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

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FCC 94M-607

In re Applications of)	MM DOCKET NO. 94-71
)	
SANTA MONICA COMMUNITY COLLEGE)	File No. BPED-920305ME
DISTRICT)	
)	
For Construction Permit for a)	
New Noncommercial FM Station on)	
Channel 204B in Mojave, California)	
)	

ORDER

Issued: November 3, 1994 ; Released: November 7, 1994

Under consideration is a "Petition for Leave to Intervene" filed by California State University, Long Beach Foundation (CSU) on September 7, 1994; an "Opposition to Petition for Leave to Intervene" filed by Living Way Ministries¹ on September 16, 1994; and an "Opposition to Petition for Leave to Intervene" filed by Santa Monica Community College District (SMCCD) on September 16, 1994.

CSU petitions to intervene in this proceeding pursuant to Section 1.223 of the Commission's rules. In support of its request, CSU argues that its application, filed on July 13, 1994, is mutually exclusive with SMCCD's application, as amended. On this basis, CSU seeks to intervene.

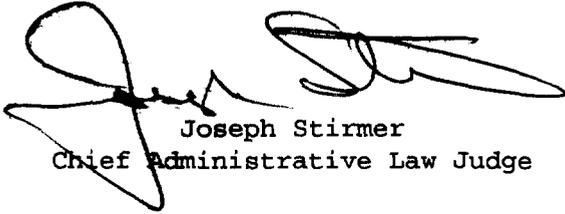
CSU's petition will be denied. Unless and until its pending application is processed and consolidated herein, there is no basis for permitting CSU to participate in this proceeding. Specifically, CSU has not demonstrated that it is entitled to intervene as of right nor has it shown in what way its participation herein would assist the Commission in the determination of the issues in question. Thus, there is no basis for permitting intervention at this time.

Accordingly, IT IS ORDERED that the "Opposition to Petition for Leave to Intervene" filed by Living Way Ministries on September 16, 1994, IS DISMISSED;

¹ Living Way Ministries was previously an applicant in this proceeding. As a result of a settlement agreement, its application was granted by Order of the Presiding Judge, FCC 94M-453, released July 25, 1994. Thus, Living Way Ministries is no longer a party to this proceeding and is not entitled to file pleadings herein. Therefore, its motion will be dismissed.

IT IS FURTHER ORDERED that the "Petition for Leave to Intervene" filed by California State University, Long Beach Foundation on September 7, 1994, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



Joseph Stirmer
Chief Administrative Law Judge