies of the foregoing "**Request**" to be mailed, first class postage prepaid, or hand delivered, addressed to the following persons:

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Giselle Abreu

* Hand-delivered