

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	EB Docket No. 03-152
)	
WILLIAM L. ZAWILA)	Facility ID No. 72672
)	
Permittee of FM Station KNKS, Coalinga, California)	
)	
AVENAL EDUCATIONAL SERVICES, INC.)	Facility ID No. 3365
)	
Permittee of FM Station KAAX, Avenal, California)	
)	
CENTRAL VALLEY EDUCATIONAL SERVICES, INC.)	Facility ID No. 9993
)	
Permittee of FM Station KYAF, Firebaugh, California)	
)	
H. L. CHARLES D/B/A FORD CITY BROADCASTING)	Facility ID No. 22030
)	
Permittee of FM Station KZPE, Ford City, California)	
)	
LINDA WARE D/B/A LINDSAY BROADCASTING)	Facility ID No. 37725
)	
Licensee of FM Station KZPO, Lindsay, California)	

To: Marlene H. Dortch, Secretary
Attn: Chief Administrative Law Judge Richard L. Sippel

**ENFORCEMENT BUREAU'S MOTION FOR LEAVE TO FILE A
REPLY TO THE [ZAWILA PARTIES'] OPPOSITION TO ENFORCEMENT
BUREAU'S MOTION FOR LEAVE**

1. On August 9, 2016, the Enforcement Bureau (Bureau) filed a Motion for Summary Decision based upon the Presiding Judge's previous entry of adverse findings of fact against, and upon the admissions of, William L. Zawila (Zawila), H.L. Charles Broadcasting d/b/a Ford City Broadcasting (FCB), and Linda Ware d/b/a Lindsay Broadcasting (LB) (collectively, the Zawila Parties).¹ On August 19, 2016, the Bureau received the Zawila Parties' Opposition to the Motion for Summary Decision (Opposition).² On August 30, 2016, the Bureau moved for leave to file a reply to the Zawila Parties' Opposition.³

2. The Zawila Parties opposed the Bureau's Motion for Leave, asserting, *inter alia*, that the Bureau's proposed reply was untimely filed.⁴ In making that assertion, however, the Zawila Parties relied on the wrong Commission rule for the timing of the Bureau's Reply. Section 1.251, and not Section 1.45(b), of the Commission's rules governs the timing of summary decision pleadings.⁵ The Bureau believes it is in the public interest for the Presiding Judge to have an accurate record as he considers whether to grant the Bureau's Motion for Leave and whether to consider the Bureau's Reply.

¹ See Enforcement Bureau's Motion for Summary Decision, filed Aug. 9, 2016 (Motion for Summary Decision). As noted in the Motion for Summary Decision, as a result of the Zawila Parties' failure to timely respond to the Bureau's requests for admission, by operation of Section 1.246(b) of the Commission's rules, 47 C.F.R. § 1.246(b), the Bureau's requests for admission are deemed admitted. See Motion for Summary Decision at 11, para. 12.

² See Opposition to Enforcement Bureau's Motion for Summary Decision, received Aug. 19, 2016 (Opposition).

³ See Enforcement Bureau's Motion for Leave to File a Reply to the [Zawila Parties'] Opposition To Enforcement Bureau's Motion for Summary Decision, filed Aug. 30, 2016 (Motion for Leave); Enforcement Bureau's Reply to the [Zawila Parties'] Opposition to the Motion for Summary Decision, filed Aug. 30, 2016 (Reply).

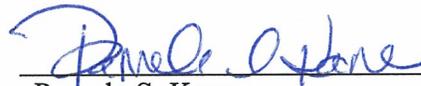
⁴ See Opposition to Enforcement Bureau's Motion for Leave to File a Reply to the Zawila Parties' Opposition to Enforcement Bureau's Motion for Summary Decision, received on September 13, 2016, at 2.

⁵ See 47 C.F.R. § 1.251. The Bureau notes that Section 1.45(b) only applies to the timing of oppositions. The Bureau believes the Zawila Parties meant to cite to Section 1.45(c) for the timing of replies. See 47 C.F.R. § 1.45(c).

3. Because the Bureau considers the Zawila Parties' opposition to the Bureau's Motion for Leave to be an interlocutory request pursuant to Section 1.294 of the Commission's rules, for which replies are not usually entertained,⁶ the Chief, Enforcement Bureau, through his attorneys, hereby respectfully requests leave to file a reply to the Zawila Parties' opposition to the Bureau's Motion for Leave, filed concurrently with this Motion.

Respectfully submitted,

Travis LeBlanc
Chief, Enforcement Bureau



Pamela S. Kane
Special Counsel
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW, Room 4-C330
Washington, D.C. 20554
(202) 418-1420

Michael Engel
Special Counsel
Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW, Room 4-C366
Washington, D.C. 20554
(202) 418-7330

September 15, 2016

⁶ See 47 C.F.R. § 1.294(b).

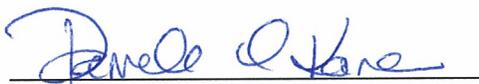
CERTIFICATE OF SERVICE

Pamela S. Kane, certifies that she has on this 15th day of September, 2016, sent copies of the foregoing "ENFORCEMENT BUREAU'S MOTION FOR LEAVE TO FILE A REPLY TO THE [ZAWILA PARTIES'] OPPOSITION TO ENFORCEMENT BUREAU'S MOTION FOR LEAVE" to:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554 (by hand, courtesy copy)

William Zawila, Esq.
12600 Brookhurst Street, Suite 105
Garden Grove, CA 92804-4833
(714) 636-5040 (telephone)
& (714) 636-5042 (facsimile)
(by first-class mail and e-mail)

Michael Couzens
Michael Couzens Law Office
6536 Telegraph Avenue
Suite B201
Oakland, CA 94609
(by first-class mail and email to cuz@well.com)



Pamela S. Kane