

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

FILED/ACCEPTED

APR - 7 2009

Federal Communications Commission  
Office of the Secretary

In the Matter of

Amendment of Section 73.202(b) )  
Table of Allotments )  
FM Broadcast Stations )  
(Evergreen, Alabama and Shalimar, Florida) )

MB Docket No. 04-219  
RM-10986

Attn: Office of the Secretary  
To: The Commission

**MOTION FOR LEAVE TO FILE COMMENTS**

The Opp Broadcasting Co., Inc. ("Opp"), by its counsel, hereby requests acceptance and consideration of the accompanying Comments in the above-captioned proceeding. The purpose of these Comments is to inform the Commission of the recent grant of an application for Station WAMI-FM, Fort Deposit, Alabama (BPH-20070122AIT). The grant of this application impacts the loss area created by the move of WNCV(FM), which was the primary basis for Quantum of Fort Walton Beach License Company, LLC's Petition for Reconsideration in this proceeding. The Commission has held that it may accept this type of comment as a matter within its discretion. See 47 C.F.R. § 1.415(d); *Lake City, Chattanooga, Harrogate, and Halls Crossroads, Tennessee*, 20 FCC Rcd 18961, note 3 2005) (acceptance of a supplemental filing to inform the Commission of a recent case relevant to the proceeding); *Winslow, Camp Verde, Mayer and Sun City West, Arizona*, 16 FCC Rcd 9551, note 2 (2001) (acceptance of supplemental filing to update the record with material which the Commission may take official notice).

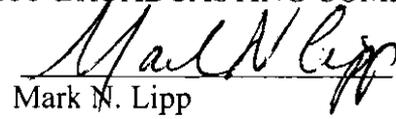
WHEREFORE, for the foregoing reasons Opp respectfully requests acceptance of the accompanying Comments.

No. of Copies rec'd 044  
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Respectfully submitted,

THE OPP BROADCASTING COMPANY, INC.

By:



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Its Counsel

April 7, 2009

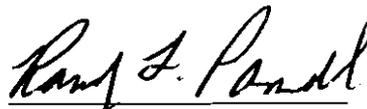
## CERTIFICATE OF SERVICE

I, Randy Pannell, in the law firm of Wiley Rein LLP, do hereby certify that I have on this 7<sup>th</sup> day of April, 2009, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "**Motion for Leave to File Comments**" to the following:

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