

FCC MAIL SECTION

JUL 13 2 25 PM '92 Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FCC 92M-771
03393

DISPATCHED BY

In re Applications of)	MM Docket No. 92-114 ✓
)	
ROBERT B. TAYLOR)	File No. BRH-880926UJ
)	
For Renewal of License for Station)	
WTRU(FM), Jupiter, Florida)	
)	
JUPITER BROADCASTING CORPORATION)	File No. BPH-890103MD
)	
For Construction Permit for New FM)	
Station in Jupiter, Florida)	

MEMORANDUM OPINION AND ORDER

Issued: July 10, 1992 Released: July 13, 1992

1. Jupiter Broadcasting Corp. (JBC) seeks a ruling on a Motion for Protective Order. They filed their motion on June 26, 1992, and amended it on June 30, 1992. JBC objects to having their four principles deposed by Robert B. Taylor: Alan H. Potamkin, Charles Reid, Paul Levine, and William Washington. Taylor replied on July 6, 1992.

Background

2. On June 23, 1992, Robert B. Taylor served notice that he intends to depose Alan H. Potamkin, Charles Reid, Paul Levine, and William Washington on July 29, 1992, in W. Palm Beach, Florida.

Ruling

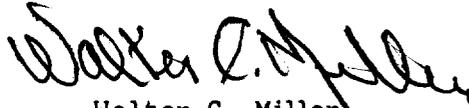
3. JBC's amended motion for protective order will be denied. The testimony Taylor seeks to adduce appears reasonably calculated to lead to the discovery of admissible evidence on both the standard comparative issue, and Taylor's own claim for a renewal expectancy.¹

1 Both Reid and Levine appear to have first-hand knowledge of certain facts relating to Taylor's claim for a renewal expectancy. See FCC 92M765 released July 10, 1992.

4. Taylor certainly has a right to prepare for trial on those questions. The deposition testimony he proposes to take could prove relevant to a proper and efficient trial.

SO the Motion for Protective Order that Jupiter Broadcasting Corp. filed on June 26, 1992 and amended on June 30, 1992, IS DENIED; and Taylor WILL DEPOSE the four individuals described in para. 1 as scheduled.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Walter C. Miller", written in a cursive style.

Walter C. Miller
Administrative Law Judge