

COPY

# Shainis & Heltzman, Chartered

Counselors at Law

Suite 240

1850 M Street, N.W.

Washington, D.C. 20036

(202) 293-0011

Fax (202) 293-0810

e-mail: shainispeltzman@s-plaw.com

Aaron H. Shainis  
aaron@s-plaw.com

Lee J. Heltzman  
lee@s-plaw.com

Of Counsel

William H. DuRoss, III  
bill@s-plaw.com

Robert J. Keller  
bob@s-plaw.com

December 12, 2006

FILED/ACCEPTED

DEC 12 2006

Federal Communications Commission  
Office of the Secretary

**VIA HAND DELIVERY**

Ms. Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
Portals II -- 12th Street Lobby  
Filing Counter -- TW-A325  
445 12th Street, SW  
Washington, D.C. 20554

Re: MB Docket No. 05-09  
RM-11141  
RM-11242  
(Ione, Oregon; Walla Walla, Washington and Athena,  
Hermiston, La Grande, and Arlington, Oregon)  
MB Docket No. 05-10  
RM-11140  
RM-11241  
RM-11279  
(Monument, Oregon; Prairie City, Prideville and Sisters,  
Oregon and Weiser, Idaho; The Dalles, Tualatin, Eugene,  
Albany, Lebanon, Paisley, Diamond Lake, Oregon and  
Goldendale, Washington)

Dear Ms. Dortch:

On September 5, 2006 the Commission, by its Assistant Chief, Audio Division, Media Bureau, released a Report and Order in the above-referenced proceedings, which, *inter alia*, dismissed the Petition for Rule Making (treated as a counter proposal in MB Docket No. 05-10) filed by Portland Broadcasting, LLC, Columbia Gorge Broadcasters, Inc., M.S.W. Communications, LLC and Extra Mile Media, Inc. (the "Joint Petitioners"). The Joint Petitioners filed a Petition for Reconsideration of the Commission action on October 27, 2006. Under the Commission's rules, Oppositions to Petitions for Reconsideration are due to be filed

# Shainis & Peltzman, Chartered

within fifteen (15) days of the date of Public Notice of the Petition for Reconsideration in the Federal Register and Replies to an Opposition and due to be filed within ten (10) days after the time for filing Oppositions has expired. See Section 1.4 (b) (1) of the Commission's rules and attached Public Notice, Report No. 2800, released December 8, 2006.

Public Notice of the Joint Petitioners' Petition for Reconsideration has not yet occurred in the Federal Register. Cumulus Licensing, LLC ("Cumulus") has filed an Opposition to that Petition for Reconsideration. However, the date of Joint Petitioners' Reply is measured from the date that Public Notice of the Petition for Reconsideration is given in the Federal Register, not the date of the Cumulus filing. Since the Petition for Reconsideration has not yet been published, the filing due date for Joint Petitioners' Reply to the Cumulus Opposition as well as other comments which are filed has not yet been set. Joint Petitioners intend to file a Reply at the appropriate time under the Commission's rules.

Sincerely,



Lee J. Peltzman  
Counsel for  
PORTLAND BROADCASTING, LLC

LJP/rss  
Attachment

cc: John A. Karousos (w/encl.) – *via hand delivery*  
Andrew Rhodes, Esq. (w/encl.) – *via hand delivery*  
Haystack Broadcasting, Inc. (w/encl.)  
John J. McVeigh, Esq. (w/encl.)  
Matthew K. Wesolowski (w/encl.)  
Alan C. Campbell, Esq. (w/encl.)  
David Tillotson, Esq. (w/encl.)  
J. Dominic Monahan, Esq. (w/encl.)



# PUBLIC NOTICE

Federal Communications Commission  
445 12th St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Fax-On-Demand 202 / 418-2830  
TTY 202 / 418-2555  
Internet: <http://www.fcc.gov>  
<ftp.fcc.gov>

Report No. 2800

December 8, 2006

## PETITIONS FOR RECONSIDERATION OF ACTION IN RULEMAKING PROCEEDING

Petitions for Reconsideration have been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of these documents is available for viewing and copying in Room CY-B402, 445 12th Street, S.W., Washington, D.C. or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). Oppositions to these petitions must be filed within 15 days of the date of public notice of the petitions in the Federal Register. See Section 1.4(b) (1) of the Commission's rules (47 CFR 1.4(b) (1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

**Subject:** In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Ashland, Greensburg, and Kingsley, Kansas and Alva, Medford, and Mustang, Oklahoma) (MB Docket No. 06-65)

**Filed By:** -Mark N. Lipp, for Wiley Rein & Fielding LLP, on behalf of Chisholm Trail Broadcasting Co., 11/17/2006

**Subject:** In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Lone, Oregon; Walla Walla, Washington and Athena, Hermiston, La Grande, and Arlington, Oregon) (MB Docket No. 05-9)

In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Monument, Oregon; Prairie City, Prineville, and Sisters, Oregon and Weiser, Lebanon, Paisley, and Diamond Lake, Oregon and Goldendale, Washington) (MB Docket No. 05-10)

**Filed By:** -Lee J. Peltzman, for Shainis & Peltzman, on behalf of Portland Broadcasting, LLC, Richard R. Zaragoza, for Pillsbury Winthrop Shaw Pittman LLP, on behalf of MSW Communications, LLC and Columbia Gorge Broadcasting, Inc., J. Dominic Monahan, for Luvass Cobb Richards & Fraser, PC, on behalf of Extra Mile Media, Inc., 10/27/2006

FCC