

**Federal Communications Commission**

WASHINGTON, D.C. 20554

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SEP 14 2006

Federal Communications Commission  
Office of Secretary

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MB Docket No. 04-12
FM Table of Allotments,	)	RM-10834
For FM Broadcast Stations.	)	
	)	
(Russellville and Littleville, Alabama)	)	

To: The Secretary, to forward to Assistant Chief (Allocations), Audio Division

**JOINT REQUEST FOR  
APPROVAL OF WITHDRAWAL  
OF PETITION FOR RECONSIDERATION**

J. Michael Self ("Self") and Urban Radio Licenses, LLC ("Urban"), pursuant to Section 1.420(j) of the Commission's rules, hereby jointly respectfully request approval of the following request for withdrawal of comments and petition for reconsideration by Self to the proposal by Urban's predecessor-in-interest to switch the community of license of Station WLAY-FM (formerly WMXV(FM)), Russellville, Alabama, to Littleville, Alabama. In support hereof, the parties state as follows:

1. The proposed withdrawal is supported by the requisite declarations from both parties and Fletcher, Heald & Hildreth. The withdrawal will allow final approval of the proposal and termination of the rulemaking, fulfilling the condition on grant of WLAY-FM's construction permit, and conserving scarce Commission resources at a time of a Commission freeze on the filing of proposals for FM allocations changes.

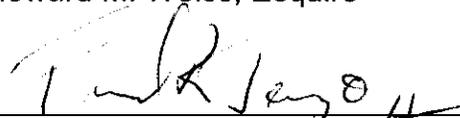
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WHEREFORE, the premises considered, the request should be granted and the petition for reconsideration allowed to be withdrawn.

Respectfully submitted,

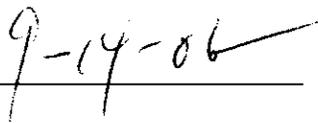


Howard M. Weiss, Esquire



Frank R. Jazzo, Esquire  
Fletcher, Heald & Hildreth PLC  
1300 North 17<sup>th</sup> Street, 11<sup>th</sup> Floor  
Arlington, VA 22209  
(703) 812-0400

Date:



## DECLARATION

I, J. Michael Self, hereby declare and state under penalty of perjury as follows:

I filed comments in opposition to the Notice of Proposed Rulemaking ("Notice") issued by the Federal Communications Commission ("FCC") in MB Docket No. 04-12, RM-10834, to change the community of license of Station WLAY-FM (formerly WMXV(FM)) to Littleville, Alabama. I also filed a Petition for Reconsideration of the FCC's Report and Order in the above-referenced docket, which remains pending at this time.

I hereby withdraw my objection to the Notice, and withdraw my petition for reconsideration. I have not been paid nor promised any consideration, direct or indirect, in excess of my legitimate and prudent expenses in exchange for this withdrawal. I have been promised forgiveness of payment of legal fees and expenses currently owed amounting to \$ 5,728.81, by Fletcher, Heald & Hildreth, PLC ("FHH"), which were a part of my legitimate and prudent expenses incurred in this proceeding, but less than the total of such expenses incurred in this proceeding. Other than the agreement of FHH to forgive that obligation, there are no other oral or written agreements related to my withdrawal of my objection and the petition for reconsideration.

I did not object to the Notice or file the petition for reconsideration for the purpose of directly or indirectly receiving payments or any other consideration of any type.

The public interest will be served by FCC approval of this withdrawal of the petition for reconsideration because scarce FCC resources will be preserved and it will facilitate the resolution of a long-pending FCC rulemaking proceeding.

Signed and dated this 8 day of September, 2006.

  
J. Michael Self

**STATEMENT OF KEVIN WAGNER**

I, Kevin Wagner, hereby declare under penalty of perjury as follows:

I am the Manager of the successor-in-interest licensee of Station WLAY-FM (formerly WMXV(FM)), Russellville, Alabama, Urban Radio Licenses, LLC ("Urban").

I have neither promised nor paid any consideration, direct or indirect, of any kind to J. Michael Self, for the withdrawal of his comments and petition for reconsideration of the FCC's Report and Order in MB Docket No. 04-12, RM-10834. Nor has Urban or its other principals promised or paid such consideration. Urban is not party to any oral or written agreements related to Self's withdrawal of his comments and petition for reconsideration.

The public interest will be served by FCC approval of Self's withdrawal of the petition for reconsideration because scarce FCC resources will be preserved and it will facilitate the final resolution of a long-pending FCC rulemaking proceeding.

I further affirm that Urban continues to have an interest in this proceeding and is interested in pursuing the rulemaking proposal in MB Docket No. 04-12 to substitute Littleville, Alabama, as WLAY-FM's community of license.

Date: 9-13-06

Kevin Wagner  
Kevin Wagner  
Manager of  
Urban Radio Licenses, LLC

**STATEMENT OF  
FLETCHER, HEALD & HILDRETH, PLC**

I, Frank R. Jazzo, hereby state as follows under penalty of perjury:

1. I am Co-Managing Member of Fletcher, Heald & Hildreth, PLC. We represented J. Michael Self in his efforts to oppose the proposal to switch the community of license of Station WLAY-FM, then WMXV(FM), Russellville, Alabama, to Littleville, Alabama, and subsequently to seek reconsideration of the Federal Communications Commission's initial decision to adopt the proposal. Total fees and expenses related thereto were in excess of \$7,400.00.

2. We agreed to forgive Mr. Self's obligation to pay up to \$5,728.81 of this amount.

3. We did not promise to, nor did we pay to Mr. Self, any other consideration in return for his withdrawal of his objection to the Littleville proposal.

Date:

9/14/06

  
Frank R. Jazzo

CERTIFICATE OF SERVICE

I, Evelyn Thompson, hereby certify that a true and correct copy of the foregoing "Joint Request for Approval of Withdrawal of Petition for Reconsideration" was sent on this 14<sup>th</sup> day of September, 2006, via First-Class United States mail, postage pre-paid, or as otherwise specified, to the following:

**Via Electronic Delivery**  
Andrew Rhodes, Esquire  
Allocations Division  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

  
Evelyn Thompson