

FEDERAL COMMUNICATIONS COMMISSION

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KM Radio of Independence, LLC
3654 West Jarvis Avenue
Skokie, IL 60076

Re: KQMG-FM, Solon, IA
Facility ID No. 42080
KM Radio of Independence ("KM")
File No. BPH-20070119AEI

Dear Applicant:

This letter refers to: (1) the above-captioned "hybrid" application to modify channel, location, and community of license and (2) the September 22, 2008 Informal Objection filed by Dodge Point Broadcasting Co., Inc. ("Dodge Point"). The application is mutually contingent with a rule making petition to allot Channel 228A at Mineral Point, Wisconsin.¹

By letter dated October 20, 2011, the staff provided KM one last opportunity to provide either an environmental assessment (EA), or certify that operation of the proposed station will not have a significant environmental impact by giving an affirmative response to Item 17 of FCC Form 301, Section III-B. The letter stated that failure to respond within 30 days would result in the dismissal of the application for failure to prosecute pursuant to 47 C.F.R. § 73.3568.

As of the date of this letter, we have not received any response to the October 20, 2011 letter. Furthermore, KM has had over four years to comply with this requirement. As notified in the staff letter, this was KM's final opportunity to provide the requested amendment.

Therefore, in light of the above, application BPH-20070119AEI is unacceptable for filing pursuant to 47 C.F.R. § 73.3568(a)(1) and is HEREBY DISMISSED for failure to prosecute. Furthermore, the Informal Objection filed by Dodge Point IS HEREBY DISMISSED AS MOOT. In view of these actions, we will separately issue an Order dismissing the rule making petition. These actions are taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



Edna V. Prado
Supervisory Engineer
Audio Division
Media Bureau

cc: Aaron Shainis
Kevin M. Walsh, Esq.

¹ See *Asbury, Iowa, Maquoketa, Iowa, and Mineral Point, Wisconsin*, Notice of Proposed Rule Making and Order to Show Cause, 23 FCC Rcd 11118 (MB 2008).