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Before the
FEDERAL COMMUNICATIONS COMMISSION
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 27, 1992

Released: July 29, 1992

1. This Memorandum Opinion and Order DISMISSES: (1) a "Motion to Compel Discovery" that Jupiter Broadcasting Corporation (JBC) filed on July 8, 1992; and (2) "Comments on Supplemental Response to JBC's First Request for Admissions and Document Request" that JBC filed on July 22, 1992. Both pleadings violate 47 CFR 1.44; i.e., they address two prior separate moving pleadings, a "First Request for Admissions" and "Motions for Production of Documents."

2. While both those prior pleadings are "Discovery," they are separate moving requests designed to attain different pre-trial objectives. They are treated differently under the Commission's rules. Accordingly they should be handled separately.

3. Moreover, on the Request for Admissions that JBC filed on June 22, 1992, Robert Taylor has filed a "Response" on July 6, 1992 (admittedly late-filed), a Supplemental Response on July 22, 1992, and a Revised Supplemental Response on July 23, 1992. With that Taylor and with "... the additional documents that will be supplied," it should be "unnecessary to rule on the Motion to Compel." That position will be credited.

SO ORDERED.

FEDERAL COMMUNICATIONS COMMISSION



Walter C. Miller
Administrative Law Judge