

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

In the Matter of	)	Call Signs WNIZ676, WNJA910,
	)	WNJL306, WNKV762, WNMT755,
James A. Kay, Jr.	)	WNMY402, WNMY773, WNPJ874,
	)	WNSK552, WNVL794, WNVW779,
Cancellation of Licenses for Land	)	WNWB268, WNWB332, WNWK982,
Mobile Radio Facilities in the	)	WNWN703, WNWQ651, WNXB280,
Los Angeles, California, Area	)	WNXG372, WNXQ353, WNXQ911,
	)	WNXS450, WNXS753, WNXW280,
	)	WNXW327, WNXW549, WNYQ437,
	)	WNYR747, WNZY505, WNZZ731,
	)	WPAP683, WPAZ639, WPBW517,
	)	and WPBZ518

To: Chief, Wireless Telecommunications Bureau
Chief, Public Safety & Homeland Security Bureau

PETITION FOR RECONSIDERATION

James A. Kay, Jr. (“Petitioner”); by his attorney and pursuant to Section 405 of the Communications Act of 1934, as amended, 47 U.S.C. § 405, and Section 1.106 of the Commission’s Rules and Regulations, 47 C.F.R. § 1.106, hereby respectfully petition for reconsideration of cancelling the above-captioned licenses.

According to entries in the ULS database, the license for each of the captioned call signs was cancelled on April 23, 2010. This reconsideration petition is tendered well within the applicable thirty day deadline.¹

The following notation appears in the ULS record (in the Comments field of the Admin tab) for each of the captioned stations: “Revoked per Commission orders in WT Docket No. 94-147; per Memorandum Opinion and Order, FCC 10-55, released April 12, 2010, operating authority terminated as of 12:01 a.m. April 23, 2010.” The cancellations were thus prompted by the recent *Memorandum Opinion and Order* in WT Docket Nos. 94-147 & 97-56 (FCC 10-55;

¹ There has been no public notice announcing the cancellations, and Petitioner has not received any written notice of the cancellation. Any applicable thirty day filing window would thus be reckoned from the April 23, 2010, date of the action. See 47 C.F.R. §§ 1.4(b) & 1.106(h).

released April 12, 2010), which directed Petitioner to terminate operations pursuant to these licenses by April 23, 2010.² However, on April 21, 2010, Petitioner filed a timely Petition for Reconsideration³ of the April 12 order, as well as a Motion for Stay⁴ of the effectiveness thereof.

For the reasons stated in the aforementioned Petition for Reconsideration and Motion for Stay, Petitioner respectfully requests that the April 23, 2010, actions dismissing each of the above-captioned applications be reconsidered, set aside, and that the applications be returned to pending status.

Respectfully submitted,

JAMES A. KAY, JR.



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Date: May 24, 2010

² The captioned licenses are subject to revocation pursuant to the Commission's ruling in WT Docket No. 97-56. *James A. Kay, Jr.* (WT Docket No. 94-147), 17 FCC Rcd 1834 (2002), *on recon.*, 17 FCC Rcd 8554 (2002); *aff'd sub nom Kay v. FCC*, 396 F.3d 1184 (D.C. Cir. 2005). On August 3, 2005, the licensees filed a *Motion to Modify Sanction* proposing that, as an alternative to the revocation of their 800 MHz licenses, they would give up a block of UHF channels to be contributed for use by public safety operations in the Los Angeles area. By the April 12, 2010, *Memorandum Opinion and Order* (FCC 10-55) the Commission denied this request and directed termination operations pursuant to these licenses by 12:01 AM on April 23, 2010.

³ The Petition for Reconsideration is available via the FCC's Electronic Comment Filing System. ("ECFS").

⁴ The Motion for Stay is available via the ECFS.

Certificate of Service

I, Robert J. Keller, counsel of record for Petitioner in the captioned matter, hereby verify that on this 24th day of May 2010, I caused copies of the foregoing pleading to be served, via email, with courtesy hard copies to follow via U.S. Postal Service, on the following:

William Davenport, Associate Chief
William.Davenport@fcc.gov
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W. - Room 7-C723
Washington, D.C. 20554

Austin Schlick, General Counsel
Daniel M. Armstrong, Esquire
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Robert J. Keller



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The following information was submitted with this Pleading:

Type of Pleading

Petition for Reconsideration

Dates

Entered Date: 05/24/2010

Filer Information

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File Number(s)/Call Sign(s)

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WNMY773 Call Sign
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WNWB268 Call Sign
WNWB332 Call Sign
WNWK982 Call Sign
WNWN703 Call Sign
WNWQ651 Call Sign
WNXB280 Call Sign
WNXG372 Call Sign
WNXQ353 Call Sign
WNXQ911 Call Sign
WNXS450 Call Sign
WNXS753 Call Sign
WNXW280 Call Sign
WNXW327 Call Sign
WNXW549 Call Sign
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Attachment(s)

05/24/2010 Pleading Petition for Reconsideration of License Cancellations Kay Cancellations Recon.pdf