

JAN 26 1994

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of) MM Docket No. 93-265
PINE TREE MEDIA, INC.) File No. BR-900817UF
For Renewal of License of)
Station KARW)
Longview, Texas)

To: Administrative Law Judge
John M. Frysiak

MASS MEDIA BUREAU'S
MOTION TO DISMISS

1. By Hearing Designation Order and Notice of Forfeiture, 8 FCC Rcd 7591 (1993) (HDO), the application of Pine Tree Media, Inc. (Pine Tree), for renewal of license to operate KARW, Longview, Texas, was designated for hearing. The HDO specified that, to avail themselves of the opportunity to be heard, Pine Tree, its successors and assigns, shall file a written appearance stating an intention to appear on the date fixed for hearing and to present evidence on the issues specified in the HDO. To date, no notice of appearance has been filed by Pine Tree or its successors and assigns.¹ Moreover, no one appeared on behalf of Pine Tree, its successors and assigns, at the prehearing

¹ A letter dated November 2, 1993, referring to this proceeding, was sent to Bureau counsel and the Chief Administrative Law Judge, by a Texas attorney. The letter stated that: "Enclosed for filing is our Notice of Participation and Intervention." The attached notice, however, was submitted on behalf of Janet Washington who claims to own an interest in the license and the real property on which KARW operates. Commission records do not reflect Washington's ownership interest in KARW or any other basis for accepting a notice of appearance by her on behalf of Pine Tree. Moreover, neither the letter nor the accompanying notice was ever filed with the Commission.

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conference held in this proceeding on January 24, 1994.

2. In light of Pine Tree's failure to file a notice of appearance and failure to appear at the January 24, 1994, prehearing conference, the Bureau hereby requests that the Presiding Judge dismiss the application of Pine Tree for failure to prosecute its application and terminate this proceeding.

Respectfully submitted,
Roy J. Stewart
Chief, Mass Media Bureau


Charles E. Dziejdz
Chief, Hearing Branch


Robert A. Zauner


Gary Schonman
Attorneys
Mass Media Bureau

Federal Communications Commission
2025 M Street, N.W.
Suite 7212
Washington, D.C. 20554

January 26, 1994

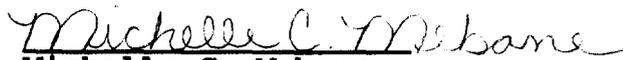
CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, certifies that she has on this 26th day of January 1994, sent by regular United States mail, U.S. Government frank, copies of the foregoing "**Mass Media Bureau's Motion to Dismiss**" to:

KARW
Pine Tree Media, Inc.
P.O. Box 7100
Longview, TX 75607

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Washington, DC 20036

*Courtesy Copy


Michelle C. Mebane
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