

task was made even more difficult because there was a substantial turnover of customers throughout the time the PCP system was in operation due to the technical difficulty with the system itself and RAM's interference.

Exhibit CAP-17 is an illustration of the type of documentation available in Capitol's records for PCP customers. Also, the \$9.95 monthly rate shown in the documentation was typically the rate charged for the PCP service. Of course, however, due to the technical trouble with the service, Capitol often had to refund money to customers when they turned the pager back.

The Pager Pickup Agreement shown in Exhibit CAP-17 was supposed to be filled out whenever a new PCP customer (or RCC customer) signed up for service; and the Sales Order was supposed to be used to record returns, adjustments or similar matters. Therefore, when going through the files to reconstruct subscriber lists in response to FCC inquiries, if we found a Pager Pickup Agreement and no subsequent Sales Order indicating that the service had been discontinued, the usual assumption was that the customer had continued on the PCP system.

There were variations to the norm, however. Sometimes, the Sales Order was used for signing up a new customer, and sometimes no Sales Order was used to record service adjustments. Instead, sometimes there was simply a notation made on the Pager Pickup Agreement when a subsequent adjustment

was made. Other times, unfortunately, the documentation just was not filled out properly in particular cases by the personnel handling the transaction. Capitol tries to train its personnel to avoid this problem, but, like everyone else, it has not enjoyed 100 percent success in doing so.

With one possible exception, I am not aware of any internal inconsistencies in Capitol's responses concerning subscribers. There were three different requests in the FCC letter of May 19, 1992: (1) Capitol's first ten subscribers on the PCP system; (2) the subscribers on the system during the FCC inspection in August 1991; and (3) the subscribers on the system at the time of the FCC letter (May/June 1992). Because of the different dates covered by the requests, the fact that Capitol's lists in response to those requests had some different names on them does not by itself indicate any inconsistency.

In the case of Pioneer Home Improvement, it was one of the first customers that tried the service; it discontinued the service because of the technical problems; and it tried the service again about a year later. The customer contracts included by Capitol in its response show this.

REMC may have been a similar situation, but I now notice that copies of the same Pager Pickup Agreement dated April 8, 1991 were included in response to both the first and third customer list in response to the FCC inquiry. At this point I cannot recall why this was done, nor do I

recall the specifics concerning that customers usage of the PCP service.

In any event, whatever errors might have been made in reporting Capitol's customers to the FCC at various times, they were nothing more than honest mistakes and not attempts to mislead the FCC. Whatever the specific identity and number of customers there were at any point in time through Capitol's response to the FCC's May 1992 request for information, Capitol's response accurately represented that there were relatively few actual customers on the system but that the PCP system was a bona fide commercial system attempting to serve the public. Since that was the underlying thrust of the FCC's inquiry, there is no basis for a finding of misrepresentation merely because different inquiries at different times perhaps yielded minor differences in the specifics of Capitol's particular customer lists.

With respect to the Greenup County Rescue Squad matter, I can only reiterate that the claims are simply mistaken in ¶17 of the hearing order to the extent they suggest that Capitol did not attempt to provide PCP service to the Squad as a public safety organization, and that what happened was that a few members of the Squad had service for personal purposes unrelated to the Squad itself. As far as when the transmissions occurred is concerned, I don't know what information is being referred to in ¶17 of the hearing

order, but my recollection is that in fact the testing occurred both before and during the time of the inspection.

As far as the allegations of lack of candor are concerned, it is simply incredible that the hearing order attempts to make out a claim of lack of candor relating to Capitol's subscriber billing data and its response to the FCC's May 1992 request for information. In that request, the FCC stated "For each user [of Capitol's PCP service during the period August 12-15, 1991], 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". (Emphasis added). The request for a copy of each bill was quite specific, and I responded, totally accurately, that "Our computer system does not generate hard copies of customer invoices for our files, and a hard copy cannot be provided."

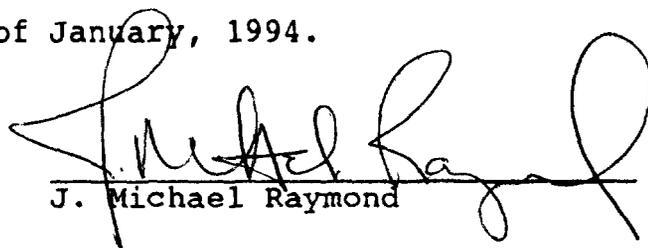
Nevertheless, the hearing order claims (at ¶20 & n. 39) that Capitol was guilty of lack of candor for making this totally truthful statement because "Capitol was able to provide field personnel with a computer printout of other business information". (Emphasis added).

This is outrageous. I obviously acknowledged in my response that Capitol has a computer system with business information of some sort; what I said, truthfully in response to a specific request, was that the system did not generate the particular item requested by the FCC.

Finally, the other allegations of lack of candor are equally without substance. I have set forth above both the chronology of Capitol's PCP station and its operation, as well as Capitol's philosophy and motivation in getting into the PCP business. They are truthful and consistent with the information Capitol has consistently reported to the FCC. The operational status of Capitol's PCP station was accurately represented to the FCC whenever inquiry was made; Capitol's responses to RAM's complaints of interference were truthful; Capitol's representations to the FCC were truthful concerning the efficacy, use and operation of the inhibitor used by Capitol as part of the FCC -- it was the FCC that jumped to erroneous conclusions about Capitol's system; and Capitol's PCP venture at all times was a legitimate business endeavor with no hidden agenda.

Issuance of the hearing order was extremely unfair and punitive to Capitol, evidently resulting from uncritical acceptance of the unfounded or hypercritical complaints of RAM Technologies, an obviously biased source, compounded by Congressional interference and a staff "investigation" which unfortunately was careless and superficial in crucial respects. There is no basis for revocation of any of Capitol's licenses or for any significant forfeiture against Capitol. Instead, Capitol's good name and reputation should be promptly restored.

Executed the 18 day of January, 1994.



J. Michael Raymond

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

ORIGINAL

In re:

Application of Capitol Radio-)
telephone Co., Inc. for 152.48)
MHz Private Carrier Paging)
facilities, Huntington/Charleston,)
West Virginia)

File No.: _____

To: Chief, Licensing Division
Chief, Land Mobile & Microwave Division,

PETITION TO DENY, OR,
REQUEST TO AMEND APPLICATION

RAM Technologies, Inc. ("RAM"), through its attorneys, and pursuant to Section 309(d) of the Communications Act of 1934, as amended, and Section 90.143 of the Commission's Rules, 47 C.F.R. § 90.143, hereby petitions the Federal Communications Commission to deny or, in the alternative, to amend onto another frequency the above-referenced application of Capitol Radiotelephone Co., Inc. ("Capitol" or "Applicant"). For reasons herein stated, Capitol's pending application for private carrier paging ("PCP") license authorization should be denied or amended, and sanctions imposed for willful, repeated violations of the Commission's Rules and the Communications Act.¹

¹ Some of the allegations were brought to the attention of the PCP frequency coordinator, NABER. Nevertheless, Capitol's application apparently received coordination and has been forwarded to the Private Radio Bureau.

Federal Communications Commission

Docket No. 93-231 Exhibit No. Exp 2

Presented by Carpeted

Identified **FEB 02 1994**

Disposition Received 2/4/94

Rejected

Reporter C. S. Shover

Date FEB 02 1994

I. Statement of Interest.

RAM is the licensee of PCP facilities, Call Signs WNJN621, et al., operating on the 152.480 MHz frequency at various locations throughout the States of Kentucky, West Virginia, and Ohio (copies of RAM's FCC license authorizations are attached hereto as Exhibit One). RAM was issued its license by the Private Radio Bureau in approximately May of 1989, and commenced service shortly thereafter. Capitol is the licensee of PLMS Stations KQD614 and KUS223, providing RCC paging and mobile radiotelephone services throughout West Virginia. As will be shown herein, Capitol has engaged in conduct that is directly and substantially adverse to RAM's PCP radio license interests. Accordingly, RAM has standing to submit this Petition.

II. Summary of Argument.

This Petition presents the Commission with substantial allegations of fact to show that Capitol has engaged in the following acts: (1) abuse of FCC processes by filing for license authorizations with the intent to cause harmful co-channel interference; (2) willful or reckless misrepresentations of fact concerning FCC licensed operations; and (3) failure to establish need for FCC radio authorizations. Because of this unlawful course of conduct, Capitol's application should be denied, or amended onto an unused frequency where it cannot harm existing PCP operations. Moreover, because Capitol has shown that it does not have the necessary character qualifications to be a Commission licensee, the

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FCC should make further inquiries into Capitol's radio activities, and impose additional sanctions, such as license revocations, as necessary.

RAM's Petition to Deny presents the FCC with sworn evidence that Capitol has applied for the subject PCP authorization with the express intention of causing harmful interference to RAM's co-channel operations. Thus, should Capitol's application to operate on the 152.48 MHz frequency be granted, RAM and its customers will suffer from resultant harmful electrical interference.

III. Capitol's Intent to Cause Harmful Interference to PCP Operations.

Attached hereto are a number of sworn declarations, not only from RAM employees, but from RAM's competitors, which attest that Capitol has applied for the referenced PCP facilities with the intent to cause harmful interference to RAM's PCP operations. Sgt. Wendell Adkins, of the Barboursville, WV Police Department and Huntington, WV Drug Unit, has declared that a Capitol representative told him that if the police department "stayed with RAM-Page we would have trouble with busy signals." See Declaration of Sgt. Wendell Adkins, attached hereto as Exhibit Two.² Since

². The Barboursville Police Department is receiving PCP paging service under special temporary authorization, pending FCC action on RAM's Petition for Waiver of the Rules to provide service to this office.

RAM's customers ~~_____~~ "interference busy signals," the inference is clear: Capitol intends to cause the busy signals.

Declarations from RAM employee Carolyn Frye, and a letter from a RAM competitor, Tri-City Answering Service (surely a disinterested observer of these activities), aver that a Capitol employee explained Capitol's plan to apply for the 152.48 MHz frequency simply to cause interference on that frequency. Capitol's employee also explained how it would cause this harmful interference: Capitol intends to buy used pagers, then rent them for the unheard of rate of only \$2.00 to \$3.00 per month, thereby "busying" the 152.48 MHz frequency to the detriment of RAM's subscribers. See Exhibits Three and Four, attached hereto.³

Robert A. Moyer, President of RAM, has had conversations with employees of Motorola, the equipment supplier for both RAM and Capitol, concerning Capitol's intentions. Apparently, Capitol's General Manager informed Motorola that Capitol intended to "dump a bunch of garbage on this [152.48 MHz] frequency" so as to interfere with RAM's communications. See Declaration of Robert A. Moyer, Jr., attached hereto as Exhibit Five.

Debbie Paugh, a RAM salesperson, has sworn out three declarations concerning three separate episodes where a Capitol

³. Under Section 556(d) of the Administrative Procedure Act, "any oral or documentary evidence may be received...[by] the agency...." 5 U.S.C. § 556 (d). Thus, the FCC may receive evidence that might be considered hearsay, since it is clearly relevant to RAM's allegations.

representative approached a RAM customer to say that the customer would "start getting busy signals in the future" if they stayed with RAM's service. See Declarations of Debbie Paugh, attached hereto as Exhibit Six. The Declaration of Mary Reams-Bailey, attached hereto as Exhibit Seven, tells a similar story of statements overheard by an Ashland Oil, Inc. employee (its subsidiary is a co-licensee on the 152.48 MHz frequency), wherein a Capitol sales agent said that Capitol was filing for the 152.48 MHz frequency to cause interference to RAM's PCP operations.

In addition to this direct evidence of Capitol's harmful intent, the circumstances surrounding Capitol's application leave little room to doubt its bad faith intentions. For the past few months, Capitol has repeatedly made false and commercially disparaging statements concerning PCP service in print, radio, and television advertisements, as described in greater detail below. Having made commercially disparaging statements about PCP service in general, and the 152.48 MHz frequency in particular, it is highly doubtful that Capitol has any good faith intention of providing high-quality PCP service to interested customers.

Any one of these allegations might not prove malicious or bad intent on Capitol's part; however, the totality of circumstances unavoidably lead to the conclusion that Capitol's interest in the 152.48 MHz frequency is malicious. A search of the FCC's frequency data bases has revealed that there are at least 11 other unlicensed PCP frequencies, and over 25 RCC frequencies available in the

Huntington/Charleston areas for Capitol's use; yet, Capitol wants to "share" a competitors' already highly utilized 152.48 MHz frequency.

As the attached traffic load study shows, the 152.48 MHz frequency is currently loaded to over 91% of its capacity at the busy hour in RAM's service areas. See Exhibit Eight, attached hereto. At this level of usage, co-channel coordination is at its most sensitive stage, and Capitol would be more able to wreak havoc on incumbent PCP operations. Indeed, the attached declarations, and Capitol's own advertisements, explain what can easily be inferred from these facts: Capitol simply wants to "cause trouble" in some way, shape, or form on a successful competitors' busy, shared frequency.

RAM and its 152.48 co-channel licensees have spent hundreds of thousands of dollars in constructing a wide-area, interference-free PCP operation, placing well over two thousand local subscribers, and an additional 3000 Network USA nationwide subscribers on that frequency. Should Capitol receive authorization to operate on the 152.48 MHz frequency, it will be in a position to cause substantial economic harm to RAM, its co-licensees, and thousands of subscribers. That risk is simply too great to chance on what is, at best, an unnecessary application in light of Capitol's RCC frequencies and the ready availability of unused frequencies, or, at worst, an intentional bad faith application.

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The Commission has stated that when it is presented with evidence that a party has submitted filings "with anything less than good faith," it will "take a closer look" to determine whether there has been an attempt to abuse the Commission's processes. See Empire Paging Corp., 48 RR 2d 1637 (Com. Car. Bur., 1981) (concerning allegations of abusive petitions to deny). The evidence compiled by RAM establishes at least a prima facie showing that Capitol's PCP application was filed for the sole purpose of causing interference to RAM's licensed operations. If that is the case, the Commission should "take a closer look" to determine if Capitol's application was filed in bad faith and in abuse of FCC processes.

In short, there are sufficient genuine issues of fact to warrant FCC investigation to determine if Capitol has filed a PCP application in bad faith; and, if so, whether it lacks the requisite character qualifications to be a Commission licensee. See Empire Paging Corp., 48 RR 2d 1637, 1640; see also 47 U.S.C. §309(d). Since Capitol has "within its peculiar knowledge the facts regarding the alleged misconduct," Capitol has the burden of producing evidence to refute RAM's prima facie case, and to explain its apparent misconduct. See TeleSTAR, Inc., 3 F.C.C. Rcd. 2860 (1988).

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IV. Capitol's False and Misleading Statements.

Throughout the past six months, Capitol has repeatedly and willfully made false and malicious statements concerning Private Carrier Paging service. Attached hereto are copies of "yellow pages" and newspaper advertisements wherein Capitol refers to PCP service as "party line" service. See Exhibit Nine, attached hereto. In addition, submitted with this petition is a videotape copy of Capitol's cable television advertisement which states that the 152.48 MHz frequency is "a party line." Exhibit Ten, attached hereto. That advertisement also refers to RAM by name. Moreover, submitted herewith is an audio tape copy of a Capitol radio advertisement wherein it refers to its paging service as a "guarded frequency ... not a party line." Exhibit Eleven, attached hereto.

Capitol's blatant disparagement of RAM's service, indeed of all PCP services, may ultimately be addressed in another forum; however, these false and malicious statements about FCC licensed radio operations should be of great concern to this Commission. Capitol must know that all Part 90 licensees are required to coordinate their operations to avoid co-channel interference. See 47 C.F.R. §90.173(b). Moreover, Capitol clearly knows that every PCP applicant must obtain frequency coordination approval before operating on a particular PCP frequency. See 47 C.F.R. §90.175. Thus, for Capitol to state that PCP service is subject to interference, or is like a "party line," is simply an intentional

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misstatement of the FCC's PCP Rules, and an overt attempt to malign not just RAM's PCP service, but all PCP services.

At best, these misrepresentations have misled, and will continue to mislead the consuming public about the legality and quality of PCP service. At worst, these misrepresentations have directly injured RAM and other PCP licensees by interfering with current or prospective subscriber relations.

The FCC is empowered to investigate Capitol's misrepresentations about PCP service, since its false statements about FCC licensed operations were apparently made to further Capitol's own RCC paging service. See, e.g., Radio Dispatch Corp., 42 RR 2d 1281, 1283 (1978) (a principal's perjury before a local PUC was "pertinent in evaluating [an] applicant's basic qualifications to be a Commission licensee"). Moreover, the FCC has expressly held that misrepresentation and lack of candor issues are relevant to its licensing decisions. See TeleSTAR, Inc., 3 F.C.C. Rcd. 2860, 2866. Thus, an FCC investigation, and remedial actions, including an order that Capitol cease and desist its false and misleading statements, would be appropriate since Capitol's conduct is adverse to the interests of PCP licensees and their eligible customers.

In addition, the FCC should dismiss Capitol's PCP application, dismiss any pending PLMS applications, and revoke all of Capitol's PLMS licenses, because Capitol has willfully engaged in misrepresentations of fact about FCC licensed activities. See

TeleSTAR at 2866 (lack of candor and misrepresentation are sufficient grounds for adverse action on applications); Sea Island Broadcasting Corp. of S.C., 60 F.C.C. 2d 146, 157 (1976) (once the FCC determines that it cannot rely on the accuracy and truthfulness of a licensee's representations, "the only suitable penalty is revocation of the license"); see also Nick J. Chaconas, 35 F.C.C. 2d 698 (1972).

It is fundamental that an application for FCC license authorization may not be granted unless doing so would serve the public interest, convenience or necessity. See 47 U.S.C. §307(c); 47 C.F.R. §90.143(a). In light of Capitol's public criticisms of PCP service, Capitol clearly does not intend in good faith to serve eligible PCP users; rather, Capitol apparently intends to cause harmful interference to other PCP licensees on the 152.480 MHz frequency. Accordingly, Capitol should be ordered to retract its false statements, dismiss its PCP application, and face appropriate sanctions for intentional misrepresentations concerning FCC licensed operations. See Radio Dispatch Corp., 42 RR 2d 1281.

V. Capitol Has Not Shown Any Need for a PCP Frequency.

In the case of A.F&L Telephone, FCC mimeo 81-112 (March 21, 1981) (attached hereto for the Commission's convenience as Exhibit Twelve), a Petition to Deny was filed against a license renewal application alleging non-use of PLMS frequencies. The Commission held that this allegation "was a serious charge related directly to our primary function of promoting efficient use of radio communications facilities." Id. at 3. In response to this allegation, the Commission rescinded the applicant's license renewals, and designated its applications for hearing to resolve the frequency use issue. Id. at 3,5. The Commission stated in A.F&L Telephone that the requirement that an applicant be able to establish need for a frequency is found in the Communications Act in the first instance. See 47 U.S.C. §151.

Capitol applied for renewal of all its RCC frequencies, and, has applied for an additional PCP frequency, even though that frequency already serves over two thousand customers. Though Part 90 of the rules does not have express "traffic load showing" requirements, such as part 22; see, e.g., 47 C.F.R. §22.16, the A. F&L case holds that a showing of need is a basic requirement of the Communications Act. Capitol, with its healthy supply of RCC frequencies, has not shown how a grant of its 152.48 MHz application would "promote efficient use of radio communications facilities." A. F&L Telephone at 3.

At a minimum, further investigations should be made to determine the actual level of usage on Capitol's RCC frequencies,

and, to determine why, in light of the availability of unused PCP frequencies, Capitol's application should be granted without amending onto another frequency. Furthermore, FCC revocation of any unused RCC frequencies may be in order.

VI. Capitol's PLMS Licenses Should Be Revoked.

The foregoing facts establish a pattern of irresponsibility, carelessness, and inability to exercise proper licensee behavior, so that any pending PLMS applications of Capitol's should be denied, and its FCC licenses revoked. See Arizona Mobile Telephone Company, 66 F.C.C.2d 691,703 (1977); Star Stations of Indiana, 51 F.C.C.2d 95 (1967). (Separately, a formal complaint has been filed against Capitol for unauthorized operation of PLMS radio facilities. See FCC Complaint File No. E-90-110. Apparently, Capitol's irresponsible conduct is not limited to the private radio services.)

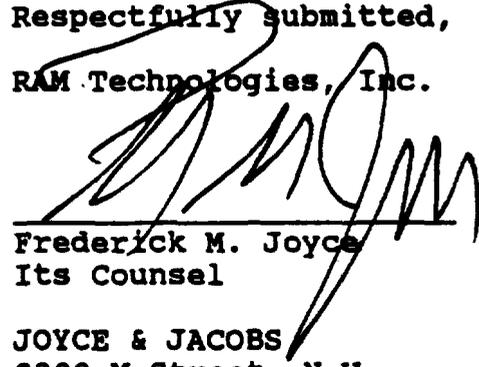
The Commission has found that a "pattern of questionable conduct" is clearly relevant to a determination of whether such conduct would likely occur in the future. Arizona Mobile Telephone Co., 66 F.C.C.2d 691,703. Capitol has shown itself to be incapable of exercising proper licensee conduct. Accordingly, the FCC should hold hearings to determine whether Capitol cannot fulfill its duties and responsibilities as a licensee, and, if so, revoke its license authorizations. See Edward G. Atsinger, 29 F.C.C.2d 443 (Rev.Bd. 1971).

CONCLUSION

For all the foregoing reasons, the Commission should deny Capitol's PCP application, or amend it onto a vacant frequency where it will not cause RAM's subscribers any harm, and order Capitol to cease and desist from making false and malicious commercial statements concerning FCC licensed radio operations. Moreover, the FCC should take further appropriate actions, including holding hearings to consider revocation of Capitol's RCC licenses, and impose appropriate sanctions for Capitol's violations of the Communications Act and the Commission's Rules.

Respectfully submitted,

RAM Technologies, Inc.

By: 

Frederick M. Joyce
Its Counsel

JOYCE & JACOBS
2300 M Street, N.W.
Eighth Floor
Washington, D.C. 20037
(202) 457-0100

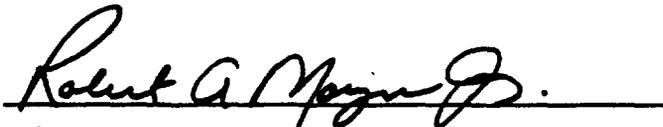
Date: March 29, 1990

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DECLARATION OF ROBERT A. MOYER, JR.

I, Robert A. Moyer, Jr., do hereby declare under penalty of perjury as follows:

1. I am the President of RAM Technologies, Inc.;
2. I have reviewed the foregoing Petition to Deny, or, Request to Amend Application; and,
3. Except for those matters of which the Federal Communications Commission may take official notice, to the best of my knowledge, information and belief, all statements made therein are true and correct.


Robert A. Moyer, Jr., President

Date: *MARCH 28, 1990*

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RADIO STATION LICENSE

RAK TECHNOLOGIES INC
RADIO ENGINEERING & MAINTENANCE CO INC
 Licensee: **WNCV776** File Number: **8910175705** License Expiration Date: **941227**
 Frequency: **392410158**
 Number of Mobiles by Category: **Portable - 4 Aircraft - 0 Marine - 0** Page: **12500**

Station Technical Specifications

Ch. No.	Frequencies (MHz)	Station Class	No. of Units	Emission Designator	Output Power (Watts)	E.R.P. (Watts)	Ground Elevation	Ant. Hgt. To Tip	Antenna Latitude	Antenna Longitude
1	152.48000	F86C	1	20K0F3E 20K0F2D 20K0F1D	350.000	1400	820	200	38-48-19	082-13-36
1	152.48000	F86C	1	20K0F3E 20K0F2D 20K0F1D	350.000	1400	890	140	38-59-50	082-38-39
1	152.48000	F86C	1	20K0F3E 20K0F2D 20K0F1D	350.000	1400	1327	16	39-13-15	083-04-39
1	152.48000	F86C	1	20K0F3E 20K0F2D 20K0F1D	350.000	1400	1029	200	38-59-05	082-58-28
1	152.48000	F86C	1	20K0F3E 20K0F2D 20K0F1D	350.000	1400	1325	100	38-10-32	083-26-30

TRANSMITTER STREET ADDRESS	CITY	COUNTY	STATE
117 PORTSMOUTH RD	GALLIPOLIAS	GALLIA	OH
7 MI SW OF ST RT 93 & 32 OFF MAYHEW RD	JACKSON	JACKSON	OH
BALD Knob 10 MI SW	CHILLICOTHE	ROSS	OH
BEAUTY RIDGE 6 MI S	SOUTH PORTSMOUTH	GREENUP	KY
TRI ANGLE MOUNTAIN	NOXHEAD	ROWAN	KY

SOUNDING AND LIGHTING SPECIFICATIONS
 1: SEE ATTACHED FORM 715/715A PARAGRAPHS: 1-3-12-21

CONTROL POINTS: 2025 13TH ST ASHLAND KY
 CONTROL POINT PHONE: 606-324-1119
 STATION CLASS SUFFIX C = INTERCONNECT
 STATION CLASS SUFFIX J = TEMPORARY WITH INTERCONNECT
 STATION CLASS SUFFIX K = STAND-BY WITH INTERCONNECT
 STATION CLASS SUFFIX L = ITINERANT WITH INTERCONNECT



RAK TECHNOLOGIES INC. DBA
RADIO ENGINEERING & MAINTENANCE CO INC
 POB 1760
 ASHLAND KY 413051760

This authorization becomes invalid and must be returned to the Commission if the stations are not placed in operation within eight months, unless an extension of time has been granted. EXCEPTION: 900 MHz trunked and certain 900 MHz stations licensed cannot automatically be not constructed within one year.

RADIO STATION LICENSE

License No: **RADIO ENGINEERING & MAINTENANCE CO. INC.**
 Radio Service: **IB - BUSINESS**
 Call Sign: **WNJN621** File Number: **8910174450** License Issue Date: **891130**
 Frequency Advisor Number: **892490099** License Expiration Date: **941130**
 Number of Mobiles by Category: **Vehicular - 2500***

Station Technical Specifications

C. N.	Frequencies (MHz)	Station Class	No. of Units	Emission Designator	Output Power (Watts)	E.R.P. (Watts)	Ground Elevation	Ant. Hgt. To Tip	Antenna Latitude	Antenna Longitude
1	152.48000	F86	1	20K0F3E	350.000	1400	930	270	38-25-27	082-32-04
	463.83750	MO	6	20K0F10 20K0F20 20K0F3E	2.000					
1	152.48000	F86	1	20K0F3E	350.000	1400	1000	100	38-23-11	081-30-28
				20K0F10 20K0F20						
1	152.48000	F86	1	20K0F3E	350.000	1400	1020	180	38-22-32	081-39-26
				20K0F10 20K0F20						
1	152.48000	F86	1	20K0F3E	350.000	1400	780	303	38-24-49	082-58-13
				20K0F10 20K0F20						
1	152.48000	F86	1	20K0F3E	350.000	1400	940	100	38-09-58	081-37-02
				20K0F10 20K0F20						

TRANSMITTER STREET ADDRESS

CITY

COUNTY

STATE

4500' NE OF RT 52 & MACEDONIA RD
 1.5 MI NE OF RT 20 TOP OF COAL MOUNTAIN
 .35 MI SE OF INT CHANDLER DR &
 SUGARCREEK RD
 COR 17TH & HIGH STS
 LOCUST RIDGE S

BURLINGTON
 SAINT ALBANS
 CHARLESTON
 PORTSMOUTH
 PARKERSBURG

LAWRENCE
 KANAWHA
 KANAWHA
 SCIOTO
 WOOD

OH
 WV
 WV
 OH
 WV

DATE OF OPERATION

1: 75 MIRA 38-25-27N 082-32-04W BURLINGTON LAWRENCE OH

TESTING AND LIGHTING SPECIFICATIONS

E 1: SEE ATTACHED FORM 715/715A PARAGRAPHS: A H
 E 4: SEE ATTACHED FORM 715/715A PARAGRAPHS: 1 3 12 21
 E 5: SEE ATTACHED FORM 715/715A PARAGRAPHS: A



FEDERAL COMMUNICATIONS COMMISSION

891130M 0 1 22
RADIO ENGINEERING & MAINTENANCE CO. INC
 POB 1760 2625 13TH ST
 ASHLAND KY 41051-660

This authorization becomes invalid and must be returned to the Commission if the station or its equipment is not placed in operation within eight months, unless an extension of time has been granted. EXCEPTION: 600 MHz trunked and certain 600 MHz station licenses expire automatically if not constructed within one year.

Declaration of Sgt. Wendell Adkins

I, Sgt. Wendell Adkins, 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 an employee of the Barboursville, West Virginia Police Department and the Huntington, West Virginia Drug Unit. On or around 2/7/90 the Capitol Paging Representatives were in my office and made the following statements:

They stated that RAM-PAGE had to share their frequencies with two other companies ~~_____~~ ^{wa}
~~_____~~ ^{wa} Out of nine minutes they would only be on the air about three minutes and in the future if we stayed with RAM-PAGE we would have trouble with busy signals. ~~_____~~ ^{wa}
~~_____~~ ^{wa}

Executed: Sgt. W.W. Adkins By: 03/01/90

Notary Public: Barbara F. Feinrock

My Commission expires: 3/21/90