



Federal Communications Commission  
Washington, D.C. 20554

Imaging Center  
CY-C203

October 3, 2005

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COMMUNICATIONS SECTION

Mr. James McWain  
1811 Easy Street  
Tyler, Texas 75703-1610

Dear Mr. McWain:

This is in response to the Petition for Rule Making you filed on June 14, 2005, requesting the allotment of Channel 246C3 at Gage, Oklahoma, as the community's first local aural transmission service.

On June 14, 2005, the Commission released a *Notice of Proposed Rule Making* in MB Docket No. 05-210, looking toward a comprehensive revision of the procedures by which we amend the FM Table of Allotments.<sup>1</sup> Pending resolution of this rulemaking proceeding, the Commission imposed a freeze on the filing of petitions for rule making to amend the FM Table of Allotments, effective June 9, 2005, the adopted date of the *Notice*.

In view of the fact that your Petition for Rule Making was filed subsequent to this freeze, we are returning our Petition for Rule Making.

Sincerely,

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau

Enclosures

<sup>1</sup> *Revision of Procedures Governing Amendments to FM Table of Allotments and Change of Community of License in the Radio Broadcast Services*, FCC 05-120, 20 FCC Rcd 11142 (2005) ("Notice").