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

FCC MAIL SECTION
FCC 94M-52

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In the Matter of)
)
WESLEY COLLEGE)
)
Licensee of Station WCSP (AM))
Crystal Springs, Mississippi)
)
Order to Show Cause Why the)
License for Station WCSP (AM),)
Crystal Springs, Mississippi,)
Should Not Be Revoked.)

MM DOCKET NO. 83-306
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MEMORANDUM OPINION AND ORDER

Issued: January 31, 1994; Released: February 2, 1994

1. By Order to Show Cause and Hearing Designation Order, released by the Commission on December 29, 1993, Wesley College, the licensee for Station WCSP (AM), Crystal Springs, Mississippi, was directed to show cause why the license for the radio station WCSP (AM), Crystal Springs, Mississippi, should not be revoked at a hearing upon the following issues:

- (a) To determine whether Wesley College has the capability and intent to expeditiously resume broadcast operations of WCSP (AM) consistent with the Commission's rules.
- (b) To determine whether Wesley College has violated Sections 73.1740 and/or 73.1750 of the Commission's rules.
- (c) To determine, in light of the evidence adduced pursuant to the foregoing issues, whether Wesley College is qualified to be and remain the licensee of Station WCSP (AM).

2. On January 27, 1994, this office received the Mass Media Bureau's Request for Termination of Proceeding. The Bureau indicates therein that during the course of an informal, post-designation telephone conversation with Dr. Samuel K. Bruce, President of Wesley College, Bureau counsel was informed that Wesley College had by letter dated July 23, 1993, returned the WCSP (AM) license to the Commission and requested its cancellation. The aforementioned letter (copy of the letter is attached to the Bureau's pleading) was, according to the Bureau, inadvertently misfiled. The Bureau posits that it is clear from the letter from Wesley College that it has no further interest in the WCSP (AM) authorization; and that the College, by its actions, has voluntarily waived its right to a hearing, and that no purpose would be served by further prosecution of this case. The Bureau requests, therefore, that the Presiding Judge issue an order terminating this proceeding, and certifying the case to the Commission for prompt disposition.

For good cause shown, IT IS ORDERED, that the prehearing conference and the hearing scheduled for March 1, 1994 and April 12, 1994, respectively, are cancelled.

AND IT IS FURTHER ORDERED, that Wesley College's right to a hearing is found to have been waived; that, pursuant to authority contained in Section 1.92(c) of the Commission's rules, this proceeding is terminated, and this case IS CERTIFIED to the Commission for whatever action is deemed appropriate.

FEDERAL COMMUNICATIONS COMMISSION



Joseph P. Gonzalez
Administrative Law Judge

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