

1 and together with a local group of volunteers,
2 basically, you know, we volunteered 18 wheeler trucks,
3 we -- you know, we had a number of volunteers to pack
4 the stuff, and there was just a massive outpouring,
5 what do we do, we want to help somebody out.

6 So, we ended up focusing on Manning, Georgia,
7 a town that was pretty well devastated, and to the best
8 of my knowledge, we ended up with six tractor trailer
9 loads worth of -- worth of goods going down there, plus
10 an unspecified amount of cash that was -- that was
11 turned also into goods.

12 Does that answer your question?

13 Q Okay, well, let's go -- going back to page
14 46, let's see, I think we have two pages here of issues
15 and programs for the period of October to December of
16 1989. Is that right?

17 JUDGE SIPPEL: What page are you talking
18 about?

19 MR. TILLOTSON: This is pages 46 and 47. I
20 asked him about 46 and 47 together.

21 BY MR. TILLOTSON:

22 Q I -- it must be -- if I'm correct, I think
23 those are the only two pages in here for issues and
24 programs during that time frame, that particular
25 quarter?

1 A They're the only two pages in there, yes.

2 Q Okay, and -- and I see that you have a total
3 of four types of programs, all PSAs and promos, that
4 were addressing community problems, and I'm just -- I
5 guess my question is are -- are these the four most
6 pressing community problems that faced the Glens Falls
7 area during that time frame? The first one appears to
8 be a fund raiser for the Christmas decoration fund?

9 A Yeah. Two of them, as I say, would be right
10 in the top problems. Our local depressed economy,
11 especially in the last three or four years, has been a
12 massive problem up there. We were running 10%
13 unemployment a lot of times, and a lot of what we do on
14 AM and FM is pointed towards that, and the other,
15 health, has always -- especially health of children has
16 always been a massive problem in the community. We've
17 had enormous PCB pollution up there from our General
18 Electric Plant for a long time. There are other
19 sources, hydrogen sulfite pollution. We've had a high
20 incidence of birth defects.

21 Q And so -- and you respond to that by running
22 a volleyball tournament to raise money for Easter
23 Seals, and that's how you'll deal with PCBs in the
24 water supply. Is that a fair statement?

25 A No, that's not what I said at all. What --

1 what I'm saying is that we, in -- in conjunction with a
2 number of other things, we have in our proffer
3 programming, raising funds to keep programs going in
4 the community to help these children is -- is how we --
5 is a portion of how we address that problem.

6 The other portion of how we address that
7 problem is public service announcements, making the
8 children and their parents aware of what is available
9 for them, and we also address the problem, and have
10 over a number of years. Ecologically we fought a
11 number of projects we didn't think would help out the
12 situation at all, land filling and trash burning.

13 So, it's -- you really can't say this is --
14 you know, we run a fund raiser and that's that.

15 Q Have you ever -- have you ever had anybody on
16 WYLR, a public official, discussing those health
17 problems you referred to in the format of a discussion
18 where they lay out the nature of the problem and
19 someone asked questions and talked about it for say as
20 long as five minutes?

21 A Absolutely.

22 Q Is that reflected anywhere in this program --
23 Issues Programs List?

24 A Again, as I previously testified, there's a
25 lot that happened on -- on WYLR that has not been

1 reflected in our quarterly issues.

2 Q Why would you list -- if you had people on
3 that actually discussed the issue substantively, why --
4 and you -- and you list newscasts about landfills, why
5 wouldn't you have listed the substantive discussion, as
6 opposed to, or at least along with the PSAs?

7 A Simple inadvertence and misunderstanding of
8 the basic rules. We made a mistake, and like I said,
9 we're trying to reconstruct, through testimony and
10 proffers, what exactly we did over the license renewal
11 period. Be assured, if I had to do this over again, it
12 would be a more complete list.

13 Q Well, did you proffer -- you don't -- I
14 didn't see anything in your proffer where you made any
15 claim that you interviewed any public official on WYLR
16 at anytime during the license renewal period on any
17 issue at all?

18 A Proforma, 95% of the remotes that we did on
19 site were interviewing officials about why are we here?

20 If we're doing a volleyball tournament for
21 Multiple Sclerosis, we will, when we've live covering
22 that, discuss the problem of Multiple Sclerosis, and
23 try to involve people in the community in the solution
24 of the problem. You can discuss it so long, and then
25 it's -- it's always nice to do something about it, and,

1 again, a major part of our thrust was fund raising,
2 no -- no if ands or buts, but implicit, when we discuss
3 live remotes.

4 When the other two gentlemen are brought
5 down, they, you know, have done numerous of these
6 things. Yes, a lot of public affairs programming went
7 on WYLR and --

8 Q During the little slots and the live remotes?

9 A Well, it was during the three minute or five
10 minute slots on live remotes during -- you know, if we
11 have a blood crisis, one -- one gentleman sat there,
12 live broadcast it, as he had a needle in his arm, and
13 was asking the -- between you can't get Aids -- you
14 know, at the beginning of the Aids scare, you can't get
15 Aids from giving blood, specific necessities, blood
16 types needed, and, yes, that is public affairs
17 programming, live and at its best.

18 Q But as you sit there today, you couldn't
19 point us to any specific people that came on any
20 specific live remote and discussed any specific program
21 substantively?

22 A Of course, I could. I just pointed out one.
23 The -- when we sponsored our Blood Mobiles, the
24 direct -- Blood Director for the Northeastern Chapter
25 of the Red Cross was there and we discussed, in -- in

1 depth, what was going on.

2 I've been at --

3 Q What was his name?

4 A Pardon?

5 Q Her name, and I don't recall that right off -
6 -

7 Q What was the date?

8 A I can refer to an approximate date on that,
9 but that -- that would be in the proffer.

10 Q Who conducted the interview?

11 A Tom Jacobson.

12 Q And how long -- and -- and what was the
13 subject matter that -- that he interviewed her on? By
14 the way, first, did you hear the interview?

15 A No, I didn't.

16 Q Well, then, I guess Jacobson would be the one
17 that could actually tell us what was talked about?

18 A I agree.

19 Q Do you want to pursue through the document,
20 please?

21 JUDGE SIPPEL: 48 is the next document. Is
22 that correct?

23 MR. TILLOTSON: Yes, Your honor.

24 THE WITNESS: 48 would be on WWSC and WYLR
25 definitely.

1 49 would be on WWSC and WYLR.

2 50 would be on WWSC and WYLR.

3 51 would be on S -- WWSC and WYLR.

4 52, the date of the Y96 Blood Mobile was
5 January 22, 1990, but I believe all three of these --
6 now, I -- I testified all three of these programs were
7 broadcast on WYLR.

8 53 was broadcast on WWSC.

9 JUDGE SIPPEL: AM only?

10 THE WITNESS: AM only, WWSC.

11 JUDGE SIPPEL: Oh, 53 is a no, and we don't -
12 - we don't need to look at 53. It says no, for the
13 purpose of the question. Remember the question -- the
14 first question, as far as this document, what date did
15 you find programming that -- that relates to WYLR, so
16 53 is no?

17 THE WITNESS: No.

18 JUDGE SIPPEL: 54?

19 THE WITNESS: 54, Issue #3.

20 BY TILLOTSON:

21 Q They're not numbered. Are you referring to
22 ecology, the --

23 A Ecology, Various. WWSC and WYLR cosponsored
24 the local Earth Day.

25 Q The special three hour speak up though was

1 only aired on WWSC. Correct?

2 A Yes, our testimony, there was a three hour
3 remote that went on WYLR.

4 Q Do you know that for a fact, or are you
5 assuming that it did?

6 A No, I know that for a fact. I was not at
7 that specifically, but I know that for a fact.

8 Q And -- and how many -- out of that three
9 hours, do you know how many -- specifically for this
10 event, how many minutes were devoted to non music, your
11 actually discussing the event with people?

12 A As we set out in the proffer programming, I -
13 - I would approximate about 12 minutes per hour
14 specifically on this. Although --

15 Q And -- and that's only be -- you -- you
16 approximate that because that's the standard
17 approximation for all your remotes?

18 A Yes.

19 Q Not because you have any specific
20 recollection that that's what was done on this remote?

21 A No.

22 Q You wouldn't know, as you sit there, what --
23 that substantive issues were discussed during those
24 remotes and with whom?

25 A Pardon?

1 Q Would you know what substantive issues, if
2 any, were discussed during those remotes and with whom?

3 A The major function of this was to provide a
4 lot of support for March on the Decade of Earth Day,
5 1990. The specific person, who was in charge of Earth
6 Day, was Ron Peshay (phonetic), who is also Director of
7 Broadcasting at Adirondak Community College, and he
8 provided much of the -- the commentary right there,
9 but, again, the major function was to get people up to
10 explain what we were trying to do, to put a rally
11 together, and to let the people in the area know that
12 there was a viable ecologically concerned community in
13 the area.

14 Q Page 55?

15 A Nothing on WYLR. Youth Programs.

16 Q Where are you?

17 A I'm sorry, page 56, the third Issue down,
18 Youth Programs.

19 Q That's essentially promoting -- running PSAs
20 or some sort of announcement encouraging people to
21 participate in the event. Correct?

22 A Yes, it is.

23 JUDGE SIPPEL: That's the Special Olympics
24 Benefit. Is that what you're referring to?

25 THE WITNESS: Yes. That year we teamed up

1 with the Special Olympics and 350 runners, rather
2 successfully.

3 Issue #4 --

4 JUDGE SIPPEL: You're still on page 56?

5 THE WITNESS: On page 56, Issue #4, Youth
6 Activities.

7 BY MR. TILLOTSON:

8 Q Did anyone, other than WYLR, assist in
9 promoting this? Was it promoted by the organization,
10 was it promoted in newspapers, was it promoted on other
11 radio stations?

12 A There -- specific, I -- I doubt if -- our
13 policy is that we do not co-promote with other radio
14 stations or other electronic media, unless they're out
15 of the Albany market. Maybe a few times over the years
16 we've broken policy on that, but I'm not aware of any
17 of them. So, I believe this was an exclusive WWS or --
18 WYLR event, and there were posters in the community. I
19 -- sometimes the paper will or will not print articles
20 on this. I'm not aware of whether they did this year
21 or not.

22 Q Do you sell packages to advertisers, in
23 conjunction with these events?

24 A Okay, on some community events, we sell
25 partial packages, such as Boone Festival or Americaid,

1 on things like --

2 Q So -- so, in advertise -- so, actually, some
3 of the promotional announcements or some of the
4 promotion of the thing is actually commercial activity
5 for the radio station?

6 A Some of the programming is supported
7 commercially, on -- on some of the programs, but on the
8 Special Olympics -- but, no, we don't sell a package to
9 our -- our charity pushes.

10 On some of the major financial pushes of the
11 community, such as Winter Carnival, yes, we do put
12 packages out if people want to sponsor them, given the
13 crowds that are there.

14 Q Continue on, please?

15 A Okay -- okay, Youth Activities is the fund
16 raiser for New York State Easter Seals. The -- the
17 volleyball tournament was --

18 JUDGE SIPPEL: Are you still on page 56?

19 THE WITNESS: On CS -- page 56 would be WYLR
20 specifically.

21 The local -- the final on page 56, Local
22 Depressed Economy, Normandy co-sponsored Job Discovery,
23 and we -- over to 57, that was broadcast on both WWSC
24 and on WYLR.

25 On page 57, the first issue, Local Depressed

1 Economy, we have a -- our PSA Director works for WYLR.

2 BY MR. TILLOTSON:

3 Q You don't have to describe. Just identify
4 the program and -- that was --

5 A Okay. A number of these PSAs are ones that
6 specifically ran, whether in this period of not, on
7 WYLR. So, specifically --

8 Q For the Local Depressed Economy?

9 A Pardon?

10 Q For the Local Depressed Economy?

11 A Yes. We -- specifically, we pushed on -- on
12 WYLR, eight single pregnant women for child
13 development, and a number of other ones.

14 If we can get federal funds into the economy,
15 we try to do that on both stations as much as possible.
16 I know the housing programs and the food stamp programs
17 we specifically have it listed on both stations.

18 Q We're just -- we're trying to get through
19 this thing to get to your employees and get out of
20 here. Just if you'd identify the programs, please?

21 A Okay, on page 58, there is no programming
22 mentioned.

23 On page 59, there is no programming I see on
24 WYLR.

25 On page 60, there's no programming mentioned.

1 On page 61, WYLR was involved in Issue 1,
2 WYLR was involved in Issue 2, WYLR broadcast Issue 3,
3 WYLR broadcast all issues on page 61.

4 On page 62, WYLR broadcast all three issues.
5 There are no issues on page 63.

6 On page 64, WYLR broadcast both issues.

7 Q On page 64, it says, "Regular Newscast and
8 Special Reports," and it talked about two to three
9 minute newscasts and then special reports of up to five
10 minutes in length.

11 Now, is it your testimony that WYLR actually
12 broadcast both the lengthy newscasts of two or three
13 minutes and the special reports, or is it -- was that
14 your testimony?

15 A I don't know. No, I -- I didn't address
16 that. I don't -- I don't know whether the live reports
17 went on WYLR also. I have no specific knowledge of
18 that, although this was a rather major fire. I know it
19 did hit on both radio stations.

20 Q But in order for -- WYLR does not typically
21 broadcast a two or three minute news report. Correct?

22 A Over the license period, our average newscast
23 did average in the two to three minute range.

24 Q Exclusive of commercials?

25 A Usually minus commercials, but my testimony

1 is that, unfortunately, we did not sell a lot of news
2 programs on WYLR. I think a fair average would be two
3 minutes over the license period for each one of our
4 newscasts.

5 Q Okay.

6 A Other -- other than news shorts, where we did
7 head -- headlines, and headlines only, which would last
8 approximately 60 seconds.

9 Q Move on, please, to the next page?

10 A Okay.

11 JUDGE SIPPEL: The next page?

12 THE WITNESS: Well, 64, both issues.

13 65, Election Night Coverage was broadcast on
14 WYLR, as representing their proffer, and so Issue 1 was
15 broadcast on WYLR.

16 Page 66, no WYLR programs.

17 Page 67, no WYLR programs.

18 There are no programs listed on page 68.

19 On page 69, I believe both programs were
20 broadcast on WYLR.

21 On page 70, there are no programs listed.

22 On page 71, I believe both issues were
23 broadcast on WYLR.

24 While Mr. Jake -- while -- while WYLR did do
25 community events throughout the day -- days that it

1 broadcast over the licensed period, I believe this
2 reflects specifically on WWSC community events
3 programming.

4 BY MR. TILLOTSON:

5 Q The community events is basically community
6 calendar. Correct?

7 A It is a live discussion of what specific
8 things are happening, on a nonprofit basis, to -- to
9 help our listeners out in the community.

10 Q Well, a live -- when you say a live
11 discussion, what -- what do you -- what -- what's
12 discussed, other than the fact that there will be a
13 meeting of the -- such and such an organization tonight
14 at 6:30 and anybody's welcome to attend, and they'll be
15 dealing with whatever subject concerning -- discuss --
16 you don't discuss it with somebody that comes in from
17 the organization?

18 A Normally we don't, although we're certainly
19 doing that a little bit more, but the announcers are
20 free to adlib. A number of them are involved with
21 different organizations, so they can discuss over and
22 above what's on the sheet pretty much extemporaneously
23 at will.

24 Q But, typically, community events are simply
25 announcing what events are happening in the community.

1 Isn't that correct?

2 A Typically, yes.

3 Q Thank you.

4 Do you know the difference -- do you
5 understand --

6 JUDGE SIPPEL: Now, let's be sure. Are you
7 finished with all these pages now?

8 THE WITNESS: That's the last page, Your
9 Honor.

10 JUDGE SIPPEL: Exhibit 72, there was nothing
11 on there for WYLR. Is that what you said?

12 THE WITNESS: No, there wasn't, Your Honor.

13 JUDGE SIPPEL: Okay, go ahead, Mr. Tillotson.

14 BY MR. TILLOTSON:

15 Q Do you understand or have an understanding of
16 the difference between a public service announcement
17 and a public affairs program?

18 A Slognausing (phonetic), there can be a gray
19 area the way we've run my -- our radio station for 20
20 years. Yes, there is a specific difference.

21 Q Would you tell us what you understand a
22 public service announcement to be, as it's used in FCC
23 procedures and filings in the radio industry?

24 A A public service announcement is an unpaid
25 announcement, on behalf of a nonprofit group or a

1 similar agency helping the community. That is run on
2 either a pre-recorded or on a live basis.

3 Q And, typically, it either encourages
4 attendance at an event or contributions in support for
5 that activity. Correct?

6 A It can also be educational in nature. A lot
7 of ours are, or it can show various resources in the
8 community that are available for the indigent or the
9 poor.

10 Q And the typical length of a public service
11 announcement on your station -- on WYLR?

12 A Pre-recorded public service announcements are
13 virtually -- are usually 30 seconds in length. Live
14 public service announcements can range anywhere from 15
15 to 20 seconds, up to a minute to two minutes or more,
16 depending on what we're doing and who we're doing it
17 with.

18 Q And what's your understanding --

19 COURT REPORTER: Excuse me, Your Honor.

20 JUDGE SIPPEL: Wait. We have to change the
21 tape.

22 COURT REPORTER: We're ready, Your Honor.

23 JUDGE SIPPEL: You may proceed.

24 BY MR. TILLOTSON:

25 Q And what's your understanding of a public

1 affairs program?

2 A It's a live or pre-recorded discussion of
3 issues that are of importance to the community.

4 Q Would you agree that, during the license
5 term, June of '84 to, I think we've agreed to April of
6 '91, WYLR never aired any regularly scheduled public
7 affairs programs?

8 A Regularly scheduled on a weekly basis, no,
9 but a bulk of our public affairs program was regularly
10 scheduled biannually, annually.

11 Q But when you say that regularly -- your --
12 the bulk of your public affairs programming, are you
13 really describing portions -- promote -- promotions,
14 PSAs and remotes, not a scheduled discussion program
15 that will deal with community issues. Correct?

16 A As I just said, it -- scheduled on a weekly
17 or daily basis, no, but a bulk of our public service or
18 - well, public affairs programming was built up on an
19 annualized basis.

20 Q Could you identify for us a scheduled public
21 affairs program, one where you discussed substantive
22 issues, that is scheduled -- was scheduled to be on
23 your station, that was actually aired on your station,
24 what it was -- well, forget scheduling, but actually
25 public affairs program?

1 A Just one?

2 Q One?

3 A Our sponsorship of the Blood Mobile is on an
4 annual basis.

5 Q Your -- your -- you say that sponsoring the
6 Blood Mobile fits your definition of a public affairs
7 program?

8 A When we discuss, with Red Cross personnel,
9 what the need is, some -- you know, and we try to burst
10 some popular misconceptions about whether you can give
11 blood safely or not, and since -- as long as we've
12 discussed that with authorities in the field, yes.

13 Q And that happens at the remote?

14 A Yes, it does.

15 Q And you would agree with me though that when
16 that discussion is going to take place at the remote,
17 it is not scheduled in advance so that your audience
18 would know that at 2:22 this afternoon, we're going to
19 have a program that will discuss blood?

20 A No. All of our live remotes are scheduled
21 well in advance for shifting and -- and obvious
22 reasons.

23 Q But -- but the audience doesn't know what
24 you're going -- that you have a -- you are going to
25 have a substantive discussion in this time block every

1 day during the remote or every week or whatever, that
2 your audience doesn't know that? You know that, but
3 does your audience?

4 A Our -- for most of what we do, definitely the
5 audience knows. We promote our remotes. We don't go
6 out and surprise people, but we promote --

7 Q How does the audience know that the Director
8 of the Blood Bank is going to be interviewed on the
9 remote at 2:22 on a given date?

10 A Through the promotion. I think if you ask
11 Jake, who's, excuse me, done a number of our blood
12 for -- just for example, our -- our Blood Mobile
13 remotes, we will discuss it for a number of weeks
14 leading up to it, trying to get people to sign up
15 beforehand, and then we'll pre-promote the fact that
16 we're going to be down there and be talking to the
17 people and telling you what it's about and what it's
18 like, so tune in and, you know.

19 Q I want to read you a brief portion of Judge
20 Kuhlmann's decision in the Queensbury case. I think it
21 was referred to as Skedelsky. It's the initial
22 decision, FCC 91-D21, and it was at paragraph 26, and
23 Mr. -- I'll just read this to you and ask you if this
24 is a fair character -- if you fair -- fairly
25 characterize this to be evidence in that case.

1 "Mr. Lynch, when questioned about WYLR's 1987
2 Program Logs and the 1989 Composite Week Logs, could
3 not point to any regularly scheduled public affairs
4 programming."

5 Was that correct -- is that the correct
6 reflection of what happened in that case?

7 A I think we were talking about the difference
8 between weekly schedules, like 60 minutes, as opposed
9 to annually scheduled or continually scheduled.

10 Q Continuing in that same paragraph, the --
11 Judge Kuhlmann says, "The PSAs carried on WYLR are
12 minimal."

13 Is that a fair statement?

14 A I honestly don't know whether it's a fair
15 statement, and, again, I'm a little bit at a loss.
16 We're, supposedly, not revisiting the decisions made in
17 this case, and it seems like we're trying to revisit
18 them again. I -- I --

19 JUDGE SIPPEL: I'd be very careful with this
20 line of questioning.

21 MR. TILLOTSON: Well, Your Honor, I'm just
22 taking -- I'm not trying to revisit it or argue it. I
23 just wanted to see what he would --

24 JUDGE SIPPEL: I -- I -- for the limited
25 purposes of cross examination, but I have made a ruling

1 in this case, and I've been strict about it.

2 MR. TILLOTSON: But just --

3 JUDGE SIPPEL: Well, it's going to confuse --
4 you've got -- you -- you don't have legal counsel
5 representing this witness.

6 MR. TILLOTSON: I understand. No problem,
7 because that's all I had on that point.

8 JUDGE SIPPEL: All right.

9 BY MR. TILLOTSON:

10 Q Do you have your exhibit -- I guess it's what
11 you refer to as the proffer, Exhibit 6, where you list
12 various programs and durations and times and so on?

13 A I do.

14 Q Would you take a look at that and, in
15 particular, at the pages, beginning at page 14, where
16 specific programs are listed?

17 JUDGE SIPPEL: This is Exhibit 6, page 14.
18 This is already in the record at the admission session
19 of August the 4th. Do you have that in front of you
20 yet?

21 Let's go off the record until the witness
22 finds the page.

23 (Discussion off the record.)

24 THE WITNESS: I have that, Your Honor, page
25 in front of me.

1 JUDGE SIPPEL: Do you have that in front of
2 you now, Mr. Lynch?

3 Back on the record.

4 THE WITNESS: Yes, Your Honor.

5 JUDGE SIPPEL: Do you have the page in front
6 of you?

7 THE WITNESS: I do.

8 JUDGE SIPPEL: Mr. Tillotson?

9 BY MR. TILLOTSON:

10 Q Now, this exhibit is your testimony, I
11 believe, the entire exhibit that you're sponsoring,
12 correct, Exhibit 6? It's not Mr. Dusenberry, it's not
13 Mr. Jacobson, this is Christopher Lynch's testimony.
14 Correct?

15 A This is Mr. Lynch's exhibit, and Mr.
16 Dusenberry and Mr. Jacobson both helped me in preparing
17 it.

18 Q Well, looking at Exhibit 1 to Exhibit 6,
19 beginning at page 14 and for the next -- I guess,
20 through page 22, there are various programs identified,
21 and then it says the days of the week, the programs
22 aired, and it says the approximate hours that the
23 program runs per day and in some -- in some cases, you
24 put -- break it down on a weekly basis, and then you
25 describe the programs and you say that, for example,

1 there is 120 weather casts of 60 seconds duration each.

2 Where there's specific information in this
3 exhibit that -- that says the number of hours a day or
4 the number of minutes per week and the number of times
5 something runs, did you check any records or documents
6 to come up with the numbers?

7 A I did.

8 Q What did you check?

9 A Again, with logging inadequacies --
10 inadequacies, we were still able to check the logs for
11 regularly scheduled programming, sports, news, weather,
12 community event -- pushes, Tri-County -- which is
13 basically Tri-County Notebook, and then --

14 Q And -- -- and just to stop you now, did --
15 but you -- when you say we -- I want to know what you,
16 Chris Lynch, did. Did you personally go through
17 program logs for a random selection or some methodology
18 to go through and personally count how many Tri-County
19 Notebooks, take a look on the log, what the log
20 duration was, and then add up the minutes? Did you do
21 that?

22 A As I put in my proffer, yes, I did. I took
23 the week of February 11th, 1992, and just as an
24 indicator, counted up the exact number from that week,
25 and I hold that number to be representative, again,

1 plus or minus a show here or a show there of what we
2 did during the license term. It would be very close to
3 the -- the accurate truth.

4 Q Why did you pick the week of February 11,
5 1992, which is outside the relevant license term,
6 rather than, for example, use the composite weeks that
7 we requested that you produce?

8 A One, I believe I put this together before you
9 requested the specific composite weeks. Two, we
10 already have an older composite week that does reflect
11 WYLR's programming that's in front of this court in a
12 couple of different pleadings, where we showed 6% total
13 amount entertainment programming across the week, is
14 the same page that was used in Skedelsky, et. al. So,
15 we have the totals from the -- from -- during the
16 license period, and we also have the totals from after,

17 But, again, my testimony is that our non
18 entertainment program has not appreciated. If
19 anything, it may have diminished a little bit, during
20 this period of time, from where it was during the
21 license period.

22 Q And so, for example, in February of 1992,
23 when you determined that Tri-County Notebook is a 30
24 second community events, and there are approximately
25 120 of those logged a week, your testimony is that that