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

FCC 94M-637
50419

DISPOSED BY

In re Applications of)	MM DOCKET NO. 94-88
)	
COMMUNITY EDUCATIONAL ASSOCIATION)	File No. BPED-930316MF
Holly Hill, Florida)	
)	
For a Construction Permit for a New)	
Noncommercial Educational FM)	
Station on Channel 212A)	

MEMORANDUM OPINION AND ORDER

Issued: December 1, 1994 ; Released: December 5, 1994

Under consideration is "Contingent Motion For Suspension Of Procedural Dates" filed November 23, 1994 by Community Educational Association (CEA).

CEA seeks a suspension of the procedural dates contingent on the Presiding Judge's grant of its motion for summary decision favorably resolving the Section 73.503(a) issue designated against CEA. CEA recites further that if the Section 73.503(a) issue cannot be resolved by summary decision, it would withdraw this request, file its direct written case and proceed to trial on the Section 503(a) issue as well as the designated air hazard issue. By separate ruling, the Presiding Judge has denied CEA's motion for summary decision. Consequently, the instant contingent motion is moot and will be dismissed.

Accordingly, IT IS ORDERED, That the "Contingent Motion For Suspension Of Procedural Dates" filed November 23, 1994 by Community Educational Association IS DISMISSED as moot.

FEDERAL COMMUNICATIONS COMMISSION



Joseph Chachkin
Administrative Law Judge

¹ CEA's informal request to exchange its direct case on December 5, which is unopposed, is granted. As a result, the date for notification of witnesses is advanced to December 9, and objections to witness notification is changed to December 12. The hearing date of December 15 remains unchanged.