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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FCC 92M-769
03394

In re Applications of)	MM DOCKET NO. 92-116
UHURU COMMUNICATIONS, INC.)	File No. BRED-910130WF
For Renewal of License)	
of Station WUCI-FM)	
Binghamton, New York)	
and)	
WSKG PUBLIC)	
TELECOMMUNICATIONS COUNCIL)	File No. BPED-910501MB
For a Construction Permit)	
for a New FM Station)	
Binghamton, New York)	
ARROWHEAD CHRISTIAN CENTER)	File No. BPED-910501MC
For a Construction Permit)	
for a New FM Station)	
Binghamton, New York)	

MEMORANDUM OPINION AND ORDER

Issued: July 9, 1992 ; Released: July 13, 1992

1. Under consideration is a Motion for Postponement of Procedural Dates, filed on July 7, 1992, by Uhuru Communications, Inc. ("UCI").¹

2. UCI requests the postponement of all procedural dates until July 29, 1992. In support, UCI states that Lorenza Butler, an experienced commercial broadcaster, was named President of UCI largely to help it in this hearing. UCI further states that its Board of Directors has delegated to Mr. Butler the responsibility to respond to the Commission concerning the renewal hearing. UCI states that Butler was involved in a nearly fatal automobile accident and is currently undergoing physical therapy and rehabilitation in Chicago. Because of this, Mr. Butler is unable to render much assistance to counsel for UCI, and UCI claims that it is unable to meet the current procedural dates set forth in the Hearing Designation Order, DA 92-609, released June 8, 1992 ("HDO"), particularly the date for the submission of an environmental assessment.

¹ Due to the nature of the request, this ruling is being made without awaiting responsive pleadings. See Section 1.298(a) of the Commission's Rules.

3. UCI's motion will be denied. Although it is regrettable that Mr. Butler will be unable to assist counsel for UCI until late July, it is noted that counsel is a very experienced communications attorney. In addition, the hearing in this proceeding is not scheduled to commence until November 2, 1992, and the procedural dates specified in the Order Prior to Prehearing Conference, FCC 92M-754, released July 6, 1992, provide UCI with an adequate opportunity to prepare for that hearing, with or without Mr. Butler's assistance. Finally, there is nothing precluding UCI from filing the environmental assessment beyond the period specified in the HDO, provided that good cause is shown for such late filing.

Accordingly, IT IS ORDERED that the Motion for Postponement of Procedural Dates filed by UCI on July 7, 1992, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



Arthur I. Steinberg
Administrative Law Judge