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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In Re Applications of)	MM Docket No. <u>93-75</u>
)	
TRINITY BROADCASTING OF FLORIDA, INC.)	BRCT-911001LY
)	
For Renewal of License of Television Station WHFT(TV) Miami, Florida)	
)	
GLENDALE BROADCASTING COMPANY)	BPCT-911227KE
)	
For Construction Permit Miami, Florida)	

VOLUME III-D

HEARING EXHIBITS

TRINITY BROADCASTING OF FLORIDA, INC.
 TRINITY BROADCASTING NETWORK
 NATIONAL NATIONAL MINORITY TELEVISION, INC.

TBF Exhibits 242-260

TRINITY BROADCASTING OF FLORIDA,
INC.,

TRINITY BROADCASTING NETWORK,

NATIONAL MINORITY TELEVISION,
INC.

Mullin, Rhyne, Emmons and Topel,
 P.C.
 1000 Connecticut Ave. - Suite 500
 Washington, D.C. 20036-5383
 (202) 659-4700

VOLUME III-D

HEARING EXHIBITS

TRINITY BROADCASTING OF FLORIDA, INC.
TRINITY BROADCASTING NETWORK
NATIONAL MINORITY TELEVISION, INC.

- TBF Exhibit 242 Fax Transmission Cover Sheet from John
Schauble Dated 12/12/91
- TBF Exhibit 243 Letter of John J. Schauble Dated
December 16, 1991
- TBF Exhibit 244 Handwritten Memorandum Dated 12/18/91
- TBF Exhibit 245 FCC Form 307 Extension Applications
re: W23AW, W31AX, W38BE, and W55BP
Filed December 20, 1991
- TBF Exhibit 246 Declaration of David A. Gardner Dated
June 3, 1993
- TBF Exhibit 247 Extended Construction Permits for
W23AW, W31AX, W38BE, and W55BP Granted
January 29, 1992
- TBF Exhibit 248 Letter of David A. Gardner Dated June
12, 1992
- TBF Exhibit 249 Letter of John J. Schauble Dated June
29, 1992
- TBF Exhibit 250 Letter of John J. Schauble Dated June
30, 1992
- TBF Exhibit 251 FCC Form 307 Extension Applications
re W23AW, W31AX, W38BE, and W55BP
Filed July 9, 1992

- TBF Exhibit 252 Letter of Keith A. Larson Dated
September 23, 1992

- TBF Exhibit 253 Letter of Morton L. Berfield Dated
September 24, 1992

- TBF Exhibit 254 Letter of John J. Schauble Dated
February 4, 1993

- TBF Exhibit 255 Letter of John J. Schauble Dated
March 23, 1993

- TBF Exhibit 256 Declaration of Lee H. Sandifer Dated
June 3, 1993

- TBF Exhibit 257 RKO General, Inc. (WAXY-FM), 5 FCC
Rcd 642 (1990)

- TBF Exhibit 258 Declaration of George F. Gardner Filed
March 14, 1990

- TBF Exhibit 259 Declaration of George F. Gardner Filed
May 7, 1990

- TBF Exhibit 260 Letter of Roy J. Stewart Dated July
23, 1990

LAW OFFICES
COHEN AND BERFIELD, P.C.

BOARD OF TRADE BUILDING
1129 20TH STREET, N.W.
WASHINGTON, D.C. 20036
(202) 466-8565

TELECOPIER
(202) 785-0934

LEWIS I. COHEN
MORTON L. BERFIELD
ROY W. BOYCE
JOHN J. SCHAUBLE*

*VIRGINIA BAR ONLY

TELECOPY/FAX COVER SHEET
(202) 785-0934

Please Deliver TO: David Gardner
FROM: John Schauble
DATE: 12/1/77
FAX NO.: 717-245-9277
FAXED BY: J. Schauble

Number of Pages Including This Cover Page: 3

If you do not receive all of the pages promptly,
please call (202) 466-8565.

Message: David: Enclosed is an exhibit I have
prepared in support of the applications to extend
the four LPTV construction permits. Please review
the exhibit carefully to make sure it is accurate, then
call me to discuss.

John

75582

Federal Communications Commission

Docket No. 93-75 Exhibit No. B674

Presented by Emerson

Disposition { 12.2.93
12.2.93
Rejected

Reporter C. Wilson

Date 12.2.53

LAW OFFICES
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BOARD OF TRADE BUILDING
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LEWIS I. COHEN
MORTON L. BERFIELD
ROY W. BOYCE
JOHN J. SCHAUBLE*
*VIRGINIA BAR ONLY

December 16, 1991

VIA FEDERAL EXPRESS

David Gardner
Raystay Co.
1416 Trindle Road
Carlisle, PA 17013

Dear David:

Enclosed are applications to extend the construction permits for the Lancaster and Lebanon LPTV stations. The exhibit (which is identical for each station) has been reviewed and approved by you. On the application form, the name "Raystay Company" must be spelled out in full because that is how the name appears on the construction permits. Please have a Raystay officer review each application, then sign and date each application. The applications must be filed by December 24, so we must have the signed applications back in our office by December 20.

If you have any questions, please call.

Regards,



John J. Schauble

Enclosures

75588

Federal Communications Commission

Docket No. 93-75 Exhibit no. 79E243

Presented by Summons

Identified	<u>12.2.93</u>
Received	<u>12.2.93</u>
Rejected	

D. P. idon

Reporter Car. Williams

Date 12.2.93

12-18-91

LPTV renewals.

Signature needed on 4 forms.

Needed in Washington ASAP.

Return to me for filing.

David A Gardner

Federal Communications Commission

Docket No. 93-35 Exhibit No. 79E 244

Filed by Ammons

Identified 12.2.93

Or. p. l. u. n. } Received 12.2.92

Rejected

Reporter Ch. Williams

Date 12.2.93

DUPLICATE

LAW OFFICES
COHEN AND BERFIELD, P.C.
BOARD OF TRADE BUILDING

RECEIVED

DEC 20 1991

Federal Communications Commission
Office of the Secretary

LEWIS I. COHEN
MORTON L. BERFIELD
ROY W. BOYCE
JOHN J. SCHAUBLE*

1129 20TH STREET, N.W.
WASHINGTON, D.C. 20036
(202) 466-8565

TELECOPIER
(202) 785-0934

*VIRGINIA BAR ONLY

December 20, 1991

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Ms. Searcy:

On behalf of Raystay Co., permittee of low power television station W23AW at Lancaster, Pennsylvania, we are submitting an original and one copy of an application for additional time to construct that station.

Pursuant to the Commission's July 11, 1991 Public Notice (FCC Fees, 69 RR 2d 787, 788), no filing fee is required for this application.

Should there be any questions regarding this matter, kindly communicate directly with this office.

Respectfully submitted,



John J. Schauble

80014

1

Federal Communications Commission

Docket No. 93-75 Exhibit No. 10E 248

Presented by Hammond

Di-Position	}	Identified	<u>12.2.93</u>
		Received	<u>12.2.93</u>
		Rejected	

Reporter C. Williams

Date 12.2.93

APPLICATION FOR EXTENSION OF BROADCAST CONSTRUCTION
PERMIT OR TO REPLACE EXPIRED CONSTRUCTION PERMIT
(CAREFULLY READ INSTRUCTIONS ON BACK BEFORE COMPLETING)

For Commission Use Only File No. BMPITL-911220IX
--

1. Legal Name of Applicant <i>(See Instruction C)</i> Raystay Company	3. PURPOSE OF APPLICATION: <input checked="" type="checkbox"/> a. Additional time to construct broadcast station <input type="checkbox"/> b. Construction permit to replace expired permit					
2. Mailing Address <i>(Number, street, city, state, ZIP code)</i> P.O. Box 38 Carlisle, PA 17013 RECEIVED DEC 20 1991	4. IDENTIFICATION OF OUTSTANDING CONSTRUCTION PERMIT:					
	<table border="1"> <tr> <td>File Number BPTTL-890309PA</td> <td>Call Letters W23AW</td> </tr> <tr> <td>Frequency 524-530 Mhz</td> <td>Channel No. 23</td> </tr> <tr> <td colspan="2">Station Location Lancaster, PA</td> </tr> </table>	File Number BPTTL-890309PA	Call Letters W23AW	Frequency 524-530 Mhz	Channel No. 23	Station Location Lancaster, PA
File Number BPTTL-890309PA	Call Letters W23AW					
Frequency 524-530 Mhz	Channel No. 23					
Station Location Lancaster, PA						
Telephone No. <i>(Include Area Code)</i> (717) 245-0040 Federal Communications Commission Office of the Secretary						

5. OTHER:
Submit as Exhibit No. N/A a list of the file numbers of pending applications concerning this station, e.g., major or minor modifications, assignments, etc.

6. EXTENT OF CONSTRUCTION:	
(a) Has equipment been delivered? <input type="checkbox"/> YES <input type="checkbox"/> NO If NO, answer the following: See Exhibit 1	(b) Has installation commenced? <input type="checkbox"/> YES <input type="checkbox"/> NO See Exhibit 1 If YES, submit as Exhibit No. _____ a description of the extent of installation and the date installation commenced.
From Whom Ordered <i>(If no order has been placed, so indicate)</i> See Exhibit 1	(c) Estimated date by which construction can be completed. See Exhibit 1
Date Ordered	Date Delivery Promised

7. (a) If application is for extension of construction permit, submit as Exhibit No. 1 reason(s) why construction has not been completed.
- (b) If application is to replace an expired construction permit, submit as Exhibit No. N/A the reason for not submitting a timely extension application, together with the reason(s) why construction was not completed during the period specified in the construction permit or subsequent extension(s).
8. Are the representations contained in the application for construction permit still true and correct? YES NO
If NO, give particulars in Exhibit No. _____

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

CERTIFICATION

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Legal Name of Applicant Raystay Company	Signature 
Title President	Date December 18, 1991

EXHIBIT 1

The permittee respectfully submits that a grant of the instant application would be in the public interest for the following reasons:

Initially, it must be noted that Raystay Co. has built and is currently the licensee of LPTV station W40AF licensed to Dillsburg, PA. Raystay built the station pursuant to a construction permit issued to it by the Commission.

At the present time, equipment for the station has not been ordered or delivered. Raystay, however, has had discussions with equipment suppliers concerning the types and prices of equipment that could be used at the site specified in the construction permit. It has entered into lease negotiations with representatives of the owners of the antenna site specified in the applications, although those negotiations have not been consummated. A representative of Raystay and an engineer have visited the antenna site and ascertained what site preparation work and modifications need to be done at the site.

Raystay has undertaken research in an effort to determine the programming that would be offered on the station. It has had discussions with program suppliers to determine what programs could be available for broadcast on the station. It has also had continuing negotiations with local cable television franchises to

ascertain what type of programming would enable the station to be carried on local cable systems.

The denial of this extension request could eliminate any possibility of the proposed LPTV service being offered to the community. No application mutually exclusive with Raystay's construction permit application was filed, so no other entity has expressed an interest in providing this service.

Accordingly, Raystay requests that the Commission extend the date for construction for a period of six months from the date this application is granted or from the date the current construction permit expires, whichever is later.

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DEC 20 1991

Federal Communications Commission
Office of the Secretary

TELECOPIER
(202) 785-0934

DUPLICATE

LEWIS I. COHEN
MORTON L. BERFIELD
ROY W. BOYCE
JOHN J. SCHAUBLE*

WASHINGTON, D.C. 20036
(202) 466-8565

*VIRGINIA BAR ONLY

December 20, 1991

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

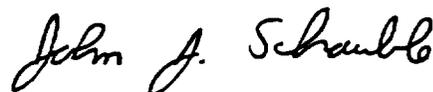
Dear Ms. Searcy:

On behalf of Raystay Co., permittee of low power television station W3LAX at Lancaster, Pennsylvania, we are submitting an original and one copy of an application for additional time to construct that station.

Pursuant to the Commission's July 11, 1991 Public Notice (FCC Fees, 69 RR 2d 787, 788), no filing fee is required for this application.

Should there be any questions regarding this matter, kindly communicate directly with this office.

Respectfully submitted,



John J. Schauble

APPLICATION FOR EXTENSION OF BROADCAST CONSTRUCTION PERMIT OR TO REPLACE EXPIRED CONSTRUCTION PERMIT.
(CAREFULLY READ INSTRUCTIONS ON BACK BEFORE COMPLETING)

For Commission Use Only
File No. BMPITL-911220JB

<p>1. Legal Name of Applicant (See Instruction 1) Raystay Company</p>	<p>3. PURPOSE OF APPLICATION: <input checked="" type="checkbox"/> a. Additional time to construct broadcast station <input type="checkbox"/> b. Construction permit to replace expired permit</p>
<p>2. Mailing Address (Number, street, city, state, ZIP code) P.O. Box 38 Carlisle, PA 17013</p>	<p>4. IDENTIFICATION OF OUTSTANDING CONSTRUCTION PERMIT: File Number: <u>BPTTL-890309NY</u> Call Letters: <u>W31AX</u> Frequency: <u>572-578 Mhz</u> Channel No.: <u>31</u></p>
<p>Telephone No. (Include Area Code) (717) 245-0040</p>	<p>Station Location Lancaster, PA</p>

RECEIVED
DEC 20 1991

5. OTHER: Submit as Exhibit No. N/A a list of the file numbers of pending applications concerning this station, e.g., major or minor modifications, assignments, etc.

6. EXTENT OF CONSTRUCTION:

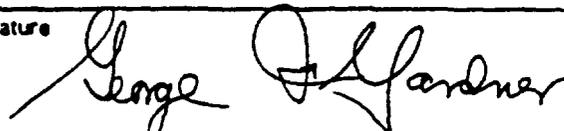
<p>(a) Has equipment been delivered? <input type="checkbox"/> YES <input type="checkbox"/> NO If NO, answer the following: See Exhibit 1</p>	<p>(b) Has installation commenced? <input type="checkbox"/> YES <input type="checkbox"/> NO See Exhibit 1</p>
<p>From Whom Ordered (If no order has been placed, so indicate) See Exhibit 1</p>	<p>If YES, submit as Exhibit No. _____ a description of the extent of installation and the date installation commenced.</p>
<p>Date Ordered</p>	<p>Date Delivery Promised (c) Estimated date by which construction can be completed. See Exhibit 1</p>

7. (a) If application is for extension of construction permit, submit as Exhibit No. 1 reason(s) why construction has not been completed.
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8. Are the representations contained in the application for construction permit still true and correct? YES NO
If NO, give particulars in Exhibit No. _____

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)
The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

CERTIFICATION

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

<p>Legal Name of Applicant Raystay Company</p>	<p>Signature </p>
<p>Title President</p>	<p>Date December 18, 1991</p>

80011 WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT, U.S. CODE, TITLE 18, SECTION 1001.

EXHIBIT 1

The permittee respectfully submits that a grant of the instant application would be in the public interest for the following reasons:

Initially, it must be noted that Raystay Co. has built and is currently the licensee of LPTV station W40AF licensed to Dillsburg, PA. Raystay built the station pursuant to a construction permit issued to it by the Commission.

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LAW OFFICE
C. H. A. BERFIELD, P.C.
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BOARD OF TRADE BUILDING
1125 CHURCH STREET, N.W.
WASHINGTON, D.C. 20005
(202) 466-8565

LEWIS I. COHEN
MORTON L. BERFIELD
ROY W. BOYCE
JOHN J. SCHAUBLE*

*VIRGINIA BAR ONLY

December 20, 1991

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Ms. Searcy:

On behalf of Raystay Co., permittee of low power television station W38BE at Lebanon, Pennsylvania, we are submitting an original and one copy of an application for additional time to construct that station.

Pursuant to the Commission's July 11, 1991 Public Notice (FCC Fees, 69 RR 2d 787, 788), no filing fee is required for this application.

Should there be any questions regarding this matter, kindly communicate directly with this office.

Respectfully submitted,

John J. Schauble

John J. Schauble

APPLICATION FOR EXTENSION OF BROADCAST CONSTRUCTION
PERMIT OR TO REPLACE EXPIRED CONSTRUCTION PERMIT
(CAREFULLY READ INSTRUCTIONS ON BACK BEFORE COMPLETING)

For Commission Use Only
File No. **BMPITL-911220JF**

1. Legal Name of Applicant (See Instruction C1) Raystay Company		3. PURPOSE OF APPLICATION: <input checked="" type="checkbox"/> a. Additional time to construct broadcast station <input type="checkbox"/> b. Construction permit to replace expired permit	
2. Mailing Address (Number, street, city, state, ZIP code) P.O. Box 38 Carlisle, PA 17013		4. IDENTIFICATION OF OUTSTANDING CONSTRUCTION PERMIT:	
Telephone No. (Include Area Code) (717) 245-0040		File Number BPTTL-890309TD	Call Letters W38BE
		Frequency 614-620 Mhz	Channel No. 38
Federal Communications Commission Office of the Secretary		Station Location Lebanon, PA	
5. OTHER: Submit as Exhibit No. <u>N/A</u> a list of the file numbers of pending applications concerning this station, e.g., major or minor modifications, assignments, etc.			
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The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

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I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

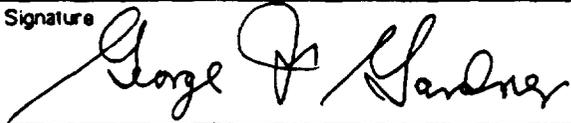
Legal Name of Applicant Raystay Company	Signature 
Title President	Date December 18, 1991

EXHIBIT 1

The permittee respectfully submits that a grant of the instant application would be in the public interest for the following reasons:

Initially, it must be noted that Raystay Co. has built and is currently the licensee of LPTV station W40AF licensed to Dillsburg, PA. Raystay built the station pursuant to a construction permit issued to it by the Commission.

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