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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

In re Applications of)	MM DOCKET NO. 92-253
)	
BAKCOR BROADCASTING, INC., Debtor)	
c/o DENNIS ELAM, TRUSTEE)	File No. BRH-900330VV
)	
For Renewal of License of)	
Station KKIK (FM))	
Lubbock, Texas)	
)	
and)	
)	
SOUTHWEST EDUCATIONAL MEDIA)	
FOUNDATION OF TEXAS, INC.)	File No. BPED-900629MK
)	
For A Construction Permit)	
For a New FM Station)	
Lubbock, Texas)	

To: Administrative Law Judge
Walter C. Miller

MASS MEDIA BUREAU'S
COMMENTS ON PETITION FOR LEAVE TO AMEND

1. On December 9, 1992, Southwest Educational Media Foundation of Texas, Inc. ("SEMFOT") filed a Petition for Leave to Amend its above-captioned application. The Mass Media Bureau submits the following comments.

2. SEMFOT's Petition follows a Petition for Leave to

Ms. [unclear] [unclear] DAE
ENCLOSURE

Amend, filed by SEMFOT on November 12, 1992, which was denied by Memorandum Opinion and Order, FCC 92M-1060, released November 27, 1992, and a second Petition for Leave to Amend, filed November 27, 1992, which was rejected as redundant by Memorandum Opinion and Order, FCC 92M-1068, released December 3, 1992. SEMFOT argues that this third petition is not redundant because it merely reports the resignation of SEMFOT's principal, T. Kent Atkins. Unlike the first two petitions, this petition does not seek to substitute a new entity for SEMFOT. SEMFOT further argues that its amendment is required by Section 1.65 of the Commission's Rules, in that it accurately reflects the status of the applicant.

3. The Bureau does not object to the acceptance of the amendment for Section 1.65 purposes. However, SEMFOT's petition claims that acceptance of the amendment may eliminate issues regarding Mr. Atkins' qualifications. The Bureau disagrees. It is well settled that an amendment to remove an alleged wrongdoer will not moot the significance of the allegations with respect to the applicant's qualifications. TV 9, Inc. v. FCC, 495 F.2d 929 (D.C. Cir. 1973). Thus, Atkins' qualifications to be a Commission licensee continue to be relevant to SEMFOT's

qualifications to the same extent that they were before his resignation.

Respectfully submitted,
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December 15, 1992

CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, certifies that she has, on this 15th day of December, 1992, sent by regular United States mail, U.S. Government frank, copies of the foregoing "Mass Media Bureau's Comments on Petition for Leave to Amend" to:

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