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Transcript of Proceedings

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JUN 17 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BEFORE THE

Federal Communications Commission

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In the Matter of:

:

Docket Number:

OCEAN CITY, MARYLAND

:

92-64

-----X

DATE: June 15, 1992

VOLUME: 1

PLACE: Washington, D.C.

PAGES: 1 - 5

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BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

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OCEAN CITY, MARYLAND : 92-64

----- x Volume 1

The above-entitled matter came on for
 conference pursuant to Notice before Edward Luton,
 Administrative Law Judge, at 2000 L Street, Northwest,
 Hearing Room Four, Washington, D.C., Monday, June 15,
 1992 at 9:00 a.m.

APPEARANCES:

On Behalf of J.H. Communications:

STEPHEN T. YELVERTON, Esquire
 Maupin, Taylor, Ellis and Adams
 Suite 750
 1130 Connecticut Avenue, N.W.
 Washington, D.C. 20036

On Behalf of PM Broadcast Engineering, Inc.:

DAVID M. SILVERMAN, Esquire
 Cole, Raywid & Braverman
 1919 Pennsylvania Avenue, N.W.
 Washington, D.C. 20006

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APPEARANCES (continued)

On Behalf of Wind'N Sea FM Limited Partnership:

J. JEFFREY CRAVEN, Esquire

Besozzi & Gavin

Suite 200

1901 L Street, N.W.

Washington, D.C. 20036

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P R O C E E D I N G S

(Time Noted: 9:00 a.m.)

JUDGE EDWARD LUTON: On the record.

May I have the appearances please, starting on my left?

MR. SILVERMAN: David Silverman, for PM Broadcast Engineering.

MR. CRAVEN: J. Jeffrey Craven of the law offices of Besozzi & Gavin, on behalf of Wind'N Sea, Your Honor.

MR. YELVERTON: Your Honor, Stephen Yelverton of the law firm of Maupin, Taylor, Ellis & Adams, on behalf of J.H. Communications.

JUDGE LUTON: Okay. We've got two parties, and two would-be intervenors, one of whom is filing all kinds of papers here. I'm going to act on all of that as soon as I can.

But as far as I'm concerned, even though there's been an assertion by one of the would-be intervenors that he has a right to intervene and all that, he's not in the case yet until I address the filings that are before me presently.

The hearing is presently set by an order which was issued some time ago, for August 31, 1992. Let's work back from that and see if we can't establish

1 a schedule for the other things that are necessary for
2 the case.

3 Moving back from August 31st, I'm going to
4 require the parties to state any objections that they
5 might have to witnesses that are called for
6 examination, by August 17th.

7 I am going to dispense for now with an
8 admission session. Those things haven't proved to be
9 of much help to me. Besides, in this case it's not at
10 all clear to me that we would need one, in any event.

11 All right, from August 17th back to August
12 10. I'd ask the parties to notify other parties of the
13 witnesses that they wish for cross-examination -- no,
14 no, I already did that one. The 10th would be the time
15 when the names of the witnesses are stated --
16 notification of the names of the witnesses that are
17 desired.

18 And moving on back another week, August the
19 3rd, exchange of final exhibits.

20 Two weeks prior to that on July 20, there
21 ought to be an exchange of preliminary exhibits, if
22 there is going to be one, and there may well be, since
23 we do have an areas and populations concern, under the
24 stand comparative issue.

25 Now going the right way, July 20, exchange of

1 preliminary exhibits. August 3, exchange of final
2 exhibits. August 10, notification of names of
3 witnesses. August 17, objections to witnesses that are
4 named. August 31, the hearing.

5 Discovery is now open. The parties may use
6 whatever the rules provide, except for written
7 interrogatories. I don't want to bog down with those.
8 I don't think anybody around here permits those to be
9 used anymore, anyway.

10 Does any party have anything that he wishes
11 to raise?

12 All right. We've got the schedule. We will
13 stay with it as best we can. And did I say I have
14 several papers before me that are awaiting rulings, and
15 those rulings will be coming forthwith.

16 Thank you very much. We'll be in recess.

17 (Whereupon, at 9:05 a.m., the above conference was
18 in recess.)

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C E R T I F I C A T E

This is to certify that the attached proceedings
before the FEDERAL COMMUNICATIONS COMMISSION

in the matter of: OCEAN CITY, MARYLAND

Docket Number: 92-64

Place: Washington, D.C.

Date: June 15, 1992

were held as herein appears, and that this is a true
and accurate record of the proceedings.

CAPITAL HILL REPORTING, INC.

BY Joseph C. Spector

Official Reporter