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Federal Communications Commission

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ORIGINAL DA 92-896DISPATCHED BY
Before the
Federal Communications Commission
Washington, D.C. 20554

MM Docket No. 92-43 ✓

In the Matter of

RICHARD L. RAMSAY, TRUSTEE

Licensee of Station KOKY(AM),
Jacksonville, ArkansasOrder to Show Cause Why the
License for Station KOKY(AM),
Jacksonville, Arkansas, Should
Not Be Revoked**ORDER**

Adopted: July 6, 1992;

Released: July 13, 1992

By the Chief, Mass Media Bureau:

1. This proceeding began on March 26, 1992, when the Commission released its *Order to Show Cause and Hearing Designation Order*, 7 FCC Rcd 2120 (1992). The Commission ordered Richard L. Ramsay, Trustee (hereinafter, "Ramsay"), to show cause why the license for KOKY(AM) should not be revoked.¹ The Commission specified an issue "To determine whether Ramsay has violated §§ 73.1740 and/or 73.1750 of the Commission's Rules."² The Commission also specified an issue to determine, in light of the evidence adduced, whether Ramsay possesses the requisite qualifications to remain a Commission licensee. By *Order*, FCC 92M-623, released March 29, 1992, Presiding Administrative Law Judge Edward J. Kuhlmann terminated the hearing proceeding because Ramsay failed to file the re-

¹ Although the Commission included a *Notice of Apparent Liability* for willful or repeated violations of Commission rules, no forfeiture is being imposed because of the action being taken herein.

² Section 73.1740(a)(4) provides:

(4) In the event that causes beyond the control of a licensee make it impossible to adhere to the operating schedule of this section or to continue operating, the station may limit or discontinue operation for a period of not more than 30 days without further authority from the FCC. Notification must be sent to the FCC in Washington, D.C. not later than the 10th day of limited or discontinued operation. During such period, the licensee shall continue to adhere to the requirements in the station license pertaining to the lighting of antenna structures. In the event normal operation is restored prior to the expiration of the 30 day period, the licensee will so notify the FCC of this date. If the causes beyond the control of the licensee make it impossible to comply

quired notice of appearance. Pursuant to § 1.92 of the Commission's Rules, the Judge also certified the case to the Commission. By letter to Mass Media Bureau Counsel, dated May 29, 1992, Ramsay stated that although he did not have an actual copy of the license for the station, he was relinquishing the license to KOKY(AM) for cancellation pursuant to the direction of the United States Bankruptcy Court, and furnished a copy of the court *Order of Abandonment and Surrender*.³ Accordingly, pursuant to Ramsay's request, the Mass Media Bureau hereby cancels the KOKY(AM) license and deletes the call sign.

2. Since the KOKY(AM) license has been cancelled, at the licensee's request, the above captioned revocation proceeding has become moot. Accordingly, the Commission hereby **ORDERS** that this proceeding is **TERMINATED**. This action is taken by delegated authority.⁴

FEDERAL COMMUNICATIONS COMMISSION

Roy J. Stewart
Chief, Mass Media Bureau

within the allowed period, informal written request shall be made to the FCC no later than the 30th day for such additional time as may be deemed necessary.

Section 73.1750 provides:

The licensee of each station shall notify the FCC in Washington, D.C. of permanent discontinuance of operation at least two days before operation is discontinued. Immediately after discontinuance of operation, the licensee shall forward the station license and other instruments of authorization to the FCC, Washington, D.C. for cancellation.

³ Apparently the Presiding Judge's *Order* and Ramsay's letter relinquishing the license crossed in the mail.

⁴ The Commission has delegated authority to the Mass Media Bureau to issue revocation orders in silent station cases. See *Radio Northwest Broadcasting Company*, 4 FCC Rcd 596, n.3 (1989).