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RECEIVED

JUN 20 1994

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June 20, 1994

\*ADMITTED IN VA ONLY

William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

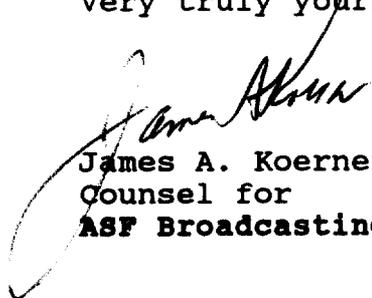
Re: MM Docket No. 93-107

Dear Mr. Caton:

On behalf of ASF Broadcasting Corporation, an applicant in the above-referenced proceeding, there are transmitted herewith an original and 11 copies of its Opposition to Motion to Dismiss.

Should additional information be necessary in connection with this matter, please communicate with this office.

Very truly yours,



James A. Koerner  
Counsel for  
ASF Broadcasting Corporation

Enclosures

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new site within 30 days of the loss of a site requires dismissal. As Wilburn Industries, Inc. and Shellee F. Davis have already pointed out in their separate responses to similar ORA motions, Commission precedent is otherwise.

It must be kept in mind that specification of a new site is more than simply indicating site availability. It is also necessary to prepare an entirely new engineering submission. ASF has had such a submission prepared. It is also necessary, because of the previously-expected leasing arrangements, to specify different equipment, and to modify the applicant's business plan and financial arrangements. ASF is currently in the process of completing this portion.

ASF's amendment, together with an appropriate petition for leave to amend, will be filed shortly. Such filing will be well within the Commission's definition of "due diligence."

Accordingly, it is respectfully submitted that the motion of Ohio Radio Associates, Inc. should be denied.

Respectfully submitted,

ASF BROADCASTING CORPORATION

By:

  
James A. Koerner  
Its Attorney

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**CERTIFICATE OF SERVICE**

I, Beverly L. Miller, a secretary in the law offices of Baraff, Koerner, Olender & Hochberg, P. C., do hereby certify that copies of the foregoing Opposition to Motion to Dismiss were sent this 20th day of June, 1994, via first class mail, postage prepaid to the following:

James Shook, Esquire\*  
Federal Communications Commission  
2025 M Street, N. W., Room 7212  
Washington, D. C. 20554

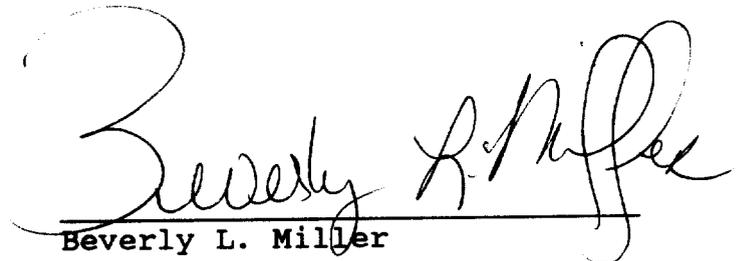
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