

Before the  
**Federal Communications Commission**

Washington, D.C. 20554

|                                   |   |                       |
|-----------------------------------|---|-----------------------|
| In re Applications of             | ) | MM DOCKET NO. 93-264  |
|                                   | ) |                       |
| FRANK B. DUROSS                   | ) | File No. BPH-920512MC |
|                                   | ) |                       |
| KENNETH F. ROSER, JR.             | ) | File No. BPH-920513MI |
|                                   | ) |                       |
| KEVIN O'KANE                      | ) | File No. BPH-920514MK |
|                                   | ) |                       |
| For a Construction Permit for     | ) |                       |
| a New FM Station on Channel 250A, | ) |                       |
| at Whitesboro, New York           | ) |                       |

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DEC - 1 1993

To: Honorable Joseph P. Gonzalez  
Administrative Law Judge

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

PROOF OF PUBLICATION

Frank B. DuRoss ("DuRoss"), by and through counsel, and pursuant to §73.3594(g) of the Commission's Rules (47 C.F.R. §73.3594(g)), hereby submits his "Proof of Publication" in the above-captioned comparative proceeding.

On October 18, 1993, this case was designated for hearing. See Hearing Designation Order, DA 93-1074, released October 18, 1993 ("HDO"). At paragraph 16 of the HDO, all applicants were ordered to comply with §73.3594 of the Commission's Rules and to have published a Public Notice announcing the designation for hearing of their Westerville application.

Attached hereto is an affidavit of publication of the Utica, New York, Observer-Dispatch evidencing the fact that Mr. DuRoss' Public Notice was published in the Observer-Dispatch on November 12, 13, 19 & 20, 1993.

WHEREFORE, the above-premises considered, Frank B.

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DuRoss respectfully requests that his Proof of Publication  
be **ACCEPTED**.

Respectfully submitted,

**FRANK B. DUROSS**

By:



Arthur V. Belendiuk  
Shaun A. Maher

His Attorneys

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December 1, 1993

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**CERTIFICATE OF SERVICE**

I, Lori Paige DiLullo, a secretary in the law firm of Smithwick & Belendiuk, P.C., certify that on this 8th day of November, 1993, copies of the foregoing were mailed via first class mail, postage pre-paid, to the following:

The Honorable Joseph P. Gonzalez (\*)  
Administrative Law Judge  
Federal Communications Commission  
2000 L Street, N.W.  
Room 221  
Washington, DC 20554

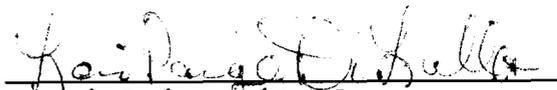
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(\*): By Hand Delivery

  
Lori Paige DiLullo