

Request for Waiver

The instant application belatedly seeks Commission consent to a *pro forma* transfer of control of the licensee of Earth Station E010120, Panhandle Telecasting Limited Partnership (“Panhandle”). By an internal corporate reorganization effectuated February 19, 2002, Panhandle was converted from a Texas general partnership to a Texas limited partnership, and a newly created commonly owned corporate entity became Panhandle’s sole general partner (as detailed in the Exhibit below). The internal corporate reorganization did not effect a substantial change in the ultimate ownership or control of the licensee, and was *pro forma* in nature.

While prior authorization was obtained from the FCC’s Media Bureau for the transfer of control of the license of the broadcast television station with which this earth station is associated, it appears that the need for a *pro forma* transfer of the license of Earth Station E010120 may have been inadvertently overlooked. Accordingly, out of an abundance of caution, the instant application seeks to update the Commission’s records in this regard.

To the extent necessary, Panhandle hereby respectfully requests that the Commission waive Section 25.119 of its rules and accept this late filed application *nunc pro tunc*. Pursuant to Section 1.3 of the Commission’s Rules, the Commission may suspend, revoke, amend, or waive any of its rules upon a showing of good cause and where grant of the waiver will serve the public interest. 47 C.F.R. § 1.3; *see also, WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), cert. denied, 409 U.S. 1027 (1972). Panhandle submits that good cause exists in this case to permit a waiver of the Commission’s Rules as the parties’ oversight was inadvertent and grant of the waiver will allow for the update of the Commission’s databases to accurately reflect the current information for this facility. Further, as the transfer of control was a minor corporate reorganization involving all the same principals, there was no change in the ultimate control of the license in this case, and the real parties in interest remained the same before and after the transfer.