

2/ 5/2001

1800E3-JLB

PETE E.M. WARREN III  
32 Cielco Vista  
Anthony, NM 88021

Re: Application for Construction  
Permits for New Low Power  
Television Stations at  
See Appendix A

Dear Applicant:

On May 1, 2000, the Mass Media Bureau and the Wireless Telecommunications Bureau announced a July 31, 2000 limited auction filing window for certain Class A, LPTV and TV translator stations. By Public Notice released June 23, 2000, the Commission gave notice of the filing requirements, stating that parties intending to file during the window would be required to electronically submit an FCC Form 175 beginning July 31, and no later than August 4, and were also required to submit paper copies of the engineering portions of either FCC Form 301-CA or FCC Form 346. *See Notice and Filing Requirements Regarding July 31 through August 4, 2000 Limited Low Power Television/Television Translator/Class A Television Auction Filing Window, Public Notice*, 15 FCC Rcd 10854 (rel. June 23, 2000) (“*Auction No. 81 Filing Window Public Notice*”). In the *Auction No. 81 Filing Window Public Notice*, we informed applicants that “[n]o consideration will be given to any proposal for which the required engineering information is not on file by the close of the window.” *Auction No. 81 Filing Window Public Notice*, 15 FCC Rcd at 10856. On July 25, 2000, the Commission partially extended the window to permit the filing of the necessary portions of Form 301-CA and Form 346 until August 31, 2000.

You an FCC Form 175 by August 4, 2000. However, it was not until September 1, 2000, after the filing window had closed, that the Commission received applications for construction permits on an FCC Form 346 for new low power television/television translator stations.

The Commission requires that applicants strictly adhere to application filing deadlines. *See Independent Communications, Inc.*, 15 FCC Rcd 7080 (1999); *First Auction of Interactive Video and Data Service (IVDS) Licenses*, 11 FCC Rcd 1134, 1135

(1996); *Mary Ann Salvatoriello*, 6 FCC Rcd 4705, 4708 (1991). *Valley Television, Inc.*, 3 FCC Rcd 4522 (1983). This is because strict application of filing deadlines “is necessary to ensure that applicants are treated fairly and equally,” and to permit the Commission “at a specific time, to begin processing a given, defined group of applications without the specter of facing numerous waiver requests.” *Independent Communications*, 11 FCC Rcd at 1135; *see also Mary R. Kupris*, 5 FCC Rcd 5142 (1990). Accordingly, we must return as untimely all applications filed in response to the above-referenced public notices, but received after August 31, 2000.

In view of the foregoing, the applications filed for construction permits for new low power television/television translator stations for the channels and locations listed in Appendix A ARE RETURNED.

Sincerely,

Hossein Hashemzadeh  
Supervisory Engineer  
Low Power Television Branch  
Video Services Division  
Mass Media Bureau

**APPENDIX A**

<b>FILE NUMBER</b>	<b>FACILIT Y ID</b>	<b>APPLICANT</b>	<b>CH CITY</b>	<b>ST</b>
BNPTTL 20000901ASO	131261	PETE E.M. WARREN III	49 TIMBERON	NM
BNPTTL 20000901ASP	131263	PETE E.M. WARREN III	46 TIMBERON	NM
BNPTTL 20000901ASQ	131265	PETE E.M. WARREN III	56 BIG SPRING	TX
BNPTTL 20000901ASS	131270	PETE E.M. WARREN III	49 PRESCOT T	AZ
BNPTTL 20000901AST	131273	PETE E.M. WARREN III	23 PRESCOT T	AZ
BNPTTL 20000901ASU	131275	PETE E.M. WARREN III	19 AMARILLO	TX