

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

In the Matter of

Revision of Procedures Governing Amendments)	MB Docket No. 05-210
To FM Table of Allotments and Changes)	RM – 10960
Of Community of License in the Radio Broadcast)	
Services)	

To: Office of the Secretary

NOTICE OF EX PARTE PRESENTATION

On September 28, 2005, the following attorneys, on behalf of various clients, met with the following FCC staff persons:

ATTORNEYS

Frank Jazzo
Mark Lipp
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Tom Davidson
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Donna Gregg
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The following is a summary of the subjects discussed:

1. The group of attorneys expressed their support for the proposal to permit city of license changes by minor change applications and the proposal to impose filing fees for petitions for rule making and counterproposals. These initiatives would greatly streamline the process by reducing the amount of time it currently takes to process numerous city of license changes by rule making while insuring that Section 307(b) considerations are taken into account. In addition, the imposition of filing fees, when the petition is filed rather than when the

implementing application is filed, will reduce the number of petitions by a potentially significant amount.

2. The group is greatly concerned with the proposal to limit the number of changes to the FM Table of Allotments to 5. The group stated that when most of the work is shifted away from the rule making staff and toward the processing staff, the FCC's concerns about complex cases are greatly diminished. It does not seem logical or reasonable to take further steps to reduce the burden on the rule making staff at this time. There are currently a small percentage of petitions that exceed the limit of 5 but, more importantly, the public interest is not served by eliminating cases however complex that provide significant public interest benefits such as coverage to unserved or underserved areas and first local services. On the other hand, the simpler cases may provide only marginal public interest benefits. The FCC's rationale for limiting the number of changes to 5 is that the proposal may be too complex. That rationale is not adequate as a reason to avoid the task of considering proposals that serve the public interest. A more compelling rationale would be needed to eliminate otherwise beneficial filings.

3. The group surveyed the FCC staff about how it planned to maintain a reasonable timeframe to dispose of minor change applications. The current turnaround time is 4-5 months and the expectation is that by shifting the work from rule making to an application process, there would be a significant savings in processing time. The group suggested ways to save time such as writing decisions only where there is a need for the staff to inform the public about the reasons for a particular 307(b) finding. In that regard, not all oppositions warrant a written decision. Additional resources may be needed to handle the influx of cases when it would be more attractive for licensees to file to change city of license since the time frame would be quicker and there are no counterproposals solicited.

By: /s/ Allan Moskowitz

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