

ORIGINAL

DOCKET # 01-130  
Before The ORIGINAL  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )

Amendment of Section 73.202(b), )  
Table of Allotments )  
FM Broadcast Stations )  
(Batesville, Texas) )

) MM Docket No. 01-130  
) RM-10147

RECEIVED

AUG 15 2005

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

Federal Communications Commission  
Office of Secretary

MOTION FOR LEAVE TO FILE PLEADING

Good cause exists to file the Supplement to Application for Review dated August 11, 2005. That pleading was promptly filed following and in light of the court decision in Charles Crawford v. FCC decided August 5, 2005.

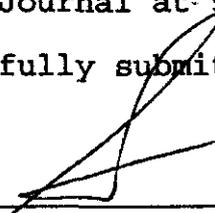
The pleading addresses the differences between the Batesville case and those before the court, i.e. Benjamin, Texas (moot since alternative allotment is available and was committed to Mr. Crawford by FCC counsel at the oral argument) and Mason, Texas (distance approximately 200 miles from the initiating petition for Quanah, Texas).

The pleading also brings this docket up to date with respect to materials and arguments before the Commission with regard to the study of "Tuck" cases material to consideration of the 307(b) choice between major market allotments and allotments to small communities in rural areas - for which the FCC is seeking ways and means to extend telecommunications services. E.g., News Release, dated July 2, 2003, entitled FCC Commences Land of Opportunity Initiative for Rural America; News Release, dated July 2, 2003, entitled FCC and United States Department of

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Agriculture Hold Kick-off Meeting of the "Federal Rural Wireless Outreach Initiative"; News Release, dated May 8, 2003, entitled FCC Acts to Enhance Rural Participation in Spectrum Auctions; Cf. Article, "Virginia Cellular and Highland Cellular: The FCC Establishes a Framework for Eligible Telecommunications Carrier Designation in Rural Study Areas", Mark C. Bannister, Volume 57, Federal Communications Law Journal at 511 (May 2005).

Respectfully submitted,



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August 15, 2005

CERTIFICATE OF SERVICE

I certify that on this 15th day of August, 2005, I have caused copies of the foregoing pleading to be placed in the mails, first class, postage prepaid, addressed to the following:

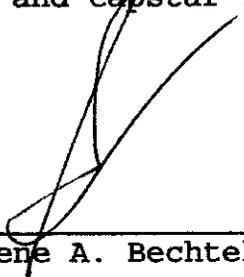
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