

1 Q Let me -- let me take you back now to when the
2 station -- the station went off the air. What was the date
3 that you gave me? I'm sorry. I don't -- I know you told me.

4 JUDGE FRYSIAK: It was September 12th.

5 MR. KELLY: Can we stipulate to what it was?

6 WITNESS: September the 13th.

7 BY MR. ZAUNER:

8 Q September the 13th?

9 A Yes.

10 Q Did you continue to receive power at KARW during
11 that -- after the station went off the air?

12 A Yes.

13 Q And you continue to receive power through the
14 present time?

15 A As far as my knowledge. There might have been a
16 time -- there might have been a time there that it was cut.
17 It was turned off because I could not pay it at the location I
18 was at. I had to drive to Longview to take care of it.

19 Q Is that like maybe the three-day period you were
20 talking about where there was some confusion as to payment?

21 A Yes. In October.

22 Q Is the -- does the station have one account with
23 Southwestern Electric Power Company, a single account which it
24 pays?

25 A Yes.

1 Q And that payment pays for both the electrical power
2 for the station and also the electrical power for the tower?

3 A Yes. SWEPCO has it under Janet Washington. I have
4 -- they get the two together, my home and my -- the station.
5 They consider that as one actually.

6 Q Does Southwestern Electric Power Company have an
7 account in the name of KARW to your knowledge?

8 A Yes, they do.

9 Q And that -- what does that account cover?

10 A Well, they -- they have it under KARW, Janet
11 Washington. They go by Janet Washington. So that's my home
12 and that's the station.

13 Q And that would include the station and the tower.
14 Is that not correct?

15 A That's correct. And also, they have my home on
16 that.

17 MR. ZAUNER: Your Honor, at this -- Your Honor,
18 could we go off the record for five minutes and make some
19 copies?

20 JUDGE FRYSIK: Sure.

21 (Off the record 3:20 p.m.)

22 (On the record 3:30 p.m.)

23 BY MR. ZAUNER:

24 Q Mrs. Washington, isn't it a fact that Southwestern
25 Electric Power Company disconnected the account of KARW for

1 nonpayment on November 18, 1994?

2 A I'm not sure of that date, but that we have been
3 disconnected for nonpayment.

4 Q And at that point, there was no electricity being
5 provided to either the station or the tower. Isn't that
6 correct?

7 A That's correct.

8 Q And isn't it a fact --

9 A Because it was disconnected.

10 Q And isn't it a fact that the -- that the account
11 remained disconnected at least through January 26th of 1995?

12 A I tried to pay the electric bill.

13 Q That's not my question. Isn't it a fact that the
14 electricity was disconnected at least through January 26th of
15 1995?

16 A I'm not sure of that date.

17 Q And isn't it a fact that during all that period of
18 time, the tower lights on KARW's tower were not operating
19 because of lack of power?

20 A I'm not sure of the date, but there was a time that
21 the tower was down during that time.

22 Q That's other than the three dates that you've given
23 us in the past.

24 A Even with the electrical power, the tower lights
25 wouldn't have been on. The tower lights wouldn't have been

1 working.

2 Q Would have been working?

3 A Would not have been.

4 Q Would not have been working.

5 A That's correct.

6 Q But the fact is that there was no electrical power
7 from -- at least from November 18, 1994 through at least
8 January 26, 1995. Isn't that correct?

9 A I'm not sure of the date.

10 Q And isn't it a fact that during that period of time
11 -- well, let me see if this will refresh your recollection.
12 Your Honor --

13 MR. KELLY: Could I see a copy of the letter?

14 MR. ZAUNER: Of course.

15 BY MR. ZAUNER:

16 Q Does that refresh your recollection at all?

17 A This is totally incorrect. This is why Mr. Birdsong
18 is going to court, because one reason, the tower lights had
19 some problems -- and I can get the electrician to attest to
20 that. It had nothing to do with the lights. The other reason
21 is I took money to Mr. Birdsong. He would not accept it. The
22 first time I took it to him, he would not accept it.

23 The second time I came to him, he told me that
24 NorthStar Communications had already paid to have the tower
25 lights put on. I don't have those documents and I got

1 documents from him stating that, that they were taking the
2 property over and the license had been granted to them.

3 And the third time, I brought an attorney with me
4 and Mr. Birdsong dropped the fee from a \$450 deposit to a \$150
5 deposit which it really didn't matter what the fee was, okay?
6 He said to me, "Well, you still have to get the building
7 inspected." We didn't have to do any of that and I had the
8 lights turned on. This was a block for me to have the lights
9 turned on, even after I got the technician to fix the problem
10 with the tower, whatever it was -- and I don't know what it
11 was.

12 Q So there was a period of -- you testified that there
13 was a three-day period of time when the lights were out
14 because the electric company wouldn't accept your check and
15 the reason they wouldn't accept your --

16 A No, no. That was not the three-day period of time.
17 The three-day period of time was when I was here. That's when
18 the lights were out. And then there was a day that it was out
19 when we had an electrical storm.

20 Q Right.

21 A And I had to do -- get an electrical person, a tower
22 person, to fix whatever it was. So with the lights being on,
23 it wouldn't have mattered. The tower lights still wouldn't
24 have been on because it was struck by lightning.

25 Q And that was one day.

1 A That was after the one day.

2 Q And then there was another one day that you
3 testified to.

4 A That was another -- no, this period was longer, the
5 next day that they sabotaged the tower, whatever happened to
6 the tower. I have an attorney that can send you documentation
7 of all of this because I had to hire one for that. And this
8 gentleman, Mr. Birdsong, during the time -- if the lights had
9 been on, the tower lights wouldn't have been on anyway because
10 he had to order something to fix the tower light.

11 But I still tried to get the lights on. He would
12 not accept the money. He said, "You need a \$450 deposit."
13 Mr. Birdsong would not accept the money. Okay, we came back
14 and he said NorthStar had already put up the --

15 Q Go ahead. Continue. I'm sorry.

16 A He said NorthStar had already put up the deposit and
17 they was taking over the property, okay? Then we find out
18 that NorthStar had decided to take that \$450 back. So at this
19 point, I go back to Mr. Birdsong with an attorney from
20 Houston, and he said, "Oh, well, you owe a \$150 deposit and we
21 can get these lights turned on," and I said, "Well, what
22 happened to NorthStar?" He said, "They decided to pull out."

23 Q When was it that this happened? When did you go
24 with the attorney from Houston to --

25 A It was during this period. This letter came after I

1 had -- we had talked to Mr. Birdsong.

2 Q When -- let me ask the question again. When was it
3 that you went with the attorney to the offices of Southwestern
4 Electric Power Company? Was it in January? Was it in
5 December?

6 A It was in January.

7 Q Early January?

8 A The end of January.

9 Q The end of January. After the date of this letter?

10 A Uh-huh. He wrote this letter after the fact.

11 Q Well, wait a minute. Did you go to the offices of
12 Southwestern Electric Power Company after January 26th or
13 before?

14 A Before.

15 Q Was the -- how much before?

16 A I would say the second week of January, the middle
17 of January.

18 Q Did you pay the money to get the power reinstated?

19 A Yes. After I went, my attorney told Mr. Birdsong,
20 "I'm going to pay the money because I want to make sure that
21 these lights are on."

22 Q Did you, in fact, pay the money?

23 A Yes.

24 Q That day?

25 A That day.

1 Q And is the statement here, that this account remains
2 disconnected today, correct?

3 A That's incorrect. That's why he's been so --

4 Q He's lying in this letter?

5 A Yes, he is.

6 Q Was the electricity disconnected on November 18th?
7 Is that a true statement, November 18, 1994?

8 A I really don't know if it was disconnected during
9 that day.

10 Q Did it remain disconnected until you paid the
11 additional money sometimes -- sometime in January?

12 A I thought that it was on because NorthStar
13 Communication had turned it on. That's what Mr. Birdsong
14 said.

15 Q But, in fact --

16 MR. KELLY: Your Honor, I'm going to object at this
17 point because I think they're -- whether or not -- I think
18 what's coming out in this testimony is whether or not this
19 account was disconnected or was not paid, seems to be a
20 different matter from whether the tower was illuminated.

21 You know, there are clearly -- we have evidence that
22 there was a dispute between the witness and Mr. Birdsong and
23 what Counsel is trying to get at is when was the tower not
24 illuminated? And I take it that's what -- because that's all
25 that's relevant in this inquiry, is whether or not the tower

1 was illuminated. And I think if my objection is to the extent
2 that the questions don't go to what are the precise dates that
3 the tower was not illuminated, then they're not relevant.

4 MR. ZAUNER: Well, I think that -- I don't see --

5 MR. KELLY: Well, what the witness has testified to
6 -- and I -- I mean, she's testified that this outfit called
7 NorthStar, they were trying to muscle in on the radio station,
8 and they had a deal with Mr. Birdsong and they paid Mr.
9 Birdsong, and SWEPCO established an account in NorthStar's
10 name, and the tower lights were illuminated as I understand
11 the testimony.

12 So the tower lights were, in fact, illuminated,
13 which makes it a different question of whether or not her
14 account was in arrears or, you know, what they had done, and I
15 think that's what the testimony is showing. I think that
16 perhaps is what the confusion is. That's the way I am
17 understanding -- and I have really not heard much about this.
18 But that's the way I am understanding the testimony.

19 MR. ZAUNER: Let me ask you this. When the account
20 was disconnected on November 18, 1994, did the tower lights
21 continue to be illuminated?

22 MR. KELLY: Again, that assumes a fact that's not in
23 evidence, I mean, if the witness does not know whether or not
24 the tower was disconnected on the 18th. And this letter is
25 not in evidence.

1 MR. ZAUNER: Let me withdraw that and word it
2 another way. On November 18, 1994 and subsequent thereto,
3 during the month of November, let's say, did the tower lights
4 continue to be illuminated?

5 WITNESS: Pardon? Could you --

6 MR. ZAUNER: After November 18, 1994, did the tower
7 lights continue to be illuminated?

8 WITNESS: Once again, I'm not sure of the dates.
9 But there was a point in time where I had to have an engineer
10 to correct whatever the problem was with the tower.

11 JUDGE FRYSIK: Does that mean that the lights were
12 off?

13 WITNESS: The lights would have been off
14 if --

15 JUDGE FRYSIK: When was that?

16 WITNESS: I mean, even if the lights were off, the
17 tower lights wouldn't have been on because there was an
18 electrical problem with the tower lights, that the engineer
19 couldn't climb the pole because the weather was bad and the
20 tower was swaying.

21 BY MR. ZAUNER:

22 Q Let me ask -- let me ask you this. After November
23 18, 1994, did the station continue to receive electricity from
24 Southwestern Electric Power Company?

25 A We were having a conflict then where he would not

1 take my money.

2 Q Does that mean no?

3 A He would not -- it was supposed to have been turned
4 on by NorthStar.

5 Q Well, is the answer to my question no?

6 JUDGE FRYSIAK: Well, the question was whether the
7 station was receiving electricity.

8 WITNESS: Yes.

9 JUDGE FRYSIAK: I thought the station was silent.
10 Would you have gone to the station even though you were not
11 operating it?

12 WITNESS: Yes. Yes, I did.

13 JUDGE FRYSIAK: For what reason?

14 WITNESS: Well, because I had --

15 MR. ZAUNER: And after November 18th --

16 MR. KELLY: Let her -- let her answer the question.

17 WITNESS: I had to go to the station because it had
18 been vandalized, so trying to sort papers. They just really
19 trashed the place. They trashed it.

20 JUDGE FRYSIAK: So you can answer the question.
21 Your question was?

22 MR. ZAUNER: After November 18, 1994, was there
23 power at the station?

24 WITNESS: Yes. There was a time the power was on.
25 There was a time the power was off because -- I don't know why

1 Mr. Birdsong let NorthStar turn the lights on because -- in
2 their name because they didn't have any documentation, but he
3 did.

4 MR. ZAUNER: Do you have any idea when it was off,
5 the power was off at the station?

6 WITNESS: I really couldn't -- don't know the dates.

7 MR. KELLY: Your Honor, may I make a suggestion? I
8 want the truth to be reflected in this record. May we have
9 the opportunity for the witness to go back and try to
10 reconstruct when the tower lights were illuminated and when
11 they were not and to submit a statement? And we would do it
12 again a week from today. Would that be a way --

13 WITNESS: Well --

14 MR. KELLY: Let me speak to this. Would that be a
15 way that we could resolve this?

16 JUDGE FRYSIAK: No. I mean, it might be your way.
17 We're here today -- you know, we're here today and this is
18 cross examination.

19 WITNESS: I had an attorney --

20 JUDGE FRYSIAK: This witness wants a license. She's
21 general manager of the station. I mean, she ought to have
22 facts at her fingertips.

23 WITNESS: I had an attorney. I hired an attorney to
24 handle this situation with the light company because this was
25 -- and the police can tell you. There have been several --

1 and strictly just sabotaged the tower, and this was clearly
2 one, and it's sad that it was one with a company, a SWEPCO
3 company, which this gentleman put himself, and not only
4 himself, SWEPCO in the middle of a legal thing here.

5 BY MR. ZAUNER:

6 Q Do you know whether SWEPCO was making payments --
7 I'm sorry. Again, what was the name of the company that --
8 NorthStar?

9 A NorthStar Communications.

10 Q Was NorthStar making payments to Southeast
11 -- Southwestern Electric Power Company?

12 A Yes. They made -- they put up monies and he said,
13 "I can't accept your money because NorthStar has already paid
14 the money."

15 Q When you went to visit SWEPCO, which I think is
16 Southwestern Electric Power Company --

17 A That's correct.

18 Q -- with your attorney, was the station receiving
19 power at that time?

20 A He had turned the lights off because he said they
21 requested their deposit back and they said they were no longer
22 interested in purchasing that company. It was going to pull
23 out of the deal.

24 Q So this was in early January and there was no power
25 at the station. Is that correct?

1 A Actually, that's correct.

2 Q And there was no power to the tower, so the lights
3 were off because of the power -- no power.

4 A That's correct. After I had found out that this
5 company had turned the lights off once again, I then paid the
6 money, and Mr. Birdsong dropped the deposit from \$450 to \$150.

7 Q Do you have any idea how long the power had been off
8 at the station?

9 A I'm afraid I don't.

10 Q You went to visit the station in early January with
11 your -- you went to visit the offices of SWEPCO in early
12 January. You said you went to the station in December because
13 it had been burglarized. Is that correct?

14 A That's correct.

15 Q When was that in December that you went?

16 A It was before Christmas.

17 Q In the middle of December or early December?

18 A No, it was like December the 8th.

19 Q In early December.

20 A Right.

21 Q When you went there, did you throw on a light
22 switch?

23 A Yes.

24 Q Did the light go on?

25 A Uh-huh.

1 Q So there was power there as of approximately the 8th
2 of December or early part of December.

3 A That's correct.

4 Q After you went to the station at that point in time,
5 you did not return to the station for another roughly month or
6 more because the next time -- how did you find out -- let me
7 withdraw that. How did you find out that the power to the
8 station was off?

9 A There is a lady that -- when I'm not there, I always
10 have someone to check on the station and her name is Sandra
11 and Sandra called me and told me the lights were off again.

12 Q And when was this that she called you?

13 A I want to say January that she called. I want to
14 say January.

15 Q Early January?

16 A Yes. I have to be honest with you, I'm not exactly
17 sure of the exact date. I just want to be honest. I don't
18 want to set a date and it's an incorrect date. I'm not sure
19 of those dates.

20 Q Did Ray Lee Williams attempt to contact you or
21 contact you about the fact that the station was operating
22 without -- I'm sorry, that the tower did not have its lights
23 on?

24 A No. Ray Lee Williams didn't attempt to contact me.
25 I ran into a friend that said they had saw Mr. Williams and I

1 left a message to please have him to contact me. But then I
2 haven't heard anymore of him. He's not living in Longview
3 anymore. And we put some "No Trespassing" signs and he came
4 by and put his name on the "No Trespassing" signs. But then
5 he never made himself -- you know, I called his sister's house
6 who didn't have any information as to where he was or
7 anything.

8 MR. ZAUNER: Your Honor, at this time, I would like
9 to have marked into -- or received into -- well, I guess I
10 have to have it -- I don't think I had it marked yet, did I?

11 JUDGE FRYSIAK: Not yet. You haven't had
12 it --

13 MR. ZAUNER: Your Honor, at this time, I'd like to
14 have identified --

15 JUDGE FRYSIAK: Three. Exhibit Three.

16 MR. ZAUNER: Exhibit Four actually -- hold on one
17 second. No, you're correct. It's Exhibit Three -- as Mass
18 Media Bureau Exhibit Three, a one-page document on the
19 letterhead of Southwestern Electric Power Company. The
20 document is a letter. It bears the date of January 26, 1995.
21 It's addressed to Dear Mr. Schonman and it bears what purports
22 to be the signature of B.M. Birdsong, Area Manager.

23 JUDGE FRYSIAK: Yes, it may be marked.

24 (Whereupon, the document referred to as
25 Mass Media Bureau Exhibit Number Three was

1 marked for identification.)

2 JUDGE FRYSIAK: You're offering it?

3 MR. ZAUNER: Yes, Your Honor. At this time, I'd
4 like offer into evidence Mass Media Bureau Exhibit Number
5 Three.

6 MR. KELLY: Objection. Mr. Birdsong is not here to
7 testify. It's not -- the letter's not self-authenticating.

8 JUDGE FRYSIAK: It was received by the Commission.

9 MR. KELLY: I'm sorry?

10 JUDGE FRYSIAK: It was received by the Commission.
11 What do you mean --

12 MR. KELLY: In other words --

13 JUDGE FRYSIAK: This is a bogus letter?

14 MR. ZAUNER: It's not authenticated. I mean, I
15 don't -- well --

16 MR. ZAUNER: In any case, Your Honor, I think that
17 we've had authentication of the letter, the facts in the
18 letter by the witness, and where she disagrees, she's
19 indicated that disagreement.

20 WITNESS: But this isn't true. This statement isn't
21 true.

22 MR. ZAUNER: That's right. And you've stated that.

23 MR. KELLY: And we don't have Mr. Birdsong here. I
24 mean, anybody can write anything to the -- therefore, any --
25 under that theory, any crackpot that writes a letter to the

1 | Complaints Investigations Branch, the letter is true. You
2 | know, I don't mean to call Mr. Birdsong that because I don't
3 | know him from Adam. It's just that doesn't seem to be a
4 | proper interpretation of the Rules of Evidence. He wrote a
5 | letter to the Commission and therefore, it's acceptable.

6 | WITNESS: And whatever --

7 | MR. KELLY: Please don't speak.

8 | JUDGE FRYSIAK: Wait Ms. --

9 | WITNESS: I'm sorry.

10 | JUDGE FRYSIAK: Was this letter in response to a
11 | question posed by you, Mr. Schonman?

12 | MR. SCHONMAN: Yes, sir.

13 | JUDGE FRYSIAK: Are you representing to the forum
14 | today that you received this in the regular course of your
15 | business in response to a letter that you forwarded to SWEPCO?

16 | MR. SCHONMAN: I had a telephone conversation with
17 | Mr. Birdsong in which he related this information to me over
18 | the telephone and I asked him to send me a letter
19 | memorializing our conversation.

20 | WITNESS: May I ask --

21 | MR. KELLY: No, please don't.

22 | MR. SCHONMAN: And that is what he did and I
23 | included this letter in a motion to enlarge issues in support
24 | of the Bureau's motion to enlarge.

25 | MR. KELLY: But it's not an affidavit. It's not

1 even under penalty of perjury. I mean, it's just
2 -- it's not in the proper form to be received as evidence.

3 JUDGE FRYSIAK: I'm going to receive it over your
4 objection, Mr. Kelly.

5 MR. KELLY: Thank you, Your Honor.

6 (Whereupon, the document referred to as
7 Mass Media Bureau Exhibit Number Three was
8 received into evidence.)

9 MR. ZAUNER: Could I have a minute to go off the
10 record, Your Honor?

11 JUDGE FRYSIAK: Sure.

12 (Off the record briefly.)

13 MR. ZAUNER: Is there any further evidence that is
14 going to be offered on --

15 JUDGE FRYSIAK: Pardon?

16 MR. ZAUNER: May I inquire --

17 JUDGE FRYSIAK: Are you finished with your
18 examination?

19 MR. ZAUNER: No, Your Honor.

20 JUDGE FRYSIAK: Voir dire or whatever it was.

21 MR. ZAUNER: No, no. You're not going to get off
22 that easy, I'm afraid.

23 JUDGE FRYSIAK: No, I said are you all done with
24 your questioning? I mean, it's temporary, I know.

25 MR. ZAUNER: On this little matter that we just went

1 into, yes, Your Honor.

2 JUDGE FRYSIAK: Well, I'm waiting for your next
3 move.

4 MR. ZAUNER: Yes. What I wanted to know is does
5 this include -- conclude the direct case evidence that's been
6 offered on behalf of Praise Media?

7 MR. KELLY: I couldn't -- to be honest and not to be
8 flippant, I thought that that cross had started. Yeah, it was
9 my intention that I had no further questions some time ago. I
10 thought this was cross.

11 MR. ZAUNER: I just wanted to confirm that.

12 MR. KELLY: I would have the right to redirect
13 examine on anything you ask, Mr. Zauner. It would be my
14 understanding.

15 JUDGE FRYSIAK: Following your --

16 MR. KELLY: If I choose to.

17 JUDGE FRYSIAK: Mr. Zauner started in voir dire
18 rather than cross examination.

19 MR. KELLY: Well, has this whole matter been voir
20 dire? In your view, has this whole matter been --

21 JUDGE FRYSIAK: In order not to be confused and to
22 think that -- and later on, it would be a stop from continuing
23 the cross examination on relevant matters.

24 MR. KELLY: No, I don't think -- I just thought he
25 had started his cross.

1 JUDGE FRYSIAK: Why don't we mark for identification
2 your exhibits? And then we can break for the day and come
3 back tomorrow.

4 MR. ZAUNER: At this time, I would like to have
5 marked for identification as Mass Media Bureau Number One --

6 MR. KELLY: Can I look over Counsel's shoulder?
7 Because I do not have these exhibits.

8 MR. ZAUNER: Of course. Of course. In fact, we
9 have an extra copy you can use.

10 MR. KELLY: Can I take these home with me on our
11 break?

12 MR. ZAUNER: Yeah, I don't see why not.

13 MR. KELLY: And I can make a copy back where my
14 xerox machine is and I promise, I'll bring them back in the
15 morning.

16 MR. ZAUNER: No problem. Let me begin again. I'd
17 like to have marked for identification as Mass Media Bureau
18 Exhibit Number One a document entitled Mass Media Bureau's
19 Request for Admissions of Fact and Genuineness of Documents
20 and bearing a received date of August 1, 1994 by the Federal
21 Communications Commission, Office of the Secretary.

22 This is a five-page request for admissions and
23 attached to that request are a number of attachments running
24 Numbers One through Thirteen. The last page of this document
25 is a certificate of service bearing the signature of Michelle

1 C. Mebane, a secretary in the office of the hearing branch of
2 the Mass Media Bureau's Enforcement Division. All together
3 the exhibit consists of 86 pages.

4 JUDGE FRYSIAK: It may be so marked.

5 (Whereupon, the document referred to as
6 Mass Media Bureau Exhibit Number One was
7 marked for identification.)

8 MR. ZAUNER: Your Honor, I'd like to have marked for
9 identification as Mass Media Bureau Exhibit Number Two a
10 document entitled Admissions of Fact and Genuineness of
11 Documents. This document bears a received stamp date of
12 August 29, 1994 by the Federal Communications Commission,
13 Office of the Secretary. The document itself is six
14 pages in length, the fifth page of which bears what purports
15 to be the signature of Janet Washington, and the sixth page is
16 a certificate of service that accompanied the Admissions of
17 Fact and Genuineness of Documents.

18 JUDGE FRYSIAK: All right. It may be marked.

19 (Whereupon, the document referred to as
20 Mass Media Bureau Exhibit Number Two was
21 marked for identification.)

22 MR. ZAUNER: At this time, I'd like to have marked
23 for identification as Mass Media Bureau Exhibit Number Four a
24 document on the letterhead of the Federal Communications
25 Commission dated January 20, 1995 and it's a letter addressed

1 to Alan C. Campbell, in care of radio station KARW-AM, and
2 it's In Re: KARW-AM, Longview, Texas.

3 And the second page of this document -- the pages
4 are not numbered -- bears the signature of Sharlene M. Lofty
5 for James R. Burtle, Chief, AM Branch, and the last page of
6 the exhibit consists of an Anti-Drug Abuse Act Certification.

7 JUDGE FRYSIAK: Could we have the exhibit? I don't
8 have the exhibit.

9 MR. ZAUNER: You don't have Exhibit Four?

10 JUDGE FRYSIAK: Does the reporter have the exhibit?

11 COURT REPORTER: Yes.

12 (Whereupon, the document referred to as
13 Mass Media Exhibit Number Four was marked
14 for identification.)

15 MR. ZAUNER: Your Honor, at this point, I would like
16 to offer into evidence Mass Media Bureau Exhibit Number One.

17 JUDGE FRYSIAK: Any objections? Hearing
18 none --

19 MR. KELLY: Your Honor, may I -- may I inquire of
20 Counsel that this is a true copy of what was filed with the
21 Commission on August 1, 1994?

22 MR. ZAUNER: To the best of my knowledge, it is.

23 MR. KELLY: And all of the items were, in fact,
24 received by you from Praise Media?

25 MR. ZAUNER: Yeah. I can't attest, at this point,

1 without going through each of the documents, exactly where we
2 received them all from.

3 MR. KELLY: And no changes or alterations were made
4 by the Bureau in any way to any of these documents and they
5 contain all the pages that were received?

6 MR. ZAUNER: To my knowledge, that is correct. Now,
7 when you say all of the pages received, this would be pages
8 received by Praise -- from Praise Media?

9 MR. KELLY: That's correct.

10 MR. ZAUNER: To the best of -- you know, I just --

11 MR. KELLY: Praise Media is the only recipient of
12 this Request for Admissions of Fact and Genuineness of
13 Documents. I have not had the luxury to review this, but I
14 just want to make -- on your representation that this is true,
15 complete, and genuine, I won't object. But I'd just like to
16 get that on the record.

17 MR. ZAUNER: To the best of my knowledge and belief,
18 this is what we went you.

19 MR. KELLY: I have no objection, Your Honor.

20 JUDGE FRYSIK: All right. And I'll receive it.

21 (Whereupon, the document referred to as
22 Mass Media Bureau Exhibit Number One was
23 received into evidence.)

24 MR. ZAUNER: At this time, I would like to offer
25 into evidence Mass Media Bureau Exhibit Number Two.

1 MR. KELLY: Your Honor, I have found this item in my
2 records now, so that I don't need the copy again from the
3 Bureau. I have no objection to Number Two.

4 JUDGE FRYSIAK: All right. I'll receive Two.

5 (Whereupon, the document referred to as
6 Mass Media Bureau Exhibit Number Two was
7 received into evidence.)

8 MR. KELLY: Three's been disposed of, right?

9 JUDGE FRYSIAK: Yes.

10 MR. ZAUNER: And at this time, I would offer Mass
11 Media Bureau Exhibit Number Four.

12 MR. KELLY: I'm going to give these exhibits back to
13 Counsel, but I'd like to get a copy of this January 20th
14 letter, and I have no objection to it coming in.

15 JUDGE FRYSIAK: Any objections to Exhibit Four?

16 MR. KELLY: None, Your Honor.

17 JUDGE FRYSIAK: All right. I'll receive Four.

18 (Whereupon, the document referred to as
19 Mass Media Bureau Exhibit Number Four was
20 received into evidence.)

21 JUDGE FRYSIAK: That's it for the day? Do you have
22 some more exhibits?

23 MR. ZAUNER: Yes, Your Honor. I think that would be

24 --

25 JUDGE FRYSIAK: You don't have any more exhibits.