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

FCC 93M-619
32466

SEP 27 2 42 PM '93

In re Applications of)	MM DOCKET NO. 93-75
TRINITY BROADCASTING OF FLORIDA, INC.)	File No. BRCT-911001LY
)	
For Renewal of License of)	
Station WHFT(TV) on Channel 45,)	
Miami, Florida)	
)	
and)	
)	
GLENDALE BROADCASTING COMPANY)	File No. BPCT-911227KE
)	
For a Construction Permit for a New)	
Commercial TV Station to operate on)	
Channel 45, Miami, Florida)	

MEMORANDUM OPINION AND ORDER

Issued: September 23, 1993 Released: September 27, 1993

1. Under consideration are "Consolidated Opposition To Notices Of Deposition And Motion For Protective Order" filed September 20, 1993 by Glendale Broadcasting Company (Glendale), and Response To Glendale's Consolidated Opposition To Notices Of Deposition And Motion For Protective Order filed September 21, 1993 by Trinity Broadcasting of Florida, Inc. (TBF).

2. TBF seeks to depose Lee H. Sandifer and Harold Etsell, Jr. under the issue concerning misrepresentations/lack of candor by Raystay Company (Raystay) in LPTV applications filed with the Commission. Glendale opposes the taking of the depositions on the ground that any evidence obtained would either be cumulative of information already obtained in the other depositions or would be immaterial. However, TBF's response indicates that the depositions would not be cumulative of the other depositions and their testimony appears reasonably calculated to lead to the discovery of admissible evidence. Therefore, the depositions will be taken. ¹

Accordingly, IT IS ORDERED, That the "Consolidated Opposition To Notices Of Deposition and Motion For Protective Order" filed September 20, 1993 IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Joseph Chachkin
Joseph Chachkin
Administrative Law Judge

¹ TBF has agreed to hold the depositions on a date and time mutually agreeable to the parties. Also, if the depositions are held beyond the October 8 deadline, it would not affect any other procedural dates or delay the hearing in any way.