

FEDERAL COMMUNICATIONS COMMISSION
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MASS MEDIA BUREAU
AUDIO SERVICES DIVISION
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April 14, 2000

Todd M. Stansbury, Esq.
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, DC 20006

In re: NEW(FM), Fergus Falls, MN
Minnesota Public Radio ("MPR")
BPED-19981208MH
Facility ID: 92307

Dear Mr. Stansbury:

The staff has under consideration: (1) the above-captioned application found to be unacceptable for filing and returned April 3, 2000; (2) the petition for reconsideration and request for reinstatement of the application *nunc pro tunc* filed April 12, 2000 and; (3) the supplement to the petition for reconsideration filed April 13, 2000.

On April 3, 2000, the staff returned MPR's application for an acceptability defect. Specifically, the proposal conflicted with a previously filed acceptable application. On April 12 and 13, 2000 MPR filed its petition for reconsideration and supplement with a minor corrective amendment. Pursuant to the *Public Notice* entitled *Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications*, FCC 84-366, released August 2, 1984, the Commission indicated that it would reinstate applications *nunc pro tunc* where the original application was returned and where an applicant has filed a relatively minor curative amendment within 30 days of the date of the return. MPR's petition and supplement were timely filed. Furthermore, the minor amendment corrects the deficiency noted in the April 3, 2000 letter. Therefore, we will grant the April 12, 2000, Petition for Reconsideration filed by MPR, reinstated Application BPED-19981208MH *nunc pro tunc*, and return it to pending status.

Accordingly, MPR's petition for reconsideration IS HEREBY GRANTED and the application IS HEREBY REINSTATED *NUNC PRO TUNC* with the original file number BPED-19981208MH. Furthermore, the application, as amended, is otherwise acceptable for filing. Therefore, application BPED-19981208MH will be placed on an upcoming "A" cut-off public notice. These actions are taken pursuant to 47 CFR § 0.283.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edward P. De La Hunt", with a long, sweeping flourish extending to the right.

Edward P. De La Hunt
Assistant Division Chief
Audio Services Division
Mass Media Bureau

cc: Minnesota Public Radio