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

FCC 94M-332
41823

In re Applications of

MAY 17 4 17 PM '94

MM DOCKET NO. 93-301 ✓

CHARLES A. FARMER

File No. BPH-920518MA

RICHARD M. SCHAFFBUCH

File No. BPH-920521MI

For Construction Permit for a
New FM Station on Channel 280C3
in Ilwaco, Washington

Issued: May 12, 1994 ORDER ; Released: May 13, 1994

The undersigned Settlement Judge has read the settlement progress report submitted to him May 11, 1994.¹

No apparent progress has been made beyond that reported at the first settlement meeting. See FCC 94M-249, released April 12, 1994. Indeed, it appears that the period between April 11, 1994 and May 11, 1994 has wasted away.

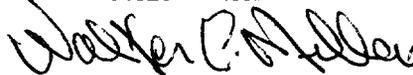
However, "[t]he parties have agreed to continue their discussions when Mr. Farmer returns from his vacation. In the meantime the parties are going to arrange for informal evaluations of the Farmer stations as a basis for further discussions."² And they ". . . will submit a status report on June 6, 1994."

Something more than a further status report is in order. So we will hold another settlement conference. But this time Mr. Schafbuch and Mr. Farmer, along with their attorneys will attend.

In preparing for that meeting Schafbuch and Farmer should complete any financial evaluations of Farmers stations, reconsider their own needs and interests, and more realistically analyze any proposal their opponent has made. We must get down to basics and avoid any further psychological and money costs associated with this litigation.

So We WILL HOLD our second informal settlement conference on June 17, 1994, at 8:30 a.m. in the Commission's offices in Washington, D.C. Mr. Schafbuch and Mr. Farmer, along with their attorneys, WILL ATTEND that second conference.³

FEDERAL COMMUNICATIONS COMMISSION



Walter C. Miller
Administrative Law Judge

¹ However, the report is dated May 9, 1994.

² At the first settlement meeting, the Settlement Judge was led to believe that formal evaluations would be made of the Farmer stations, and that such evaluations would be completed before the May 11, 1994 progress report.

³ Only the attorneys were required to attend the first conference. The Settlement Judge hoped to save the parties the time and expense of coming to Washington, D.C. It's now apparent that the negotiating principals are needed.