

Imaging Center
Cf- C203



Federal Communications Commission
Washington, D.C. 20554

Received & Inspected

APR 17 2006

FCC Mail Room

April 14, 2006

Mr. Charles Crawford
4553 Bordeaux Avenue
Dallas, Texas 75205

Dear Mr. Crawford:

This is in response to the petition for rule making you filed proposing the allotment of Channel 281C2 at Shattuck, Oklahoma, as the community's first local aural transmission service. In order to accommodate the allotment, you requested the reclassification of Station KMGL(FM), Channel 281C, Oklahoma City, Oklahoma, to specify operation as a Class C0 facility.

In accordance to the *Second Report and Order* in MM Docket No. 98-93¹, and as set forth in Section 1.420(g), note 2, and Section 73.3574, note 4 of the Commission's rules, Station KMGL(FM) is subject to reclassification as a Class C0 facilities because the station is operating below minimum Class C standards. As a result, an *Order to Show Cause* ("Order")² was issued on April 6, 2005, pursuant to the reclassification procedures set forth in Section 73.3573, note 4 of the Commission's Rules, which afforded the licensees an opportunity to show why their respective licenses should not be modified to a Class C0 facility. As such, Renda Broadcasting Corporation of Nevada ("Renda"), licensee of Station KMGL(FM), filed comments in response to the *Order* stating its intention to file a minor change construction permit application to increase its antenna height above 451 meters HAAT. Renda filed an acceptable construction permit application (File No. BPH-20051117ABV) on November 17, 2005, to increase its antenna height above 451 meters HAAT. Therefore, pursuant to Section 1.420(g), note 2 of the Commission's Rules, your petition proposing the allotment of Channel 281C2 at Shattuck, Oklahoma, is hereby dismissed.

As noted in the *Order*, the present three-year construction period will be applicable under this reclassification procedure. If the construction is not completed as authorized, Station KMGL(FM) is subject to reclassification automatically as a Class C0

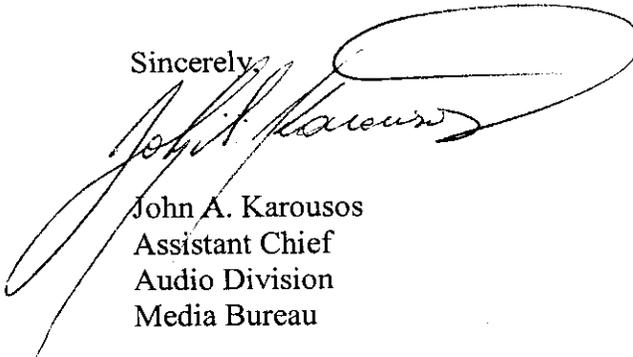
¹ See 1998 Biennial Regulatory Review – Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules, 15 FCC Rcd 21649 (2000).

² *Reclassification of License of Station KMGL(FM), Oklahoma City, Oklahoma*, 20 FCC Rcd 7598 (MB 2005).

station, and, in that event, a new petition for rule making to allot Channel 281C2 at Shattuck, Oklahoma, may be filed.

In light of the above, we are returning your petition for rule making for Channel 281C2 at Shattuck, Oklahoma.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Karousos", is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

John A. Karousos
Assistant Chief
Audio Division
Media Bureau