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

FCC 95I-07
 50963

In the Matter of)
)
 JAMES A. KAY, JR.) WT DOCKET NO. 94-147
)
 Licensee of one hundred sixty four)
 Part 90 licenses in the)
 Los Angeles, California area)

ORDER

Adopted: March 7, 1995; Released: March 8, 1995

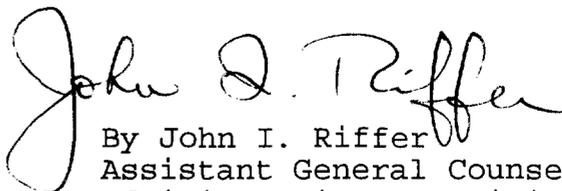
1. Under consideration by the Commission is a Petition for Reconsideration filed February 10, 1995 by James A. Kay, Jr., concerning the Order, FCC 95I-06, released February 3, 1995.

2. In that Order, an application for review filed by Kay was referred to the presiding Administrative Law Judge in this proceeding because it raised questions concerning an Erratum, which was issued under delegated authority to correct the Hearing Designation Order in this case. The Order stated that, in seeking review of such an action taken under delegated authority, Kay's application for review was governed by 47 C.F.R. § 1.115(e)(3) and that it was not entitled to any consideration by the Commission absent certification by the Administrative Law Judge that it warrants such consideration. Kay now asserts, in addition to repeating its previous argument that the Wireless Telecommunications Bureau had no delegation of authority, that the Erratum was not a Hearing Designation Order, that the Office of General Counsel had no authority to refer the application for review to the presiding ALJ, and that its petition for reconsideration of the order should be granted.

3. Insofar as Kay reiterates its previous contentions, it is well established that reconsideration will not be granted to debate again matters that have already been fully considered. WWIZ, Inc., 37 FCC 685 (1964), aff'd sub nom., Lorain Journal Co. v. FCC, 351 F. 2d 824 (D.C. Cir. 1965), cert. denied, 383 U.S. 967 (1966). Moreover, in light of Florida-Georgia Television Co., Inc., 12 FCC 2d 334 (1968) (directing staff to refer misdirected pleadings to appropriate subordinate officials), Kay's objection to the referral of its misdirected application for review is without merit. Under these circumstances, it appears that Kay's petition for reconsideration may be dismissed without further consideration.

3. ACCORDINGLY, IT IS ORDERED, Pursuant to the authority delegated under 47 C.F.R. § 0.251(f) that the Petition for Reconsideration filed February 10, 1995 by James A. Kay, Jr. IS DISMISSED.

William E. Kennard
General Counsel

A handwritten signature in cursive script that reads "John I. Riffer". The signature is written in black ink and is positioned above the typed name and title.

By John I. Riffer
Assistant General Counsel
Administrative Law Division