

FCC MAIL SECTION

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

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In re Applications of	)	MM DOCKET NO. 93-93
	)	
COMMUNITY TV OF SOUTHERN CALIFORNIA	)	File No. BPET-881012KE
	)	
VALLEY PUBLIC TELEVISION, INC.	)	File No. BPET-900904KE
	)	
For Construction Permit for a	)	
New TV Station On Channel *39	)	
Bakersfield, California	)	

ORDER PRIOR TO PREHEARING CONFERENCE

Issued: April 7, 1993 ; Released: April 9, 1993

1. A prehearing conference in this proceeding is scheduled for June 2, 1993, commencing at 9:00 a.m. The Presiding Judge deems it desirable to establish the following procedures:

a. The applicants need not comply with Sections 1.325(c)(1) and (2) of the Commission's Rules relating to the Standard Document Production Order and the Standardized Integration Statement. This case involves competing applications for noncommercial educational facilities. The issues specified in this case differ considerably from those designated in cases involving applications for commercial facilities. Consequently, the materials listed in the Standard Document Production Order and the Standardized Integration Statement have no applicability to this proceeding and need not be exchanged.

b. By May 21, 1993, counsel are directed to confer for the purpose of exploring settlement and possible agreement on share-time arrangements, the scope of the issues to be tried in this case, and discovery. With respect to discovery, if depositions are to be taken, the applicants shall agree on a mutually convenient schedule for the taking of such depositions. Interrogatories shall not be used and will not be entertained. Moreover, the applicants shall agree on a Joint Document Production Request which would be applicable to both applicants. This will ensure a uniform and reciprocal disclosure of documents. In the event one of the applicants has a specific document request relating to the other, a separate request for the production of such documents shall be served in accordance with Section 1.325(a) of the Rules.

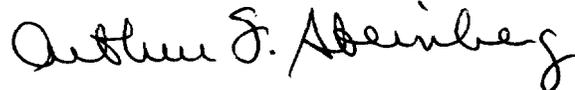
c. There exists the possibility of the submission of engineering evidence under Issue 1, a short-spacing issue designated against Valley Public Television, Inc. Therefore, at the conference regarding settlement and discovery, counsel are directed to confer about the feasibility of preparing a joint engineering exhibit or stipulation. Counsel for the applicants shall also confer with counsel for the Mass Media Bureau with regard to this matter.

d. By May 26, 1993, a Joint Report shall be submitted fully apprizing the Presiding Judge as to the results of the meeting described above.

2. The August 17, 1993, hearing date is a firm date. Accordingly, the following procedural schedule IS ESTABLISHED:

July 16, 1993	Completion of all discovery.
July 27, 1993	Exchange of written direct cases. <sup>1</sup>
August 3, 1993	Notification of witnesses desired for cross-examination. <sup>2</sup>
August 10, 1993	Objections to witness notification.
August 17, 1993	Commencement of the hearing at 10:00 a.m. in the Commission's Washington, D.C. offices. <sup>3</sup>

FEDERAL COMMUNICATIONS COMMISSION



Arthur I. Steinberg  
Administrative Law Judge

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<sup>1</sup> All exhibits must be received by all parties not later than this date. The exhibits will be serially numbered, separately paginated, and assembled in a binder with a tab on each document. A prefix will be used to indicate the party sponsoring the exhibit. Each exhibit must be accompanied by the affidavit or declaration under penalty of perjury of a sponsoring witness. If official notice is requested of any materials in the Commission's files, that material should be assembled in written form, properly identified by source, given an exhibit number, and exchanged on the date set.

<sup>2</sup> Such notification may be made by phone or by fax. If oral notification is given it must be confirmed in writing. The parties should be mindful of the requirements of Section 1.248(d)(4) of the Rules.

<sup>3</sup> Rebuttal, if any, will commence immediately after the conclusion of the direct cases.