

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

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ORIGINAL

FCC 93M-214
31406

In re Applications of)
RIVERTOWN COMMUNICATIONS COMPANY, INC.)
SAMPLE BROADCASTING COMPANY, L.P.)
For Construction Permit for a New)
FM Station on Channel 282C3)
in Eldon, Iowa)

MM DOCKET NO. 92-316
File No. BPH-911008ME
File No. BPH-911018MA

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FCC MAIL SECTION

O R D E R

Issued: April 28, 1993 ; Released: April 30, 1993

Under consideration are the Motion for Protective Order, filed April 23, 1993, by Sample Broadcasting Company, L.P. ("Sample"), and the Opposition to Motion for Protective Order, filed April 27, 1993, by Rivertown Communications Company, Inc. ("Rivertown").

Sample's Motion seeks to foreclose Rivertown from questioning Mark McVey regarding allegations made in Sample's February 22, 1993 Petition to Enlarge Issues that Rivertown's president, David Brown, had directed one Jeff Hansen to reduce the power of Station KMCD-FM at a time in 1988 when Brown was general manager of KMCD, and McVey was its chief engineer. Mr. McVey was chief engineer of KMCD-FM in 1988, when the power reduction is alleged by Jeff Hansen to have taken place.

The evidence sought is relevant to the comparative issue in this proceeding. The request for protective order must be denied.

Accordingly, IT IS ORDERED that the Motion for Protective Order, filed April 23, 1993, by Sample IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

John M. Frysiak
John M. Frysiak
Administrative Law Judge