

DOCKET FILE
ORIGINAL

Before the
FCC MAILED FEDERAL COMMUNICATIONS COMMISSION FCC 93M-313
Washington, D.C. 20554 31629

In re Application of)	MM DOCKET NO. 93-102 ✓
)	
AMERICOM, A CALIFORNIA LIMITED)	File No. BP-871007AI
PARTNERSHIP)	
DISPATCHED BY)	
)	
Licensee of Station KHTZ (AM))	
Truckee, California)	
)	
For Construction Permit to Change)	
Community of License and Transmitter)	
Site)	

ORDER

Issued: May 27, 1993 ; Released: May 28, 1993

By Hearing Designation Order, 8 FCC Rcd 2499 (1993) ("HDO"), the above-captioned application of Americom, A California Limited Partnership ("Americom"), was designated for hearing. Paragraph 13 of the HDO required Americom to file a notice of appearance by April 28, 1993, stating its intention to appear on the date fixed for the hearing and present evidence on the specified issues. See also Section 1.221(c) of the Commission's Rules. To date, Americom has not filed a notice of appearance. On the contrary, Americom, through counsel, notified the Commission by letter filed on May 25, 1993, that it has decided, in effect, to allow its application to be dismissed. Under these circumstances, dismissal of the Americom application for failure to prosecute is both warranted and appropriate. Cf. Crystal Clear Communications, Inc., FCC 93-239, released May 17, 1993.

Accordingly, on the Presiding Judge's own motion, IT IS ORDERED that the above-captioned application of Americom, A California Limited Partnership, for a construction permit to change community of license and transmitter site IS DISMISSED with prejudice.

IT IS FURTHER ORDERED that this proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Arthur I. Steinberg

Arthur I. Steinberg
Administrative Law Judge