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BEFORE THE

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20544

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OCT 9 1992

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the matter of )  
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Western Inspirational Broadcasters, Inc. et al )  
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MM Docket #92-183

For New FM Station  
Channel 224A, Chico, CA

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Hon. Edward Kuhlmann  
Administrative Law Judge

INFORMAL OBJECTION

Comes now, Michael G. Barnes, a concerned citizen of the City of Chico, Butte County, California with notification to the Commission of Informal Objection to grant of the application of Phoenix Broadcasting, Incorporated (BPH-910926ME) (Phoenix). Mr. Barnes is an employee of KZZP(FM), Chico, CA.

It is my concern that Mr. Gary Katz, owner and president of Phoenix, does not posses the character to receive Station 224A at Chico, California. I also strongly believe that Mr. Katz has not operated his current FM broadcast stations, KCEZ (FM) and KKCY(FM) in a manner prescribed by the Commission.

It is to my personal knowledge, that Mr. Katz admitted on his signature, under penalty of perjury on a sworn affidavit, that he personally approved the broadcast of a bingo lottery on Station KALF(FM) and KBLF(AM), Red Bluff, CA. This approval was, at the time, contrary to Commission Rules and Regulations and demonstrates Mr. Katz's disregard for said Commission Rules. This sworn affidavit was a response from Morgan Hill Radio Associates File #BPH-870629NB (Jerrie Rindahl-Caulfield and Theresa Busch-Katz, Mr. Katz' current wife and sister-in-law, respectively) to a Petition to Deny, filed by Herron and Genetti. This affidavit can be found in MM Docket #88-205. Mr. Katz and his current wife, Jerrie Rindahl-Katz, now operate KCEZ(FM), Corning, CA, as well as KKCY(FM), Colusa, CA, under the business name Phoenix Broadcasting Incorporated. This event clearly demonstrates Mr. Katz's disregard for Commission Rules.

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I am also aware of a recent occurrence, as late as September of this year, involving Mr. Katz's handling of public requests to view Phoenix's Public File(s). In one such case, a member of the general public asked to view the file, was not allowed to see it, and was verbally questioned and assaulted by Mr. Katz. Upon request for specific documents, of which include Requests for Political Advertising, and correspondence from the Commission regarding a Notice of Inquiry, the person was informed by Mr. Katz that "the documents were not available, and were not in the file". I understand that she was requested, by Mr. Katz, to return at a later date. Commission rules, particularly 73.3526 (d), states "...*The file shall be available for public inspection at any time during regular business hours*". I am in the process of obtaining a signed statement to this fact from the person in question.

I would like to express my sincere opinion and concern that Mr. Katz, owner of Phoenix, is not a qualified candidate for ownership of Station 224A, Chico, California, based on his disregard for Commission Rules and Regulations. I request that Mr. Katz and Phoenix Broadcasting Inc. be denied application to said station and that a more qualified applicant be accepted. If I can be of any further assistance to the Commission, I can be reached at the address and telephone listed below.

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

Respectfully Submitted

Michael G. Barnes

By: 

Michael G. Barnes

Concerned Citizen of Chico

Dated: October 8, 1992

Michael G. Barnes  
1450 Springfield Drive #78  
Chico, CA 95928  
(916) 899-9900

cc:

Mr. Gary Katz