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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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MAY - 9 2006

Federal Communications Commission
Office of Secretary

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| In the Matter of |) | |
| |) | |
| Amendment of Section 73.202(b) |) | MB Docket No. 06-51 |
| Table of Allotments |) | RM - 11317 |
| FM Broadcast Stations |) | |
| (Frisco City, Alabama) |) | |
| |) | |

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

MOTION FOR LEAVE TO FILE LATE COMMENTS

Brantley Broadcast Associates, LLC ("Brantley"), by its counsel, hereby requests leave to file late Comments to the *Notice of Proposed Rule Making*, DA 06-517 ("*NPRM*"), in the above-captioned proceeding. The Comments, which are being filed separately, state Brantley's expression of interest in applying for and constructing the facilities specified in the *NPRM*.

There is a considerable body of case law that supports the notion that the Commission has discretion to accept late filed Comments where there is no adverse impact on any other proposal. *See e.g., Chillicothe, Dublin, Hillsboro, and Marion, Ohio*, 20 FCC Rcd 6305 (2005); *Willows, California*, 11 FCC Rcd 9180 (1996); and *Bagdad and Chino Valley, Arizona*, 11 FCC Rcd 14459 (1996).¹ Based on Brantley's review of the record in this proceeding, no other party,

¹The Commission also found no prejudice to opposing parties in the following cases: *Horseshoe Beach and Otter Creek, Florida*, 13 FCC Rcd 12703 (1998); *Weaverville, California*, 12 FCC Rcd 2965 (1997); *Lake Havasu City, Arizona*, 10 FCC Rcd 6522 (1995); *Christiansted, Virgin Islands*, 10 FCC Rcd 8078 (1995); *Patterson, California*, 7 FCC Rcd 1719 (1992); *Keokuk and Washington, Iowa*, 6 FCC Rcd 364 (1991); *Weston and Webster Springs, West Virginia*, 5 FCC Rcd 1006 (1990); *Vancouver, Washington, Coos Bay and Corvallis, Oregon*, 4 FCC Rcd 839 (1989).

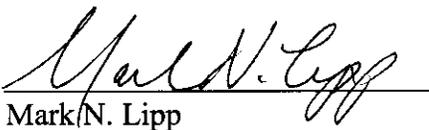
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including the petitioner, MissAla RF, filed comments,² and thus, acceptance of Brantley's Comments will not have an adverse impact on any other proposal.

Accordingly, Brantley respectfully requests that the Commission accept its late filed Comments.

Respectfully submitted,

BRANTLEY BROADCAST ASSOCIATES, LLC

By: 
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Scott Woodworth
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Its Counsel

May 9, 2006

² MissAla RF filed its proposal over four years ago (April, 2002), which may explain its current lack of interest in the allotment.

CERTIFICATE OF SERVICE

I, Scott Woodworth, in the law firm of Vinson & Elkins, do hereby certify that I have, unless otherwise noted, on this 9th day of May, 2006, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "Motion" to the following:

*R. Barthen Gorman
Audio Division, Media Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Heather Hill
MissAla RF
2035 Placentia Ave, C1
Costa Mesa, CA 92627



Scott Woodworth

* HAND DELIVERED