

FCC MAIL SECTION

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

FCC 92M-948  
04138

SEP 14 5 15 PM 1992

In re Applications of	)	MM DOCKET NO. 92-207
DIXIE BROADCASTING, INC.	)	File Nos. BR-881201XN
	)	BRH-881201XO
	)	
For Renewal of Licenses of	)	
Stations WHOS(AM)/WDRM(FM)	)	
Decatur, Alabama	)	

ORDER PRIOR TO PREHEARING CONFERENCE

Issued: September 11, 1992 ; Released: September 14, 1992

1. A prehearing conference in this proceeding is scheduled for October 20, 1992, commencing at 9:00 a.m. The Presiding Judge deems it desirable to establish the following procedures:

- a. By October 14, 1992, counsel are directed to confer for the purpose of exploring proposed discovery, the stipulation of uncontested facts, and the submission of their entire affirmative direct cases in writing.<sup>1</sup> Also included in such discussions shall be the following: whether the applicant will elect to sell its stations pursuant to the distress sale policy;<sup>2</sup> whether a settlement of this case is possible; whether a forfeiture (in lieu of denial of renewal) is appropriate under the circumstances and, if so, the amount of the forfeiture; and whether a short-term renewal is appropriate and, if so, the length of such renewal. With respect to discovery, if depositions are to be taken, the parties shall agree on a mutually convenient schedule for the taking of such depositions.
- b. At the prehearing conference, a report shall be presented fully apprizing the Presiding Judge as to the results of the meeting described above.

<sup>1</sup> The Presiding Judge believes that it will contribute significantly to the disposition of this proceeding for the parties to submit their entire affirmative direct cases in writing. They are, therefore, strongly encouraged to agree to do so. See Section 1.248(d)(3) of the Commission's Rules.

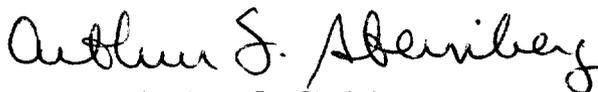
<sup>2</sup> See Statement of Policy on Minority Ownership of Broadcasting Facilities, 68 FCC 2d 979 (1978), and Clarification of Distress Sale Policy, 44 RR 2d 479 (1978).

2. The February 2, 1993, hearing date is a firm date. Accordingly, the following procedural schedule IS ESTABLISHED:

December 15, 1992	Completion of all discovery.
January 12, 1993	Exchange of affirmative direct case exhibits. <sup>3</sup> If oral testimony is to be presented, the witnesses shall be fully identified and a summary or outline of their expected testimony shall be exchanged.
January 21, 1993	Admissions session and notification of witnesses desired for cross-examination commencing at 10:00 a.m. in the Commission's Washington, D.C., offices.
February 2, 1993	Commencement of the hearing at 10:00 a.m. in Decatur, Alabama, or vicinity. <sup>4</sup>

SO ORDERED.

FEDERAL COMMUNICATIONS COMMISSION



Arthur I. Steinberg  
Administrative Law Judge

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<sup>3</sup> The exhibits will be serially numbered, separately paginated, and assembled in a binder with a tab on each document. A prefix will be used to indicate the party sponsoring the exhibit. Each exhibit must be accompanied by the affidavit or declaration under penalty of perjury of a sponsoring witness. If official notice is requested of any materials in the Commission's files, that material should be assembled in written form, properly identified by source, given an exhibit number, and exchanged on the date set.

<sup>4</sup> Rebuttal, if any, will commence immediately after the conclusion of the direct cases.