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

In re Applications of)	MM DOCKET NO. 92-253 ✓
)	
BAKCOR BROADCASTING, INC., Debtor)	File No. BRH-900330VV
c/o DENNIS ELAM, TRUSTEE)	
)	
For Renewal of License of)	
Station KKIK(FM))	
Lubbock, Texas)	
)	
SOUTHWEST EDUCATIONAL MEDIA)	File No. BPED-900629MK
FOUNDATION OF TEXAS, INC.)	
)	
For Construction Permit for a New)	
FM Station on Channel 229C1)	
Lubbock, Texas)	

Memorandum Opinion and Order

Issued: January 5, 1993 ; Released: January 7, 1993

1. Southwest Educational Media Foundation of Texas, Inc. (SEMFOT) seeks a ruling on a Motion to Enlarge Issues. They filed their motion on November 27, 1992, and direct it at their opponent, Bakcor. They allege that Bakcor's Trustee, Dennis Elam has (1) misrepresented facts to and abused the Commission's processes; and (2) as a licensee of various radio stations engaged in racial discrimination and sexual harassment. Thus Bakcor questions whether Elam is basically qualified to be a licensee.

2. Bakcor opposed SEMFOT's motion on December 10, 1992, as did the Mass Media Bureau. SEMFOT replied on December 21, 1992.

Ruling

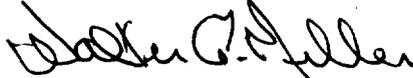
3. SEMFOT's motion will be denied. They have failed to plead with the required sufficiency and specificity to warrant adding the issues they've

¹ On December 28, 1992, SEMFOT and Bakcor filed a Joint Motion for Approval of Settlement Agreement. There they asked, inter alia, that Bakcor's application be granted and the pending motions to enlarge be dismissed. Since only basically qualified applicants can be granted, action on this enlargement request is a condition precedent to an analysis and a ruling on the December 28, 1992 settlement agreement request.

requested. See 47 CFR 1.229(d).² The Bureau is correct: SEMFOT's enlargement request is based on surmise and speculation. Their allegations are a hodgepodge of guesswork, vague generalities, and second-hand unreliable hearsay. No inquiry is warranted into Elam's character qualifications.

SO the Motion to Enlarge that Southwest Media Foundation of Texas filed on November 27, 1992, and directs at Bakcor Broadcasting, Inc. IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



Walter C. Miller
Administrative Law Judge

² 47 CFR 1.229(d) covers Motions to Enlarge and provides that "[s]uch motions . . . shall contain specific allegations of fact sufficient to support the action requested . . ."