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Before the
FEDERAL COMMUNICATIONS COMMISSION
DISPATCH WASHINGTON, D.C. 20554

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 9, 1992

Released: July 13, 1992

1. Jupiter Broadcasting Corporation (JBC) seeks a ruling on a "Document Request." They filed their request on June 22, 1992, directed at Robert Taylor and seek 14 categories of documents. Any opposition to JBC's request was due on or before July 1, 1992. Taylor filed nothing. However, on July 6, 1992, Taylor did file a belated motion for a protective order.

Ruling

2. JBC's document request will be granted. Robert B. Taylor has claimed a renewal expectancy for Station WTRU(FM), Jupiter, Florida. The documents that JBC seeks appear reasonably calculated to lead to the discovery of admissible evidence on the renewal expectancy question.

3. Stated another way, when a renewal applicant claims a renewal expectancy, his entire past operation becomes open to scrutiny. This includes the technical, the financial, and the programming aspects of that operation.

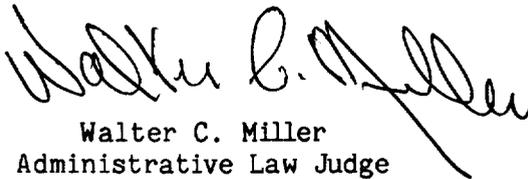
4. Taylor asserts that his stewardship or lack of stewardship over his companion station WEXI(AM) is not involved in this case. That assertion is inaccurate. The way Taylor conducted the affairs of both WTRU(FM) and WEXI(AM) are relevant considerations in determining whether Taylor is entitled to the renewal expectancy.

5. If Taylor is laboring under the belief that because he turned-in his AM license on January 30, 1992, he no longer has to answer for his past AM

transgressions, that misapprehension is hereby corrected. Taylor must answer for WEXI(AM)'s four-year silence as well as WTRU's two years of silence.

SO the "Document Request" that Jupiter Broadcasting Corporation filed on June 22, 1992, IS GRANTED; and Robert Taylor will make the pertinent documents¹ available for inspection and copying at law offices of Leibowitz and Spencer, Amerifirst Building, One S.E. Third Avenue, Suite 1450, Miami, Florida 33131.

FEDERAL COMMUNICATIONS COMMISSION



Walter C. Miller
Administrative Law Judge

¹ In his Motion for Protective Order Taylor indicates that certain otherwise relevant tax returns are no longer available. The short answer is: you can't produce what you don't have.