

P  
R  
B  
E  
X  
7

<b>Federal Communications Commission</b>	
Docket No. <u>93-231</u>	Exhibit No. <u>7</u>
Presented by <u>PRIVATE RADIO BUREAU</u>	
Disposition	Identified <input checked="" type="checkbox"/>
	Received <input type="checkbox"/>
	Rejected <input type="checkbox"/>
Reporter <u>M.K.F.</u>	
Date <u>2/1/94</u>	

\* NOT OFFERED

## Declaration of Forrest A. Collier

I, Forrest A. Collier, being of at least 21 years of age and a citizen of the United States, do hereby declare under penalty of perjury as follows:

- (1) I am a graduate of Ashland Vocational Technical School majoring in electronics and communications.
- (2) I am employed with RAM Technologies, Inc. as service manager and hold a current FCC General Radio Telephone License (Number PG49969) and I am a Certified Technician by NABER #00208.
- (3) On Thursday, November 15 and Friday, November 16, while performing my duties as service manager for RAM Technologies, Inc., I discovered digital paging traffic on 152.480 in Charleston, West Virginia. Upon investigation, we found the paging to be apparent duplicate traffic from 152.510. When our system was idle we could monitor 152.480 and 152.510 and hear what appeared to be duplicate traffic.
- (4) We have heard a station I.D. but it is undecodeable due to being some type of F.S.K. or two tone I.D.
- (5) The harmful interference caused extended interruptions to RAM Technologies paging service throughout this time period.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my own personal knowledge.

DATE EXECUTED: Nov 26 1990 BY: Forrest A Collier

Sworn and subscribed before me this 26th day of November, 1990.

Barbara F. Finprock  
NOTARY PUBLIC

My commission expires: 3-21-94.

Federal Communications Commission

Docket No. 93-231 Exhibit No. 8

Presented by PRIVATE RADIO BUREAU

Disposition { Identified   
Received FEB 02 1994  
Rejected \_\_\_\_\_

Reporter M.K.F.

Date 2/1/94

PRBEX 8

PRIVATE RADIO BUREAU EXHIBIT NO. 8  
JOYCE & JACOBS

ATTORNEYS AT LAW  
2300 M STREET, N.W.  
EIGHTH FLOOR  
WASHINGTON, D.C. 20037

(202) 457-0100

MARYLAND OFFICE  
CHEVY CHASE METRO BUILDING  
TWO WISCONSIN CIRCLE  
SEVENTH FLOOR  
CHEVY CHASE, MD 20815

FACSIMILE

(202) 457-0186

March 5, 1991

RECEIVED

MAR - 5 1991

Via Hand Delivery

Carol Fox Foelak, Chief  
Compliance Branch  
Private Radio Bureau  
Federal Communications Commission  
Washington, DC 20554

Federal Communications Commission  
Office of the Secretary

RE: Capitol Radiotelephone --  
Complaint/Request for  
Cease & Desist Order/Request for  
License Revocation

Dear Ms. Foelak:

On November 28, 1990, RAM Technologies, Inc., through counsel, filed a "Complaint and Request for Cease & Desist Order" ("Complaint") with the Compliance Branch concerning unauthorized, harmful interference to its PCP system. The cause of the interference was positively identified as Capitol Radiotelephone Company, Inc. ("Capitol"), an RCC and PCP licensee. To our knowledge, the FCC has not yet responded to that Complaint, some three months later.

Yesterday, March 4, 1991, Capitol again caused harmful interference to RAM's PCP system. See Declaration of Dale Capehart, attached hereto. The interference was again positively traced to Capitol, this time to Capitol's Huntington, WV transmitter. Capitol was repeatedly transmitting its call sign, WNSX 646, without monitoring other co-channel traffic. Capitol's transmissions caused serious damage to RAM's PCP's service by blocking transmissions and causing the loss of paging messages.

RAM has over four thousand (4,000) business and government subscribers operating on this PCP system. Some of those government subscribers are engaged in critical law enforcement activities. While the FCC ponders its response to RAM's Petition for Reconsideration, Capitol has repeatedly and blithely caused these subscribers to lose important pager transmissions. The damage caused by Capitol's conduct is immeasurable and irreparable.

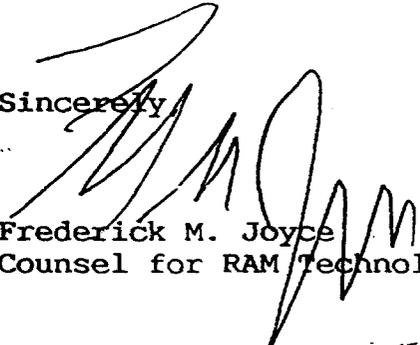
The FCC licensed Capitol to provide PCP service at Huntington

and Charleston, WV over RAM's objections; yet, to date Capitol has not placed any subscribers on that system. To date, Capitol's only transmissions have been intentional interference to co-channel licensees. The FCC should recall that this situation is exactly what RAM was concerned about when it opposed the grant of Capitol's PCP license. Capitol is doing precisely what RAM's sworn affidavits said it would do: cause intentional harmful interference to RAM's paging system.

Last October, the FCC set-aside RAM's PCP license grant in Lexington, KY without explanation, even though that station is located over 100 miles away from Capitol's facilities. RAM is still waiting for this agency to explain that action. In the meantime, administrative fairness, and the service interests of thousands of PCP subscribers, require the FCC to set-aside Capitol's PCP license grant pending agency investigation of Capitol's unlawful conduct.

If the FCC will not set-aside Capitol's PCP license and take action against Capitol's harmful interference, RAM will have no choice but to proceed to request injunctive relief from the Federal Courts. It is unfortunate that an FCC licensee should have to rely on "self-help" to protect its subscribers from harmful interference.

Sincerely,



Frederick M. Joyce  
Counsel for RAM Technologies, Inc.

FMJ:est

cc: Hon. Carl C. Perkins  
Jane Mago, Ass't General Counsel (Trial & Enforcement)  
Terry L. Fishel, Chief  
Kenneth E. Hardman, Esq.

## DECLARATION OF A. DALE CAPEHART

I, Dale Capehart, a citizen of the United States of America, and being of the age of majority, do hereby declare under penalty of perjury as follows:

1. I am the General Manager of RAM Technologies, Inc.

2. As General Manager, my duties include the following: responsibility for management of day to day business activities of RAM Technologies, Inc. and its divisions including RAM-PAGE, our private carrier paging operation.

3. On Monday, March 4, 1991, the following events occurred: At approximately 1:45 P.M. our Service Manager called me to inform me that someone's transmitter was causing harmful interference by transmitting a call sign over our transmitted pages in Huntington. I told him to decipher the Station ID and call me back. He called me back in approximately 30 minutes to tell me that the call sign was WNSX646. I searched my database and found it to be Capitol Radiotelephone of Charleston, West Virginia.

At that time because of our ongoing problems with Capitol I led our attorneys who advised me to call Capitol and report the interference. I called at approximately 3:20 P.M. and talked to Mike Raymond. Mr. Raymond informed me that Capitol had a busy-out monitor on their Huntington transmitter. I told him that it must be broken. He said he would have it fixed and that it might be the next day. I objected to that and he said he would dispatch a technician as soon as possible. I said for him to advise me and he said to call him back at 4:30. I called him at 4:30 and he said a technician was on the way. The interference did not stop until approximately 7:30 P.M.

4. Capitol does not currently have any paging customers "on the air" in either Charleston or Huntington despite having a transmitter "on the air" for several months. We hear only station ID on both transmitters. This interference referred above was not a test situation since we only heard station ID.

5. Also, Debbie Paugh (one of our salespeople) had a customer who was going to rent pagers from us ask her last week (week of February 25th) if we were having problems or anticipated having our system "down" for maintenance on Monday March 4th. Debbie said she

was not aware of any scheduled outage and asked her why she had asked that question. The customer said that a Capitol Paging salesperson told her that she shouldn't turn in her Capitol pagers and go with RAM-PAGE because RAM-PAGE was going to have real problems with their paging system starting Monday March 4th.

6. I have reviewed the foregoing Complaint Letter; and

7. Except for those matters of which the Commission may take official notice, to the best of my knowledge, information and belief, all statements made therein are true and correct.

A. Dale Capehart

A. Dale Capehart, GM

Date: 3/5/91

National Communications Commission

Docket No. 93-231 Exhibit No. 9

Presented by PRIVATE RADIO BUREAU

Disposition { Identified   
Received  2/4/94  
Rejected

Reporter M. K. F.

Date 2/1/94

PRBEX 9

Declaration of Luke A. Blatt

I, Luke A. Blatt, being of at least 21 years of age and a citizen of the United States, do hereby declare under penalty of perjury as follows:

I am a graduate of Ashland Vocational Technical School majoring in electronics and communication. I am employed with RAM Technologies, Inc. as a Technical Service Manager.

I was assigned the task of investigating a problem which we thought was occurring within our paging system. One of our employees was receiving a page whenever they were in the Charleston, West Virginia area. The number they were receiving was our own answering service number (529-9700). When this employee called the answering service the answering service personnel said that they had not paged them. This happened several times which caused us to investigate.

I monitored 152.480 MHZ with a transmission test set connected to a Hark verifier and found that the cap code of our employee was also being transmitted by Capitol Paging's 152.480 MHZ Charleston, West Virginia transmitter, call sign number WNSX646. Since we have had problems before with Capitol Paging causing interference to our PCP operations on the 152.480 frequency, we suspected that Capitol might once again be causing us harmful interference. Because of that, I monitored both 152.480 and 152.510, Capitol Paging's RCC frequency in Charleston, WV, to see if I could determine the source of the interference. I determined that when certain of Capitol's RCC pager numbers were called, the cap code appeared on the Hark verifier on both the 152.510 and 152.480 frequencies. In other words, Capitol was simply re-transmitting "old" RCC pages onto the shared 152.480 frequency. I have identified several pager numbers now that are apparently being sequenced using both Capitol's RCC and PCP paging systems to re-transmit non-essential and perhaps non-business eligible communications on the shared

152.480 PCP frequency. Capitol's actions are causing delays to RAM Technologies' paging transmissions on PCP Station WNJN621, and to any other legitimate PCP licensee on the 152.480 frequency in this service area.

These tests were performed on August 27, 1992 from our office at 405 Capitol Street, Charleston, West Virginia.

I, declare under penalty of perjury, that the foregoing is true and correct to the best of my own personal knowledge.

DATE EXECUTED: 8-28-92 BY: Yunk A. Blat

Sworn and subscribed before me this 28th day of August, 1992.

Barbara J. Finrock  
NOTARY PUBLIC

My Commission expires: 3-21-94

**Federal Communications Commission**

Docket No. 93-231 Exhibit No. 10

Presented by PRIVATE RADIO BUREAU

Disposition	{	Identified <u>✓</u>
		Received <u>✓ 2/4/94</u>
		Rejected _____

Reporter M.K.F.

Date 2/1/94

1  
P  
R  
B  
E  
X.  
10

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554  
May 19, 1992

In Reply Refer to:  
7320-13/91186

Capitol Radiotelephone Inc.  
d.b.a. Capitol Paging  
1420 Kanawha Blvd. E.  
Charleston, West Virginia 25301

Dear Licensee:

This is in reference to Private Carrier Paging (PCP) station WNSX-646, licensed to Capitol Radiotelephone Inc., d.b.a. Capitol Paging (Capitol). Monitoring and inspection of station WNSX-646 was conducted during the period extending from August 12, 1991 through August 15, 1991. Inspection and monitoring of station WNSX-646 during this period indicated that the station was causing harmful interference, did not appear to be serving any paging customers, and, if conducting tests, was doing so in violation of procedures specified in the Commission's rules. The Chief, Private Radio Bureau, and the Chief, Common Carrier Bureau, are currently determining what compliance action, if any, to take with respect to Capitol's FCC licenses as a result of these apparent violations of the Commission's rules.

Section 308(b) of the Communications Act of 1934, as amended, 47 U.S.C. § 308(b), authorizes the Commission to obtain further written statements of fact to determine whether licenses should be revoked. Pursuant to this Section, you are required to respond to the following questions:

1. Provide the date station WNSX-646 was constructed and placed in operation. Submit appropriate documentation showing actual construction of the facility.
2. Provide the name, address and telephone number of the first ten (10) customers provided service immediately following the date the station was placed in operation. Provide proof that these customers were provided service (e.g., copies of service agreements and/or copies of billing records for these customers).
3. For the period August 12-15, 1991, state whether station WNSX-646 was placed in operation to service customers or placed in operation solely for testing purposes. If placed in operation to service customers, state the loading of station WNSX-646 for that period. Provide the name, address and telephone number of each user of station WNSX-646 during that period, and the number of pagers attributable to each user during that period. For each user, submit a copy of the service agreement and a copy of a bill from Capitol for communications services provided by station WNSX-646 during that period.

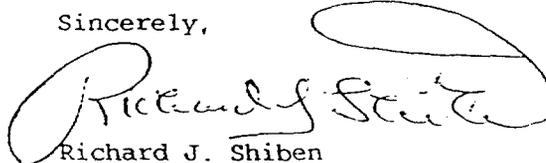
4. If during the period August 12-15, 1991 station WNSX-646 was placed in operation solely for testing purposes, or if during this period tests of station WNSX-646 were conducted in addition to providing service to customers, state how frequently these tests occurred (e.g., once per day, once per hour, etc.). Indicate the nature and purpose of each test, equipment used (base, mobile relay and/or mobiles/portables/pagers), duration of transmissions, the nature of any interaction between base and paging units in each test, and the name(s) and address(es) of the person(s) who conducted each test.

5. State whether station WNSX-646 is currently in operation. If so, state the current loading of station WNSX-646. Provide the name, address and telephone number of each current user of station WNSX-646, and the number of pagers attributable to each user. For each user, provide a copy of the service agreement and a copy of the most recent bill from Capitol Paging.

6. Describe the efforts Capitol has made to attract customers to station WNSX-646. Provide proof of these efforts (e.g., telephone directory advertisements, newspaper advertisements, efforts of sales/marketing employees, etc.). Differentiate any such efforts from efforts to attract customers to Capitol's other communications systems.

You may provide any additional information you believe relevant to this inquiry concerning Capitol's operation of station WNSX-646. Your response must be filed within 30 days of the date of this letter by mailing it to Private Radio Bureau, Federal Communications Commission, Washington, D.C. 20554, Attention: Compliance Branch, Room 5202. Pursuant to the provisions of Section 1.16 of the Commission's Rules, 47 C.F.R. § 1.16, your signature on your response should be immediately preceded by the sentence: "I declare under penalty of perjury that the foregoing is true and correct. Executed on [insert date]." A willful false statement made in response to this letter is a violation of 18 U.S.C. § 1001, which is punishable by fine and/or imprisonment. Failure to respond to this letter within 30 days of its date may result in the initiation of license revocation proceedings against station WNSX-646 for failure to reply.

Sincerely,



Richard J. Shiben  
Chief, Land Mobile & Microwave Division  
Private Radio Bureau

P  
R  
B  
E  
X  
11

<b>Federal Communications Commission</b>	
Docket No. <u>93-231</u>	Exhibit No. <u>11</u>
Presented by <u>PRIVATE RADIO BUREAU</u>	
Disposition	Identified <u>✓</u>
	Received <u>✓ 2/4/94</u>
	Rejected _____
Reporter <u>M. K. F.</u>	
Date <u>2/1/94</u>	

# PRIVATE RADIO BUREAU EXHIBIT NO. 11

*Capitol  
Paging*



"THE PEOPLE FINDERS"

1420 Kanawha Blvd. East  
Charleston, WV 25301  
(A Division of Capitol Radio Telephone)

June 17, 1992.

FEDERAL COMMUNICATIONS COMMISSION  
Private Radio Bureau  
2025 M. Street, N.W.  
Washington, D.C. 20554

Attention: Compliance Branch, Room 5202

Ladies and Gentlemen:

This is in response to your letter dated May 19, 1992 concerning Private Carrier Paging (PCP) station WNSX-646 licensed to Capitol Radiotelephone Company, Inc. d/b/a Capitol Paging. The numbered paragraphs below correspond to the numbered paragraphs in your letter. A copy of your letter is attached for convenient reference.

1. Station WNSX-646 was placed into operation the latter part of March 1991. Due to the lack of available clean linking facilities between Charleston and Huntington area which were coordinated through NABER, it took longer than expected after the issuance of the license to place our station into complete operation due to unclean linking. There is no documentation to when Station WNSX-646 was placed into complete operation as we own the tower they were placed at and the antennas were in stock. The transmitters that were being used were owned by Calvin Basham at (304) 744-8613. Mr. Basham would be more than happy to make himself available to submit the periods of time that he helped in the placement.
2. Enclosed you will find a list of the first ten customers that Capitol Paging provided service for immediately following the latter part of March 1991 startup. Service Agreements attached.

3/29/91 Rax Restaurant - Chris Peddicord  
1748 Arlington Blvd.,  
Huntington, WV 25705  
(304) 436-0661

4/01/91 Pioneer Home Improvement Inc. - Fred Copley  
730 7th Avenue  
Huntington, WV 25701  
(304) 522-6593

4/08/91 Rotary Garden Apartments - Thomas Brown  
65 Smith Drive  
Huntington, WV 25705  
(304) 522-7375

4/11/92 Westwood Acres Apartments - Renee Brown  
2402W 5th. Avenue  
Huntington, WV 25704  
(304) 429-6759

4/11/92 REMC - Kenneth Kirby  
3440 8th. Street  
Huntington, WV 25701  
(304) 522-8461

5/6/91 Huntington Garage Door Co. - James Graybeal  
3989 16th. Street  
Huntington, WV 25701  
(304) 522-3830

5/20/92 Leo Byrd Construction - Leo Byrd  
823 9th. Street  
Huntington, WV 25701  
(304) 522-2852

5/02/91 West End Custom Cabinets - Jack Richmond  
929 14th. Street, West  
Huntington, WV 25704  
(304) 522-4593

4/01/91 Combs Painting Contractor - H. Malcom Holmes  
1023 Gordon Drive  
Charleston, WV 25303  
(304) 744-8573

6/21/91 J.J. Smith Painting & Contracting - Jimmy Smith  
1326 9th. Avenue  
Huntington, WV 25701  
(304) 523-2718

3. During the period of August 12, 1991, Station WNSX-646 was being used to provide paging service. Quite a lot of testing was being done at this time as we were still experiencing difficulties with our link and new ones were being coordinated through NABER. Enclosed you will find copies of service agreements of customers

that were on-line with our Private Carrier Paging System at that time. Our computer system does not generate hard copies of customer invoices for our files, and a hard copy cannot be provided. On the Service Agreement, there is a starting date and number of pagers explained at the bottom.

7/04/91 Carter, Mark  
37 Fairfax Drive  
Huntington, WV 25704  
(304) 523-5165

6/21/91 J.J. Smith Painting & Contracting - Jimmy Smith  
1326 9th. Avenue  
Huntington, WV 25701  
(304) 523-2718

4. During the period of August 12, 1991, Station WNSX-646 was being used to provide paging services. At this time we were once again testing a new link and tests were being conducted daily. To test, we were using a pager in different areas throughout our paging area to make sure that our signal was not being interfered with by other licensees on the same frequency. Russell Harrison, our manager in Huntington, WV was conducting the test. Mr. Harrison number is (304) 523-1200. The address is, 539 9th. Street, Huntington, WV. For lack of knowledge on the private carrier system, he inadvertently forgot to turn the testing capability off. This is sometimes common throughout our RCC Paging Facilities as we may run tests on particular pieces of equipment with little concern of tying up air space. It was not intentional to cause any harm or interference to anyone else. Our CRT is capable of sending test pages from anywhere of one-minute intervals to sixty-minutes and I am unsure of what the test time was set at.
5. Station WNSX-646 is currently in operation and providing services to the listing of customers attached. Capitol Paging has made several attempts to attract new customers to Station WNSX-646. This is proven to be a vital part of our paging business. We can use a lower cost pager and pricing to conduct business to people who may not be financially stable enough to utilize our Common Carrier. West Virginia is a tariff state, and our tariff for Common Carrier voice paging is \$15.00. As you can see from copies of materials used for our WNSX-646 paging service, we have

utilized this in advertisements in radio, newspapers, and flyers. We are constantly going out into the market place to provide paging to people who need this type of paging. Capitol Radiotelephone Company, Inc. definitely has a need to provide additional service to the public at a lower cost to be and stay competitive in the market place with other paging companies. I have enclosed copies and documents so stating forms of advertisement. As ironic as it may be, there was advertisements running on the dates mentioned in this response of your questions.

J.J. Smith Painting & Contracting - Jimmy Smith  
1326 9th. Avenue  
Huntington, WV 25701  
(304) 523-2718  
1 Pager

Pioneer Home Improvement - Fred Copley  
730 7th. Avenue  
Huntington, WV 25701  
(304) 523-0004  
1 Pager

REMC - Kenneth Kirby  
3440 8th. Street  
Huntington, WV 25701  
(304) 522-8461  
1 Pager

Custom Carpets - Harold Austin  
5110 Rt. 60 East  
Huntington, WV 25705  
(304) 736-3525  
1 Pager

West Empire Sales  
2100 Madison Avenue  
Huntington, WV 25704  
(304) 429-2028  
1 Pager

Short, Terry D.  
414 Rockwood Avenue  
Chesapeake, OH  
(304) 522-3031  
1 Pager

Robinson, John W.  
3946 8th. Street  
Huntington, WV 25701  
(304) 525-7524  
2 Pagers

Hensley, Bobby Lee  
2602 W. 5th Avenue #6  
Huntington, WV 25704  
(304) 429-6305  
2 Pagers

Bolen, Gary N  
6467 Farmdale Road  
Barboursville, WV 25504  
(304) 733-2995  
1 Pager

May, Jeffery V.  
1415 Harvey Road  
Huntington, WV 25701  
(304) 525-6356  
1 Pager

Collins, Troy Scott  
3706 1/2 3rd. Avenue  
Huntington, WV 25702  
(304) 762-2911  
1 Pager

Scott, Gary  
4926 Ohio Street  
S. Charleston, WV 25309  
(304) 768-8434  
1 Pager

Feldhause, Douglas  
97 Midway Drive  
Dunbar, WV 25064  
(304) 744-7469  
1 Pager

Smith, Diana E.  
676-C South Park Road  
Charleston, WV 25301  
(304) 925-9461  
1 Pager

Brumfield, Zachary S.  
Rt. 2 Box 252 1/2  
Charleston, WV 25314  
(304) 343-8561  
1 Pager

Smith, Phillip  
676-C South Park Road  
Charleston, WV 25301  
(304) 925-9461  
1 Pager

Hudnall, Luther  
1522 Lee Street East #2  
Charleston, WV 25311  
(304) 343-1266  
1 Pager

Hill, Mary E.  
604 Randolph Street  
Charleston, WV 25301  
(304) 345-2117  
1 Pager

Black, Brian Keith  
1724 Kemp Avenue  
Charleston, WV 25312  
(304) 342-4961  
1 Pager

Odd Jobs Unlimited - Randy Goff  
5108 Venable Avenue - Apt 8  
Charleston, WV 25304  
(304) 925-8948  
1 Pager

Sidens, Mickey  
427 Smith Avenue  
Dunbar, WV 25064  
(304) 768-6935  
1 Pager

Gardner, Jodi  
1338 Highland Avenue  
St. Albans, WV 25177  
(304) 727-2083  
1 Pager

I trust that the above information fully answers your inquires on this matter. If you have any further questions, please direct them to Capitol's FCC counsel, Kenneth E. Hardman, P.C., 1255- 23rd. Street, N.W., Suite 800, Washington, D.C. 20037, telephone 202-223-3772.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 17, 1992.

Very truly yours,

  
J. Michael Raymond  
Vice President

Enclosures

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

May 19, 1992

In Reply Refer to:  
7320-13/91186

Capitol Radiotelephone Inc.  
d.b.a. Capitol Paging  
1420 Kanawha Blvd. E.  
Charleston, West Virginia 25301

Dear Licensee:

This is in reference to Private Carrier Paging (PCP) station WNSX-646, licensed to Capitol Radiotelephone Inc., d.b.a. Capitol Paging (Capitol). Monitoring and inspection of station WNSX-646 was conducted during the period extending from August 12, 1991 through August 15, 1991. Inspection and monitoring of station WNSX-646 during this period indicated that the station was causing harmful interference, did not appear to be serving any paging customers, and, if conducting tests, was doing so in violation of procedures specified in the Commission's rules. The Chief, Private Radio Bureau, and the Chief, Common Carrier Bureau, are currently determining what compliance action, if any, to take with respect to Capitol's FCC licenses as a result of these apparent violations of the Commission's rules.

Section 308(b) of the Communications Act of 1934, as amended, 47 U.S.C. § 308(b), authorizes the Commission to obtain further written statements of fact to determine whether licenses should be revoked. Pursuant to this Section, you are required to respond to the following questions:

- Letter*
1. Provide the date station WNSX-646 was constructed and placed in operation. Submit appropriate documentation showing actual construction of the facility.
  2. Provide the name, address and telephone number of the first ten (10) customers provided service immediately following the date the station was placed in operation. Provide proof that these customers were provided service (e.g., copies of service agreements and/or copies of billing records for these customers).
  3. For the period August 12-15, 1991, state whether station WNSX-646 was placed in operation to service customers or placed in operation solely for testing purposes. If placed in operation to service customers, state the loading of station WNSX-646 for that period. Provide the name, address and telephone number of each user of station WNSX-646 during that period, and the number of pagers attributable to each user during that period. For each user, submit a copy of the service agreement and a copy of a bill from Capitol for communications services provided by station WNSX-646 during that period.

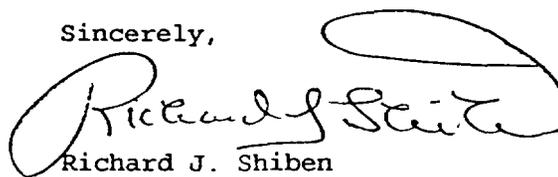
4. If during the period August 12-15, 1991 station WNSX-646 was placed in operation solely for testing purposes, or if during this period tests of station WNSX-646 were conducted in addition to providing service to customers, state how frequently these tests occurred (e.g., once per day, once per hour, etc.). Indicate the nature and purpose of each test, equipment used (base, mobile relay and/or mobiles/portables/pagers), duration of transmissions, the nature of any interaction between base and paging units in each test, and the name(s) and address(es) of the person(s) who conducted each test.

5. State whether station WNSX-646 is currently in operation. If so, state the current loading of station WNSX-646. Provide the name, address and telephone number of each current user of station WNSX-646, and the number of pagers attributable to each user. For each user, provide a copy of the service agreement and a copy of the most recent bill from Capitol Paging.

6. Describe the efforts Capitol has made to attract customers to station WNSX-646. Provide proof of these efforts (e.g., telephone directory advertisements, newspaper advertisements, efforts of sales/marketing employees, etc.). Differentiate any such efforts from efforts to attract customers to Capitol's other communications systems.

You may provide any additional information you believe relevant to this inquiry concerning Capitol's operation of station WNSX-646. Your response must be filed within 30 days of the date of this letter by mailing it to Private Radio Bureau, Federal Communications Commission, Washington, D.C. 20554, Attention: Compliance Branch, Room 5202. Pursuant to the provisions of Section 1.16 of the Commission's Rules, 47 C.F.R. § 1.16, your signature on your response should be immediately preceded by the sentence: "I declare under penalty of perjury that the foregoing is true and correct. Executed on [insert date]." A willful false statement made in response to this letter is a violation of 18 U.S.C. § 1001, which is punishable by fine and/or imprisonment. Failure to respond to this letter within 30 days of its date may result in the initiation of license revocation proceedings against station WNSX-646 for failure to reply.

Sincerely,



Richard J. Shiblen  
Chief, Land Mobile & Microwave Division  
Private Radio Bureau



Capitol Paging Corporate Office  
 1420 Kanawha Boulevard, East  
 Charleston, WV 25301  
 (304) 345-3792  
 In West Virginia 1-800-427-BEEP  
 Outside West Virginia 1-800-950-4004



Beckley  
 Huntington  
 Parkersburg  
 Logan

PAGER PICKUP AGREEMENT

6120

BILLING INFORMATION: (Full Address Required) (Please Print)

NAME: PIONEER HOME IMPROVEMENT INC.  
 LAST FIRST MIDDLE  
 ADDRESS: 730 7th AVE HUNTINGTON, WV 25701  
 CITY STATE ZIP  
 AUTHORIZED BY: JULIA COPLEY 522-6573  
 NAME PHONE OCCUPATION

CUSTOMER INFORMATION:

NAME: COPLEY FRED M.  
 LAST FIRST MIDDLE  
 ADDRESS: 726 LINCOLN PLACE HUNTINGTON, WV 25701  
 CITY STATE ZIP  
 PHONE: 523-0004 522-6573  
 DRIVERS LICENSE No.: C-553790 WV 10-28-56  
 HOME WORK STATE BIRTH DATE  
 SOCIAL SECURITY No.: 233-90-4208  
 INFORMATION LISTED ABOVE CURRENT IN PHONE DIRECTORY?  YES  NO  
 COMPANY: PIONEER HOME IMPROVEMENT  
 NEAREST RELATIVE: MRS JULIA COPLEY MOTHER 523-5766  
 NAME OCCUPATION RELATIONSHIP PHONE No.

CREDIT REFERENCES

Name of Creditor	Account Number	Original Balance	Present Balance	Carried in Name of
<u>Lot Hunt</u>				
<u>JAMES BROWN</u>				
<u>Loyle's</u>				

TERMS OF AGREEMENT

The terms of this agreement are completely described in our tariff on file with the Public Service Commission of West Virginia. A copy of that document is available for inspection at our offices during regular office hours.  
 Protection for the paging units is not automatically provided, it is you and/or your firms responsibility to either insure this equipment against loss and damage, or pay the current replacement value should loss or damage occur. A protection plan is available for an additional \$ \_\_\_\_\_ per unit per month. This covers your pager if lost or stolen: (There is a \$40.00 deductible.)  
 Yes I want protection  No I do not want protection  
 Use or possession of paging equipment that is not being paid for on a regular basis has been deemed to constitute theft of service from a public utility which, upon conviction can initiate fines up to \$10,000 and/or incarceration for up to ten years!  
 Invoices will be sent out on the first of each month. Payment is due by the twentieth of each month. If payment is not received on due date service will be terminated. A \$15.00 re-connection fee may be applied. If I am in default you can demand immediate payment of the unpaid balance plus any interest that is due without giving anyone further notice. You may also take any action permitted by any separate agreement I have signed or by law.  
 Responsibility for this equipment is your and your firms until such time that it is returned to us in the same condition as when received. Your signature below verifies that the equipment was in good condition when received. Failure to promptly return equipment or surrender it upon request constitutes theft and will result in immediate legal action against you and/or your firm.  
 "You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right."  
 As an individual, and as a representative of my firm, I hereby authorize Capitol Pager or any credit bureau or other investigative agency employed by them, to investigate any information listed hereon or obtained from me or any other person pertaining to my and/or my firms financial responsibility. Intending that you shall rely upon my statement herein, I hereby certify to you that the foregoing information is true and complete. I understand the full terms and conditions of this agreement, and that it will be binding on me and/or my firm. I agree (1) that this contract includes the information on the reverse side of this page; and (2) that I read and the Buyer first signing below received a copy of this contract with all blanks filled in before I signed it.

[Signature]  
 CUSTOMERS SIGNATURE (REQUIRED) DATE

DATE	DATE REQUIRED	P.O.	SALESPERSON	SHIP VIA
<u>4-1-91</u>	<u>4-1-91</u>		<u>72</u>	<u>09</u>
QUANTITY	STOCK NO.	DESCRIPTION	PRICE	AMOUNT
<u>1</u>		<u>783-W 528-1606</u>		<u>10.00</u>
<u>1</u>		<u>PROTECTION</u>		<u>2.00</u>
<u>1</u>		<u>TAX</u>		<u>.48</u>

OFFICE USE ONLY

SS  DL  SF  PN  P1  P17  P3  
 PP  CD  BK  MA  P3  P18  P50 ACCT. # 1248

SEE OTHER SIDE FOR IMPORTANT INFORMATION

1420 Kanawha Boulevard, East  
 Charleston, WV 25301  
 (304) 345-3792  
 In West Virginia 1-800-427-BEEP  
 Outside West Virginia 1-800-950-4004



Huntington  
 Parkersburg  
 Logan

**PAGER PICKUP AGREEMENT**

6119

**BILLING INFORMATION: (Full Address Required) (Please Print)**

NAME: ROTARY GARDEN APARTMENTS  
 ADDRESS: 65 LAST SMITH DRIVE FIRST HUNTINGTON MIDDLE WV ZIP 25705  
 CITY STATE ZIP  
 AUTHORIZED BY: THOMAS W. BROWN II 522-7375  
 NAME PHONE OCCUPATION

**CUSTOMER INFORMATION:**

NAME: BROWN II THOMAS W.  
 ADDRESS: 65 LAST SMITH DRIVE FIRST HUNTINGTON MIDDLE WV  
 CITY STATE ZIP  
 PHONE: 522-7375 WORK 522-7375  
 DRIVERS LICENSE No.: PX HOME 872433 OHIO WORK 12-22-48  
 STATE BIRTH DATE  
 SOCIAL SECURITY No.: 275-46-2565  
 INFORMATION LISTED ABOVE CURRENT IN PHONE DIRECTORY?  YES  NO  
 COMPANY: ROTARY GARDEN APTS DATE EMPLOYED 6-11-84  
 NAME OCCUPATION  
 NEAREST RELATIVE: MRS THOMAS BROWN MOTHER PHONE No. 614-894-5283  
 RELATIONSHIP

**CREDIT REFERENCES**

Name of Creditor	Account Number	Original Balance	Present Balance	Carried in Name of
<u>WELLS FARGO</u>				
<u>GUARANTY</u>				
<u>LOWE'S</u>				

**TERMS OF AGREEMENT**

The terms of this agreement are completely described in our tariff on file with the Public Service Commission of West Virginia. A copy of that document is available for inspection at our offices during regular office hours.  
 Protection for the paging units is not automatically provided, it is you and/or your firms responsibility to either insure this equipment against loss and damage, or pay the current replacement value should loss or damage occur. A protection plan is available for an additional \$\_\_\_\_\_ per unit per month. This covers your pager if lost or stolen. (There is a \$40.00 deductible.)

Yes I want protection  No I do not want protection  
 Use or possession of paging equipment that is not being paid for on a regular basis has been deemed to constitute theft of service from a public utility which, upon conviction can initiate fines up to \$10,000 and/or incarceration for up to ten years.  
 Invoices will be sent out on the first of each month. Payment is due by the twentieth of each month. If payment is not received on due date service will be terminated. A \$15.00 re-connection fee may be applied. If I am in default you can demand immediate payment of the unpaid balance plus any interest that is due without giving anyone further notice. You may also take any action permitted by any separate agreement I have signed or by law.  
 Responsibility for this equipment is your and your firms until such time that it is returned to us in the same condition as when received. Your signature below verifies that the equipment was in good condition when received. Failure to promptly return equipment or surrender it upon request constitutes theft and will result in immediate legal action against you and/or your firm.  
 "You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right."  
 As an individual, and as a representative of my firm, I hereby authorize Capitol Pager or any credit bureau or other investigative agency employed by them, to investigate any information listed hereon or obtained from me or any other person pertaining to my and/or my firms financial responsibility. Intending that you shall rely upon my statement herein, I hereby certify to you that the foregoing information is true and complete. I understand the full terms and conditions of this agreement, and that it will be binding on me and/or my firm. I agree (1) that this contract includes the information on the reverse side of this page; and (2) that I read and the Buyer first signing below received a copy of this contract with all blanks filled in before I signed it.

CUSTOMER SIGNATURE (REQUIRED) [Signature] DATE 4-8-91

DATE	DATE REQUIRED	P.O.	SALESPERSON	SHIP VIA
<u>4-8-91</u>	<u>5-1-91</u>		<u>72</u>	<u>[Signature]</u>
QUANTITY	STOCK NO.	DESCRIPTION	PRICE	AMOUNT
<u>1</u>	<u>88</u>	<u>958</u>	<u>528-1637</u>	<u>10<sup>00</sup></u>
<u>1</u>	<u>88</u>	<u>808</u>	<u>528-1638</u>	<u>10<sup>00</sup></u>
<u>1</u>	<u>88</u>	<u>847</u>	<u>528 1637</u>	<u>10<sup>00</sup></u>
<u>3</u>	<u>47</u>	<u>PROTECTION</u>	<u>2<sup>00</sup></u>	<u>6<sup>00</sup></u>

OFFICE USE ONLY  
 (SS) (DL) (SF) (PN) (P1) (P17) (P3)  
 (PP) (CD) (BK) (MA) (P3) (P18) (P50)  
 ACCT. # \_\_\_\_\_

SEE OTHER SIDE FOR IMPORTANT INFORMATION