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OFFICE OF THE SECRETARY

TELEPHONE: 504-830-4646
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OUR FILE NO.

April 1, 1993

2072-001

via Federal Express

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: MM Docket 92-310
Robert M. Richmond, et al
Application for a Construction Permit
Beaumont, California
FCC FILE NUMBER BPH-910703MD

Dear Ms. Searcy:

Transmitted herewith for filing is an original and four (4) copies of a letter addressed to Andrew S. Fishel, Managing Director, requesting a refund of the hearing fee

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FCC - MAIL ROOM

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OUR FILE NO.

April 1, 1993

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Mr. Andrew S. Fishel
Managing Director
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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FCC - MAIL ROOM

Re: MM Docket 92-310
Robert M. Richmond, et al
Application for a Construction Permit
Beaumont, California
FCC FILE NUMBER BPH-910703MD

Dear Mr. Fishel:

This letter is written on behalf of Robert M. Richmond, a now dismissed applicant in the Commission's proceeding regarding which, if any, of the mutually exclusive applicants should be awarded a construction permit to build a new FM station at Beaumont, California.

Mr. Richmond had timely paid his Hearing Fee. Then, in response to the *Hearing Designation Order*, a Notice of Appearance was filed on his behalf.

After the Notice of Appearance date, but before the exchange of the Standardized Document Production and Integration Statements, Mr. Richmond, through the undersigned, requested of the Presiding Judge the **VOLUNTARILY DISMISSAL** of his application.

Mr. Richmond's voluntary dismissal was before the Presiding Judge was required to take any action regarding Mr. Richmond's application. No interlocutory motions had been filed and no special issues had been designated.

The dismissal of Mr. Richmond's application was not part of any settlement. No ruling on Mr. Richmond's application, other than grant of his request for dismissal was sought from, or made by, the Presiding Judge.

HARDY AND CAREY
ATTORNEYS AT LAW

Mr. Andrew S. Fishel
April 1, 1993
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When an applicant does not file a Notice of Appearance, the Presiding Officer must enter an Order (or Orders) dismissing the application. In those cases, a refund of the