

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 05-145
FM Table of Allotments,)	RM-11212
FM Broadcast Stations.)	
(Mercer and Hermitage, Pennsylvania))	
)	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: May 17, 2006

Released: May 19, 2006

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a “Request for Withdrawal” filed by Cumulus Licensing LLC, (“Petitioner”), licensee of Station WWIZ(FM), Mercer, Pennsylvania, seeking dismissal of its petition for rule making in this proceeding. A *Notice of Proposed Making*¹ was issued, setting forth Petitioner’s proposal to reallocate Channel 280A from Mercer to Hermitage, Pennsylvania, and modify WWIZ’s license to reflect the change of community.

2. It is the Commission’s policy to refrain from making an allotment to a community absent an expression of interest. By filing its request for withdrawal, Petitioner has demonstrated that it has no continuing interest in the requested reallocation. Petitioner states that no consideration has been paid or promised, directly or indirectly, for such withdrawal.²

3. Accordingly, IT IS ORDERED, That the petition for rule making filed by Cumulus Licensing LLC, proposing the reallocation of Channel 280A from Mercer to Hermitage, Pennsylvania, and the modification of WWIZ’s license to reflect the new community IS DISMISSED.

4. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

5. This document is not subject to the Congressional Review Act. (The Commission, is, therefore, not required to submit a copy of this Report and Order to Government Accountability Office, pursuant to the Congressional Review Act, *see* 5 U.S.C. Section 801(a)(1)(A) since this proposed rule is dismissed, herein.)

¹ *Mercer and Hermitage, Pennsylvania, et al.*, Notice of Proposed Rule Making, 20 FCC Rcd 6271 (MB 2005) (“*Notice*”) (This was a multiple docket *Notice* setting forth separate proposals while the instant Report and Order pertains only to the docket specified above.)

² 47 C.F.R. § 1.420 (j).

6. For further information concerning this proceeding, contact Helen McLean, Media Bureau, (202) 418-2738.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
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