

FEDERAL COMMUNICATIONS COMMISSION

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

FCC 93M-291
31557

In re Applications of)	MM DOCKET NO. 93-511
)	
MARTHA J. HUBER)	File No. BPH-911114ME
)	
RITA REYNA BRENT)	File No. BPH-911115MC
)	
MIDAMERICA ELECTRONICS SERVICE, INC.)	File No. BPH-911115ML
)	
STATON COMMUNICATIONS, INC.)	File No. BPH-911115MU
)	
For Construction Permit for a)	
New FM Station on Channel 234A)	
in New Albany, Indiana)	

ORDER

Issued: May 19, 1993; Released: May 20, 1993

This is a ruling on a Motion To Compel Production Of Documents that was filed by Rita Reyna Brent ("Brent") on May 7, 1993. Midamerica Electronics Service, Inc. ("Midamerica") filed a Partial Opposition To Motion to Compel Production Of Documents on May 12, 1993.

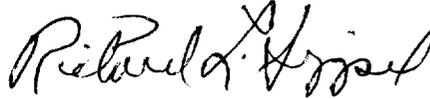
Midamerica has produced a copy of its Real Estate Sales Contract in response to the standard document discovery request. Brent now seeks "documents evidencing the renewal of the one-year option granted to Midamerica in November 1991." The Presiding Judge has ruled that Midamerica is not required to produce documents that relate to "maintaining its site." See Order FCC 93M-246, released May 11, 1993. However, since that ruling, the Presiding Judge has granted a motion to add financial issues against Midamerica. See Memorandum Opinion and Order, FCC 93M-276, released May 18, 1993. In that ruling, the Presiding Judge ordered the production of documents related to the financial certification and its present financial ability. Id. It now appears that the financing for the maintenance of Midamerica's site is relevant to the financial issues and therefore, Midamerica is now required to produce documents that relate to the maintenance of its site.

Ruling

Accordingly, IT IS ORDERED that the Motion To Compel Production Of Documents that was filed by Rita Reyna Brent with respect to the transmitter site maintenance of Midamerica IS GRANTED.

IT IS FURTHER ORDERED that Midamerica SHALL PRODUCE within five days of the release of this Order all documents relating to the maintenance of its proposed site for New Albany, Indiana, whether such documents were created before or after the Real Estate Sale Contract was executed.

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A handwritten signature in cursive script, appearing to read "Richard L. Sippel".

Richard L. Sippel
Administrative Law Judge