

RECEIVED

1201 NEW YORK AVENUE, N.W.
WASHINGTON, D.C. 20005-3919
(202) 789-3400
FAX (202) 789-1158

KECK, MAHIN & CATE

JUL 12 1994

FILE NUMBER 46200-001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

DIRECT DIAL (202) 789-3447

July 11, 1994

VIA HAND DELIVERY

William F. Caton, Acting Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

Re: Application of Santa Monica Community College District,
et al.
MM Docket No. 94-71

Dear Mr. Caton:

Enclosed please find the original and seven copies of the signature pages for Gary C. Curtis, Executive Director of Living Way Ministries, for the Joint Petition for Approval of Settlement Agreement, which was filed on July 1, 1994, and Mr. Curtis' attached declaration. I would appreciate it if you could file the original and six copies of each document and date-stamp the third copy for return to me.

If there are any questions concerning the attached documents, the staff can contact me or Mr. Curtis directly.

Sincerely,

KECK, MAHIN & CATE

Attorneys for
Santa Monica Community
College District

By: 
Lewis J. Paper

cc: The Honorable Joseph Stirmer
Gary Schonman, Esq.
Gary C. Curtis
Will Lewis

No. of Copies rec'd 
List: A B C D E

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

DECLARATION

JUL 1 2 1971

Gary C. Curtis hereby declares as follows:

1. I reside at 14836 Lashburn St., Sylmar, CA 91342. I am Executive Director of Living Way Ministries ("LWM"), a nonprofit religious organization, which filed an application for a new FM station in Lancaster, California. File No. BPED-920511MC. The Purpose of this Declaration is to explain why the Federal Communications Commission ("FCC") should grant a petition being filed jointly by LWM and Santa Monica Community College District ("SMCCD"), which filed a mutually exclusive application for a new FM station in Mojave, California. File No. BPED-920305ME.

2. LWM filed its application with the intention of providing new noncommercial service to the Lancaster, California community. The application was not filed for the purpose of reaching or carrying out any settlement.

3. Upon learning that its application was in conflict with another application filed by SMCCD, LWM explored avenues by which the conflict could be resolved in a way that would enable SMCCD to provide new service. It was ultimately determined that those goals could be achieved by a settlement agreement under which SMCCD would amend its application to specify a different channel in Mojave.

4. SMCCD and LWM have entered into a Settlement Agreement which (1) provides that SMCCD will amend its application to specify a new channel to eliminate the conflict with LWM's proposal and (2) requests that both SMCCD's amended application

and LWM's pending application be granted. Approval of the joint petition will serve the public interest by eliminating the need for a hearing and expediting service by SMCCD to Mojave, California and by LWM to Lancaster, California.

5. As explained in the Settlement Agreement executed by the parties, no consideration has been promised or exchanged in conjunction with the agreement.

I hereby declare under penalty of perjury that the foregoing is true and correct.



Gary C. Curtis

Date: June 30, 1994

WHEREFORE, in view of the foregoing, it is respectfully requested that the attached Settlement Agreement be approved, that SMCCD's amendment be granted, that the above-referenced applications be granted, and that the proposed hearing be terminated.

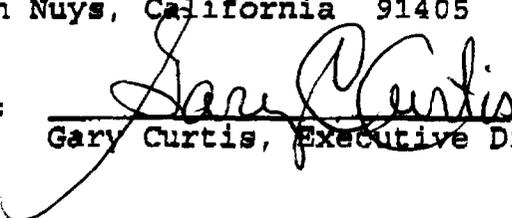
Respectfully submitted,

KECK, MAHIN & CATE
1201 New York Avenue, N.W.
Washington, D.C. 20005-3919
(202) 789-3400

Attorneys for Santa Monica
Community College District

By: _____
Lewis J. Paper, Esq.

LIVING WAY MINISTRIES
14820 Sherman Way
Van Nuys, California 91405

By:  _____
Gary Curtis, Executive Director