

ORIGINAL

RECEIVED

MAY - 5 1992

Before the

Federal Communications Commission  
Office of the Secretary

**Federal Communications Commission**

Washington, D.C. 20554

MAY 6 2 56 PM '92  
AUDIO SERVICES

In re Applications of )  
 )  
William K. Durst and )  
William L. Faircloth )  
d/b/a **LEXCO RADIO** )  
South Congaree, S. C. )  
 )  
**ALEXANDER SNIPE, JR.** )  
South Congaree, S. C. )  
 )  
For Construction Permit for a )  
New FM Broadcast Station at )  
South Congaree, S. C. )

File No. BPH-910228MB

File No. BPH-910228MC

To: Chief, Audio Services Division  
Mass Media Bureau

RECEIVED  
MAY 7 12 00 PM '92  
FM BRANCH

**SUPPLEMENT TO**  
**JOINT REQUEST FOR**  
**1. APPROVAL OF SETTLEMENT AGREEMENT,**  
**2. APPROVAL OF REIMBURSEMENT OF EXPENSES**  
**AND**  
**2. DISMISSAL OF COMPETING APPLICATION**

William K. Durst and William L. Faircloth, d/b/a Lexco Radio (hereinafter, "Lexco"), by their counsel, respectfully request that the "Joint Request for 1. Approval of Settlement Agreement, 2. Approval of Reimbursement of Expenses and 3. Dismissal of Competing Application", filed February 4, 1992, be supplemented to include the attached documents containing original, ink signatures, as follows:<sup>1</sup>

FM EXAMINERS

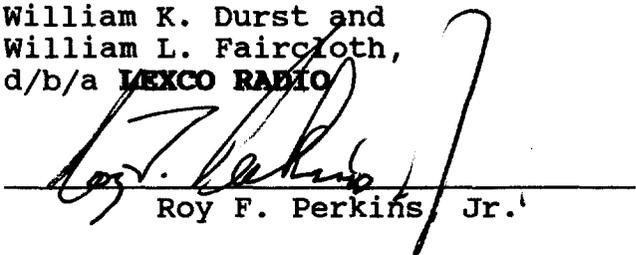
<sup>1</sup> The documents as submitted on February 4, 1992, contained facsimile copies of signatures.

RECEIVED

- (1) Declaration of W. Lee Simmons respecting his charges for services rendered for Lexco Radio.
- (2) Declaration of William K. Durst attesting that no consideration was paid or promised by Valentine Communications, Inc. (Attachment 4).

Respectfully submitted,

William K. Durst and  
William L. Faircloth,  
d/b/a **LEXCO RADIO**



---

Roy F. Perkins, Jr.

1724 Whitewood Lane  
Herndon, Virginia 22070  
Their Attorney

May 5, 1992

RECEIVED

MAY - 5 1992

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

Federal Communications Commission  
Office of the Secretary

In re Application of )

William K. Durst and )  
William L. Faircloth, )  
d/b/a **LEXCO RADIO** )

File No. BPH-910228MB

For Construction Permit for a )  
New FM Broadcast Station at )  
South Congaree, S. C. )

MAY 6 5 56 PM '92  
RECEIVED

**DECLARATION**

My name is W. Lee Simmons. I am a consulting radio engineer with offices at 1036 William Hilton Parkway, Suite 200F, Hilton Head Island, S. C.

I prepared the engineering section and exhibits for the above-styled application of William K. Durst and William L. Faircloth, d/b/a Lexco Radio, for construction permit for a new frequency modulation (FM) broadcast station at South Congaree, South Carolina.

My charge for the foregoing services was \$2,336. That was the customary and usual charge for work of that nature.

I declare under penalty of perjury that the foregoing is true and correct.

Executed February 1, 1992.

  
\_\_\_\_\_  
W. Lee Simmons

Before the

# Federal Communications Commission

Washington, D.C. 20554

In re Application of	)	
	)	
William K. Durst and	)	File No. BPH-910228MB
William L. Faircloth,	)	
d/b/a LEXCO RADIO	)	
	)	
For Construction Permit for a	)	
New FM Broadcast Station at	)	
South Congaree, S. C.	)	

### DECLARATION OF NO CONSIDERATION

My name is William K. Durst. I am a partner in the above-styled application of William K. Durst and William L. Faircloth, d/b/a Lexco Radio, for construction permit for a new frequency modulation (FM) broadcast station at South Congaree, South Carolina.

Lexco Radio is requesting dismissal of its above-styled application pursuant to a "Settlement Agreement for Dismissal of Competing Application" with Alexander Snipe, Jr., mutually exclusive applicant under File No. BPH-910 3MC.

Neither Lexco Radio nor either of its partners have, directly or indirectly, been paid or promised consideration of any kind (including an agreement for a merger of interests) by

Valentine Communication, Inc., mutually exclusive applicant under File No. BPH-910228MD, or any of its principals, for, or in connection with, the request for dismissal of the application of Lexco Radio.

I declare under penalty of perjury that the foregoing is true and correct.

Executed February 1, 1992.

William K. Durst and  
William L. Faircloth,  
b/a LEXCO RADIO

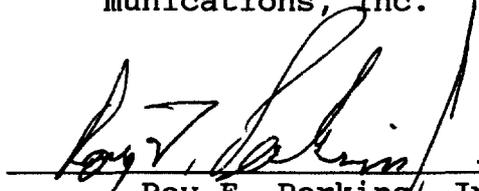
  
\_\_\_\_\_  
William K. Durst, Partner

**CERTIFICATE OF SERVICE**

I certify that I have, this 5th day of May 1992, caused copies of the foregoing, "Supplement to Joint Request", etc., to be deposited in the U. S. Mail, first class postage paid, addressed as follows:

Stephen T. Yelverton, Esq.  
Maupin, Taylor, Ellis & Adams  
1130 Connecticut Ave., N. W.  
Suite 750  
Washington, DC 20036  
Counsel to Alexander Snipe, Jr.

George L. Lyon, Jr., Esq.  
Lukas, McGowan, Nace &  
Gutierrez, Chartered  
1819 H St., N. W., Suite 700  
Washington, DC 20006  
Counsel to Valentine Com-  
munications, Inc.

  
\_\_\_\_\_  
Roy F. Perkins, Jr.