

FCC MAIL SECTION

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

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In re Applications of	)	MM Docket No. 92-111 ✓
DISPATCH DEAS COMMUNICATIONS, INC.	)	File No. BPH-910208MB
HEALDSBURG BROADCASTING, INC.	)	File No, BPH-910211MB
HEALDSBURG EMPIRE CORPORATION	)	File No. BPH-910212MM
For Construction Permit for a	)	
New FM Station on Channel 240A	)	
in Healdsburg, California	)	

MEMORANDUM OPINION AND ORDER

Adopted: March 2, 1993; Released: March 2, 1993

1. In Deas Communications, Inc., FCC 92M-874, released August 13, 1992 the ALJ dismissed Healdsburg Broadcasting, Inc.'s (HBI) application. HBI's application was subsequently reinstated by the Review Board. Deas Communications, Inc., 7 FCC Rcd 6757 (Rev. Bd. 1992). Deas Communications, Inc. (Deas) filed an Application for Review or, Alternatively Motion for Extraordinary Relief, on October 13, 1992<sup>1</sup> and a Request for Expedited Consideration of Appeal or, Alternatively Motion for Stay on November 6, 1992.<sup>2</sup> While the application for review was pending, the ALJ approved an agreement providing for a partial settlement of the proceeding, the merger of Deas and HBI, and the dismissal of HBI's application. Deas Communications, Inc., FCC 93M-29, released January 21, 1993. On January 12, 1993, the Mass Media Bureau filed a Contingent Motion to Vacate Decision.<sup>3</sup>

<sup>1</sup> Comments in Support were filed October 27, 1992 by the Bureau, and an Opposition was filed October 28, 1992 by Healdsburg Broadcasting, Inc.

<sup>2</sup> Comments were filed November 13, 1992 by the Bureau and by Healdsburg Empire Corporation, and an Opposition was filed November 19, 1992 by Healdsburg Broadcasting, Inc.

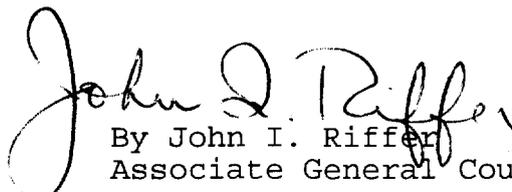
<sup>3</sup> The Bureau's motion was contingent on the ALJ's approval of the settlement agreement. Comments in Support of the Bureau's Motion were filed February 5, 1993 by Deas.

2. In view of the merger and the dismissal of HBI's application, HBI is no longer a party to this proceeding, Deas' requests for relief may be dismissed, and the Review Board decision, 7 FCC Rcd 6757, may be vacated in accordance with customary practice. RKO General, Inc., 4 FCC Rcd 4089, 4091 (1989).

3. ACCORDINGLY IT IS ORDERED, pursuant to authority delegated under 47 C.F.R. § 0.251(f) that the Contingent Motion to Vacate Decision, filed January 12, 1993 by the Mass Media Bureau IS GRANTED and the Review Board's order, Deas Communications, Inc., 7 FCC Rcd 6757 (Rev. Bd. 1992) IS VACATED as moot.

4. IT IS FURTHER ORDERED That the Application for Review or, Alternatively Motion for Extraordinary Relief filed October 13, 1992 by Deas Communications, Inc., and that the Request for Expedited Consideration of Appeal or, Alternatively, Motion for Stay, filed November 6, 1992 by Deas Communications, Inc. ARE DISMISSED as moot.

Renee L. Licht  
Acting General Counsel

  
By John I. Riffer  
Associate General Counsel