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

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FCC 93M-443

In re Applications of)

MM Docket No. 93-56 ✓ 31925

C. DEVINE MEDIA, INC.)

File No. BRH-900604YE)

For Renewal of License of Station KBER-FM)
Ogden, Utah)

STREET STRYDER)

File No. BRH-900601A3)

For Renewal of License of)
Station KQOL-FM)
Spanish Fork, Utah)

MEMORANDUM OPINION AND ORDER

Issued: July 2, 1993

Released: July 6, 1993

1. Under consideration is the Mass Media Bureau's Motion for Leave to File Petition for Reconsideration and its Petition for Reconsideration, both filed June 22, 1993; and C. Devine Media, Inc.'s Opposition to Motion for Leave to File Petition for Reconsideration filed June 25, 1993.

2. At a prehearing conference held June 17, 1993, the above named applicants were granted a continuance for three months to run from the formerly scheduled hearing date of August 24, 1993, for the purpose of finding a buyer for the above radio stations under terms of a distress sale. Although the Bureau consented to a three-month continuance, it wanted the term to begin as of June 17, 1993.

3. The Bureau's request will be denied. The Presiding Judge found persuasive the remarks of counsel for C. Devine Media, Inc. It was noted that the market in which the subject stations are located does not readily attract buyers who are members of the minority. A more exhaustive search must be made than would ordinarily be the case. To shorten the continuance granted would in all likelihood render the search for a qualified minority buyer ineffectual.

Accordingly, IT IS ORDERED that the Bureau's Motion for Leave to File Petition for Reconsideration IS GRANTED, but the Petition IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

John M. Frysiak
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Administrative Law Judge