

**ORIGINAL**

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C 20554**

In the Matter of )  
)  
Amendment of Section 73.202(b), )  
Table of Allotments, )  
FM Broadcast Stations. )  
(Fairbanks, AK) )

MB Docket No. 10-81  
RM-11600

**FILED/ACCEPTED**

**OCT 26 2010**

Federal Communications Commission  
Office of the Secretary

To: Office of Secretary  
Attn: Chief, Audio Division, Media Bureau

**MOTION TO ACCEPT LATE-FILED COMMENTS**

Educational Media Foundation (“EMF”), hereby requests that the comments concurrently submitted in the above-captioned proceeding be accepted *nunc pro tunc* and given the same consideration as though they were filed prior to the comment deadline. By the recent Notice of Proposed Rule Making (“NPRM”) released May 3, 2010,<sup>1</sup> the Commission requested comment on EMF’s proposed allocation of Channels 224C2 and 232C2 at Fairbanks, Alaska. EMF initiated this rule making proceeding by filing two Petitions for Rulemaking to amend the FM Table of Allotments contained in Section 73.202(b) of the Commission’s Rules in September 2009. EMF has remained interested in and committed to pursuing the proposals set forth in its Petitions. However, as a result of administrative oversight, comments were not filed by the June 24, 2010 comment deadline established in the NPRM.

Granting the instant motion would be in compliance with the Commission’s established policies and would not prejudice the proceeding or have any adverse impact on any other

<sup>1</sup> *In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Fairbanks, Alaska), Notice of Proposed Rule Making, MB Docket No. 10-81, RM-11600, DA 10-754, rel. May 3, 2010.*

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proposal.<sup>2</sup> EMF has not received notice of comments filed by any other party in this proceeding. Furthermore, the Commission's electronic comment filing database (ECFS), shows no record of comments filed in this proceeding.<sup>3</sup> Therefore, there are no other proposals that could be adversely impacted or prejudiced by the Commission's grant of this motion. Instead, granting the instant motion will serve the public interest as it will allow the Commission to consider EMF's proposal to add two new aural services to the remote state of Alaska, as set forth in its comments. For the foregoing reasons EMF respectfully requests that the Commission grant this Motion to Accept Late-Filed Comments and consider the comments filed by EMF in this proceeding *nunc pro tunc*.

Respectfully submitted,

**EDUCATIONAL MEDIA FOUNDATION**

By:   
Karen A. Ross, Esq.  
*Its Attorney*

Davis Wright Tremaine LLP  
1919 Pennsylvania Avenue, N.W.  
Suite 800  
Washington, D.C. 20006

Dated: October 26, 2010

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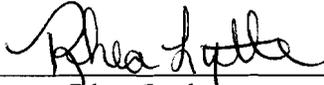
<sup>2</sup> See, e.g., *In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Dulac, LA)*, Report and Order, 24 FCC Rcd 10154 (August 3, 2010) at ¶5.

<sup>3</sup> Indeed, as of the date of this filing, ECFS does not show any comment or other filings in Proceeding Number 10-81, including no record of EMF's Petitions for Rulemaking or the FCC's Notice of Proposed Rulemaking in this proceeding.

**CERTIFICATE OF SERVICE**

I, Rhea Lytle, a Secretary in the law firm of Davis Wright Tremaine LLP, hereby certify that on this 26<sup>th</sup> day of October 2010, I caused a copy of the foregoing "**MOTION TO ACCEPT LATE-FILED COMMENTS**" to be served by hand delivery, upon the following:

Deborah A. Dupont\*  
Audio Division  
Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 2-A125  
Washington, D.C. 20554

  
\_\_\_\_\_  
Rhea Lytle

\*Via Hand Delivery