

2. Therefore, the following revision to the presentation of matter in paragraph 3 of the Motion For Summary Decision is deemed appropriate.

COMPARATIVE BASIS

	<u>HILDING</u>	<u>HUGHES</u>
A. "Minority" Preference	No	Yes
B. Local Residence/Service Area	No	Yes
C. Civic Involvement in the Community or Service Area	No	Yes
D. "Integration"	100%	100%
E. Auxiliary Power	Yes	Yes
F. Broadcast Experience	Yes	No

3. Substantial "good cause" exists for the requested action. In Committe for Community Access v. FCC, 737 F.2d 74, 83 (D.C. Circuit, 1984), the Court quoted Erwin O'Conner Broadcasting Co., 22 FCC 2d 140, 143 (1970) wherein were "used six factors to evaluate good cause":

[T]he moving party must demonstrate that it acted with due diligence; that the proposed amendment was not required by the voluntary act of the applicant; that no modification or addition of issues or parties would be necessitated; that the proposed amendment [action] would not disrupt the orderly conduct of the hearing or necessitate additional hearings; that the other parties would not be unfairly prejudiced; and that the applicant will not gain a competitive advantage. 22 FCC 2d at 143

created a more "level playing field"; (b) The Presiding Officer indicated there would be no deviation from the standard comparative policy which accordingly necessitated the Motion For Summary Decision due to the fact Hilding was "involuntarily" born a white male and therefore could not further hope to prevail in this proceeding due to Metro. and

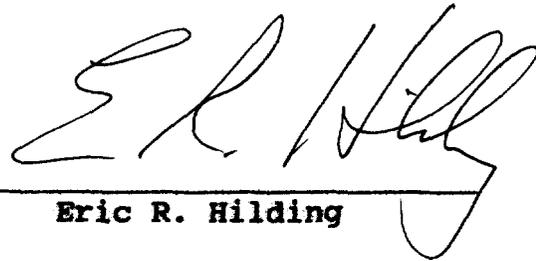
CERTIFICATE OF SERVICE

I, Eric R. Hilding, under penalty of perjury, hereby declare that a copy of this "SUPPLEMENT TO MOTION FOR SUMMARY DECISION" has been sent via First Class Mail, U.S. postage prepaid, today, June 19, 1993, to the following: (*)

Honorable Richard L. Sippel (**)
Administrative Law Judge
Federal Communications Commission
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- (*) Original filing via Federal Express
- (**) Courtesy copy via Federal Express
- (***) Envelope included in FCC F/E Package