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Anna A. Bradshaw

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TRANSCRIPT OF PROCEEDINGS

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

In re Application of: MM DOCKET NO. 93-265  
FCC 95M-41 50797  
PINE TREE MEDIA, INCORPORATED  
For Renewal of License of Station KARW  
Longview, Texas

DOCKET FILE COPY ORIGINAL

DATE OF HEARING: March 22, 1995 VOLUME: 6  
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1 Before the  
2 FEDERAL COMMUNICATIONS COMMISSION  
3 Washington, D.C. 20554

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4 In the matter of: )

5 PINE TREE MEDIA, INC. )

MM Docket No. 93-265

6 Pine Tree Media, Incorporated )

7 Longview, Texas )

8 -----)  
9 The above-entitled matter came on for hearing  
10 pursuant to Notice before Judge John M. Frysiak,  
11 Administrative Law Judge, at 2000 L Street, N.W., Washington,  
D.C., 20554, in Courtroom No. 4, on Wednesday, March 22, 1995,  
at 9:00 a.m.

12 APPEARANCES:

13 On behalf of Praise Media:

14 DENNIS J. KELLY, ESQUIRE  
15 Post Office Box 6648  
16 Annapolis, Maryland 21401  
17 (410) 280-6290

18 On behalf of Mass Media Bureau:

19 Robert Zauner, Esquire  
20 Gary Schonman, Esquire  
21 2025 M Street, N.W., Suite 7212  
22 Washington, D.C. 20554  
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I N D E X

<u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
Janet Margaret Washington				
By Mr. Kelly	158		292	
By Mr. Zauner		162		294

E X H I B I T S

	<u>Identified</u>	<u>Received</u>	<u>Rejected</u>
<u>Mass Media</u>			
Exhibit 5	215	223	
Exhibit 6	265	266	
<u>Praise Media</u>			
Exhibit 8	174		177
Exhibit 9	234	235	
Exhibit 10	234	235	
Exhibit 11	234	235	
Exhibit 12	292	293	

Hearing Began: 9:33 a.m.	Hearing Ended: 2:55 p.m.
Lunch Began: 12:00 p.m.	Lunch Ended: 1:30 p.m.

## P R O C E E D I N G S

(9:33 a.m.)

JUDGE FRYSIAK: We're on the record. Any other --

MR. KELLY: Yeah, please. We -- there are two matters of controversy that yesterday afternoon, among others, that, that I -- you know, that we instructed our client to go back and check upon. And I'd like to ask your indulgence and that of the Bureau that I be permitted to ask a few additional questions on direct to my witness to get the matters -- what I think clear it up and so that, so that counsel has the opportunity to have a proper cross-examination.

MR. ZAUNER: No objection, Your Honor.

MR. KELLY: Go on and take the stand now. Take your exhibits also. Do you have your, do you have your note? You have your note. Okay. Let me, let me see your notes for a second. She's going to take this on the stand with her.

MR. SCHONMAN: Why is that?

MR. KELLY: To help her -- that -- I'd like you to have it. You know --

WITNESS: I --

JUDGE FRYSIAK: You can have that -- copy it.

MR. KELLY: We can make a copy for her, if you want to.

WITNESS: That's kind of scribbled. I can write it over.

1 MR. KELLY: It's fine. I just need to show it to  
2 them out of protocol.

3 JUDGE FRYSIAK: Please have a seat. Let me remind  
4 you you're still under oath.

5 WITNESS: Yes, sir.

6 MR. KELLY: Thank you, Your Honor.

7 (Whereupon,

8 JANET MARGARET WASHINGTON

9 having previously been duly sworn, was called as a witness  
10 herein and was examined and testified as follows:)

11 DIRECT EXAMINATION

12 BY MR. KELLY:

13 Q Ms. Washington, yesterday you were asked a lot of  
14 questions about the circumstances on which the, the, the  
15 lights on the tower of Station KARW were off the air for  
16 various periods of time and there was questioning about a  
17 letter which has been received in evidence as Bureau No. 3  
18 from the Southwestern Electric Power Company.

19 Now, were the tower lights turned off on November  
20 the 18th, 1994?

21 A Yes.

22 Q Okay. And were those tower lights continuously off  
23 for the remainder of the months of November and December 1994?

24 A Yes.

25 Q Okay. And were those tower lights off until January

1 18, 1995?

2 A Yes.

3 Q Okay. And was the -- I don't want to ask leading  
4 questions. Was a deposit paid to the Southwestern Electric  
5 Power Company for the purpose of restoring electric power to  
6 the tower so the lights could be turned back on on or about  
7 January 18, 1995?

8 A Yes.

9 Q Okay. And what was the name of the entity that made  
10 -- and in whose name the deposit was made?

11 A KWS Broadcasting.

12 MR. KELLY: Okay. And I can show, I can show Bureau  
13 counsel I have a, I have a receipt, and I'll be pleased to  
14 show it to Bureau counsel and I can put it in the record as  
15 well.

16 JUDGE FRYSIAK: What was the name of the entity?

17 WITNESS: KWS Broadcasting.

18 JUDGE FRYSIAK: Okay.

19 BY MR. KELLY:

20 Q And, Ms. Washington, to the best of your knowledge,  
21 upon the payment of that deposit were the tower lights on the  
22 KARW tower turned back on on or about January 18, 1995?

23 A To the best of my knowledge, I thought they were on  
24 because of this deposit.

25 Q Okay. So, so -- is your answer yes or no to my

1 question, which is: upon the payment of that deposit were the  
2 -- was power restored and the lights turned back on in the  
3 tower?

4 A Yes.

5 Q Okay. Okay. That's --

6 JUDGE FRYSIAK: Do you know that for a fact or are  
7 you assuming that they were put on?

8 WITNESS: I'm going by what Mr. Birdsong said. I'm  
9 assuming.

10 JUDGE FRYSIAK: Okay.

11 BY MR. KELLY:

12 Q Okay. My second line of inquiry to clarify matters  
13 relates to testimony that you gave yesterday pertaining to how  
14 much money had been invested and expended in the operations of  
15 KARW since the time you became involved with that radio sta-  
16 tion. And did you, after the hearing recessed yesterday  
17 afternoon, go back to your hotel room and, and recollect as to  
18 what amounts were expended by and from which individuals?

19 A Yes.

20 Q Okay. And as a, as a result of that recollection  
21 can you tell us for the record who provided what funds that  
22 were expended with respect to KARW?

23 A Yes, I can.

24 Q And please do that.

25 A Annie White provided \$6,000; Ricardo Hillburn,

1 16,000; Bishop Noel Jones, three to four thousand -- I'm going  
2 to say 3,000; Dr. William Mitchell, 10,000; Donelle Grant,  
3 20,000. I had a club during that time, Club Infinity, which I  
4 used 30,000 of that, from the club, to put into it. Reverend  
5 Jerald gave me 5,000 -- loaned me that 5,000.

6 Q Can you spell that name for the record?

7 A J E R A L D.

8 Q Okay.

9 A The Reverend Jerald gave me 5,000. Eugene put  
10 approximately 50,000 --

11 Q Is that Eugene Washington?

12 A Eugene Washington.

13 Q Okay.

14 A And I put approximately 40,000 in there myself.

15 Q 40,000 above and beyond what you obtained from Club  
16 Infinity?

17 A No. 30,000 separate. That came directly from the  
18 club. 40,000 was my savings for my son and monies I should  
19 have used to get a house and --

20 Q Well, let me -- because I am not clear now. I asked  
21 you whether or not the \$40,000 was in addition to the 30,000  
22 you obtained from Club Infinity, and what's the --

23 A Oh, yes.

24 Q -- answer?

25 A Yes, it is.

1 Q Okay. And what is the total amount of that money?

2 A It came to 180,000.

3 MR. KELLY: Okay. Your Honor, I have nothing fur-  
4 ther and the witness is available for cross-examination.

5 MR. ZAUNER: Your Honor, could I have just a couple  
6 minutes to discuss something with my co-counsel?

7 JUDGE FRYSIAK: Sure.

8 (Off the record.)

9 (On the record.)

10 JUDGE FRYSIAK: Back on the record.

11 CROSS-EXAMINATION

12 BY MR. ZAUNER:

13 Q Ms. Washington -- is it -- what do you use, Ms.  
14 Washington? Do you prefer that? Or Mrs. Washington?

15 A Or Janet.

16 Q Or Janet. These are formal proceedings, so I think  
17 I'll, I'll just call you either one of the two.

18 A Okay.

19 Q Did I understand your testimony correct that now you  
20 are saying that from November 18, 1994, until January 18,  
21 1995, the lights on the tower were off?

22 A Yes, sir. That's correct.

23 Q Yesterday we went through quite a bit of cross-  
24 examination concerning those tower lights and I believe one of  
25 the questions I asked you was when you went to the station in

1 December did you turn the lights on and was there light, and  
2 you said yes.

3 A I believed that I had turned -- well, I have been  
4 under a lot of stress. And when you walk into the station,  
5 there's nothing but windows. So, it's light on. And I didn't  
6 go into work. I went into like check things out and I walked  
7 through. And I just automatically assumed well, I must have  
8 turned the lights on.

9 Q But, but I asked you specifically did you turn the  
10 lights on, and you answered me without hesitation: "yes."  
11 And I said: Were there lights? Did they go on? And you said  
12 "yes."

13 A Well, I guess I erred.

14 Q You, you -- if I remember your testimony from yes-  
15 terday correctly, you testified that you went to the station  
16 almost every day.

17 A I do go to the station every day. I go to the  
18 station. I look in. And I check the grounds. I check the  
19 tower, but I don't do any work at the station. Well, no, let  
20 me make a correction. I go every day or every other day. I  
21 don't go in every day. I might drive by the station to see if  
22 everything is --

23 Q And during this -- and you were doing this during  
24 the period from November 18th to January 18th, a two-month  
25 period?

1           A     That was during the holiday season. I wasn't going  
2 every day during that, during that time.

3           Q     Were you going every other day?

4           A     No.

5           Q     Once a week?

6           A     No. There was a two-week period that I didn't go,  
7 but I had a person there, reliable person, that checked the  
8 station out for me.

9           Q     And that person -- then you weren't -- there was a  
10 two-week period when you didn't go every -- at all?

11          A     That's correct.

12          Q     Is that the period of time you went to your parents'  
13 home?

14          A     I, I was at my parents' home and I went to see other  
15 relatives.

16          Q     Okay. But other than that period of time you were  
17 in Longview and you were checking on the station on a fairly  
18 regularly -- regular basis, is that correct?

19          A     From my parents' home -- I was at my parents' home  
20 and I would check -- I'd go at least twice a week.

21          Q     And during this time that you were going to the  
22 station you never noticed that the station had no electricity?

23          A     I did notice and I tried to pay Mr. Birdsong, who  
24 would not accept the money.

25          Q     When you were on the stand yesterday you told us

1 that except for three very specific periods of time the elec-  
2 tricity was on at all times at the station. Was that the  
3 truth or were you lying?

4 A To me it didn't seem like that it was that long a  
5 period of time. I'm confused as to the dates and when the  
6 lights were on and when the tower lights were on. There was a  
7 time that the electric was on and my tower lights were, were  
8 down because my top beacon light was off.

9 Q That, that was a one-day period, was that correct?

10 A There was a one-day period. I've had a lot of  
11 problems -- I was not able to reach the tower company that I  
12 tried to reach in reference to the tower. I had to find  
13 someone to climb that tower. It's 325 feet in the air and  
14 through the help of a friend I found someone in Tyler. So,  
15 it's, it's like -- my dates are -- I'm confused with the dates  
16 and when the lights were off and the tower light was off,  
17 because I had a problem with the tower lights when the lights  
18 were on.

19 (Off the record.)

20 (On the record.)

21 WITNESS: So, you'll, you'll have to forgive me if I  
22 can't be accurate with your dates and --

23 BY MR. ZAUNER:

24 Q You testified that you went to a place called -- was  
25 it the Center? Was that -- am I --

1           A     The town? Center, Texas?

2           Q     Yes.

3           A     Yes.

4           Q     And, and it was there that you went to the South-  
5 western Electric Power Company office?

6           A     Um-hum.

7           Q     And you offered to pay them money to return elec-  
8 tricity to the station?

9           A     That's correct.

10          Q     And you said that they refused payment?

11          A     Mr. Birdsong refused payment.

12          Q     Was it that they refused payment or did they tell  
13 you that they would take the money but they wouldn't return  
14 the electricity to the station until the station had a city  
15 inspection performed?

16          A     At first he refused the payment, and then with much  
17 conversation he said: well, I'll go ahead and take your  
18 money, but you have to have a city inspection.

19          Q     Isn't it a fact that before the electric company can  
20 return power to any facility there has to be -- commercial  
21 facility, there has to be a city inspection?

22          A     My facility was not inspected.

23                 MR. KELLY: Your Honor, I'm going, I'm going to  
24 object to the questions that ask for a legal conclusion on the  
25 part of the witness as to what city ordinances or, or state

1 utility commission regulations are.

2 BY MR. ZAUNER:

3 Q Did -- yes. Did Birdsong tell you that before the  
4 electric power company could return electricity to the station  
5 that the, the station under city code would have to have an  
6 inspection?

7 A Yes, he did. And then he went ahead and -- I had a,  
8 I had a gentleman from the Longview Jaycees to call Mr. Birds-  
9 ong. They tagged it. They went in and turned the lights on  
10 and the station was not inspected. So, what he told me was  
11 not true.

12 Q But in fact he -- but in fact Mr. Birdsong did agree  
13 to accept your, your down payment that day?

14 A After my attorney -- yes. He said: I'll take your  
15 money but I won't turn the lights on.

16 (Pause.)

17 BY MR. ZAUNER:

18 Q Okay. Do you know whether, whether in fact the  
19 station was inspected by the city?

20 A It was not inspected because I wasn't there with the  
21 key. And he tagged it and left, because the gentleman had  
22 connections in the city and it wasn't necessary then.

23 Q You, you testified that in early January of 1995 you  
24 and an attorney went to the offices of Mr. Birdsong --

25 A That's correct.

1 Q -- and you met with Mr. Birdsong. And what was the  
2 purpose of that meeting?

3 A I was having difficulty -- there was a company  
4 called KWS who had paid a deposit to have the lights turned on  
5 who said that they were issued the license to the station. I  
6 took papers to Mr. Birdsong, Power of Attorney, Deed of Trust,  
7 a letter from Dr. Wren stating that the property was being  
8 sold to me, and that didn't matter. He had accepted monies  
9 from these people; therefore he accepted their deposit. So, I  
10 had to retain an attorney to go with me to gain the access to  
11 the light in my name and everything.

12 Q At the time that you went in and had this meeting  
13 with Mr. Birdsong with your attorney in early January of 1995,  
14 were you aware that the station was not receiving any power?

15 A Yes. I had been trying to, to get the power on, on  
16 this station. I had tried to pay --

17 Q Was that part of the subject of your discussion with  
18 Mr. Birdsong, what it was you had to get -- do to get the  
19 power back on?

20 A I, I expressed to Mr. Birdsong: I have to get the  
21 power on because of the tower lights. He said Southwestern  
22 Bell was -- I mean, excuse me -- SWEPCO was not responsible  
23 for the tower lights being on.

24 Q So, so you knew as of that date in early January  
25 that, that the station was not getting power and that the

1 tower was not lit?

2 A If, if the lights had been on, the tower lights  
3 wouldn't have been on, because someone had cut -- and my  
4 attorney had information to that from technicians and all of  
5 that. Someone had sabotaged the tower. They had -- cut  
6 lights and shot lights out. Okay. So, even if the lights  
7 were on, the power was on, I still would have had to have a  
8 company to get the lights turned on.

9 (Pause.)

10 WITNESS: I was in constant contact --

11 MR. KELLY: There's no question. There's no ques-  
12 tion pending. Please wait until the question be asked.

13 WITNESS: Okay. I'm sorry.

14 BY MR. ZAUNER:

15 Q Yesterday you testified, as I recall, that there  
16 were three days in, in, I think it was September, when you  
17 were in Washington, D. C., when the power was off?

18 A October.

19 Q Was it October?

20 A Yes, sir.

21 Q And then there was one day in November when light-  
22 ning struck the --

23 A That's correct.

24 Q -- and the power was off? And there was -- was  
25 there one other day in January when the power was off because

1 somebody shot out a light because of vandalism? Is that  
2 correct?

3 A There was some days when, right, the lights were  
4 off, the tower lights were off. We have a problem --

5 Q But -- and now you're telling us, though, that, that  
6 the lights were -- on the tower were actually off from Novem-  
7 ber 18, 1994, to January 18th, at least, 1995?

8 A Okay. What, what I'm saying is that when the lights  
9 were turned off we had had a prior problem with the tower  
10 lights. Someone had shot the, the beacon lights out.

11 Q And how long were those lights shot out before you  
12 had them replaced?

13 A How long were they shot out before we had them  
14 replaced? Well, the lights were off, so -- I have documenta-  
15 tion from companies that I called to come and get the tower  
16 lights on. So, the lights got -- they were corrected by the  
17 time the electric power were turned on.

18 Q That doesn't answer my question. How long were the  
19 lights shot out? How long was it from the time the lights  
20 were shot out till the, till the time that you got them  
21 replaced? Were they out one month, one week, one day?

22 A They were out about two weeks. The lights were shot  
23 out about two weeks, because the gentleman had to come from  
24 out of town and then I found Mr. Thompson.

25 JUDGE FRYSIK: Well, I'm losing track. I thought

1 you said that as of November 18th the power was turned off?

2 WITNESS: The power was off.

3 JUDGE FRYSIAK: The question directed to you is how  
4 much time before that were the lights shot out?

5 WITNESS: A day. A couple of days.

6 MR. ZAUNER: And then the power was turned off?

7 WITNESS: Right. A couple of days maximum.

8 JUDGE FRYSIAK: And then the power was off until  
9 January 18th --

10 WITNESS: That's correct. That's correct.

11 BY MR. ZAUNER:

12 Q But when, when was the power turned on again? We,  
13 we know that it was off at least through January 18th, but we  
14 don't know when the power was turned on. Do you know when the  
15 electric company returned power to KARW?

16 A I believe it was January the 21st or 25th, something  
17 of that nature.

18 Q Well, let me show you this Mass Media Bureau Exhibit  
19 3. Well, I, I won't bother showing it to you. I'll just read  
20 to you that, that -- this letter is dated January 26, 1995.  
21 It's signed by Mr. Birdsong and it says, "This account remains  
22 disconnected today" -- talking about the KARW account. So,  
23 would, would that indicate to you that it would have been  
24 sometime after January 26th that the, that the station re-  
25 ceived power again?

1           A       The best of my knowledge, the lights were turned on  
2 January 21st or 25th. My attorney that worked with me at that  
3 time left some documentation or faxed them to me last night as  
4 to when the power was turned on.

5           MR. ZAUNER: Do we have that -- those documents?

6           MR. KELLY: You, you -- where did you put, put that?

7           (Pause.)

8           MR. KELLY: Here's the letter. I'm going to show  
9 this to counsel, Your Honor.

10          (Pause.)

11          MR. KELLY: It is what it is.

12          JUDGE FRYSIAK: All right. Mr. Zauner?

13          MR. ZAUNER: Yes, Your Honor.

14          MR. KELLY: Your Honor, let the record reflect that  
15 when we were off the record I showed to Bureau counsel a  
16 letter from Kenneth W. Smith, attorney at law, of Houston,  
17 Texas, which was dated March 21, 1995.

18          MR. ZAUNER: And let the record reflect that, that  
19 Bureau counsel has, has read the letter and the letter, in the  
20 Bureau's counsels' opinion, does not provide the information  
21 as to when the power was turned back on.

22          JUDGE FRYSIAK: Mrs. Washington?

23          MR. KELLY: Well, Judge, Your Honor, I'd like to  
24 pursue that, and I can put this letter in -- this is the first  
25 -- I don't want to belabor the point, but the letter says,

1 "This letter is to inform the Court that I, Kenneth W. Smith,  
2 do hereby swear and affirm that I personally spoke to Mr.  
3 B. M. "Buck" Birdsong of Southwestern Electric Power Company  
4 (SWEPCO) in Longview, Texas, on or about January 25, 1995,  
5 regarding the electric power at 2929 Signal Hill Drive in  
6 Longview, Texas. He indicated to me at that time that someone  
7 from some other company had already paid a \$400.00 deposit to  
8 have the lights at the radio station turned on the previous  
9 week. He..." And then it goes on, "He assured me that the  
10 tower lights would be on that night.

11 Now, he's, he's again writing that he spoke to Mr.  
12 Birdsong on, on 25 January 1995. So, the letter does indicate  
13 that Mr. Birdsong had told this gentleman that the lights  
14 would be turned on on January 25, 1995. And we can put this  
15 in the record if you want. That's what the letter says.

16 MR. ZAUNER: Well, the record already reflects a  
17 letter, Your Honor, from Mr. Birdsong in which -- dated  
18 January 26, 1995, in which he states this account remains  
19 disconnected today.

20 JUDGE FRYSIAK: Well, why don't you put the letter  
21 in, in evidence.

22 MR. KELLY: Fine. Your Honor, then I would -- this  
23 letter, which has a statement which is not quite the statement  
24 under 1.16 of our rules, but it does -- it says that, "I,  
25 Kenneth W. Smith, do hereby swear and affirm that the above is

1 a true and accurate synopsis of the events that occurred in  
2 Longview, Texas circa January 25, 1995." It is a two-page  
3 letter and I would ask that it be marked for identification as  
4 Praise No. 8.

5 JUDGE FRYSIAK: Yes. Make it --  
6 (Whereupon, the document referred to  
7 as Praise Media Exhibit No. 8 was  
8 marked for identification.)

9 MR. KELLY: And I would ask -- ask permission to  
10 withdraw and make copies at the break.

11 JUDGE FRYSIAK: Yes. Permission granted.

12 MR. KELLY: Thank you, Your Honor. I would move it  
13 be admitted into evidence.

14 MR. ZAUNER: Your Honor, the Bureau objects on the  
15 grounds of hearsay. This is -- the reason that this is being  
16 offered is a statement allegedly made by Mr. Birdsong to the  
17 author of this letter. This is not a statement by Mr.  
18 Birdsong. This is a hearsay statement. The author of the  
19 letter isn't here to cross-examine to find out exactly what  
20 Mr. Birdsong said to him. What we have is this author's  
21 interpretation of what he understood Mr. Birdsong to say.  
22 Moreover, we have a letter that is written by Mr. Birdsong  
23 himself which indicates information different than what is  
24 contained in this letter.

25 MR. KELLY: Of course, Your Honor, if I can be

1 heard, it's the same problem we had when Mr. Birdsong  
2 proffered an unsworn letter. And it is equally as unreliable  
3 or, or has the same evidentiary defects as Praise No. 8, but  
4 since, since Bureau No. 3 is in evidence, then I think it's  
5 fair that Praise No. 8 be admitted as well.

6 JUDGE FRYSIAK: Let me take a look at that letter.

7 MR. KELLY: All right. It's with the reporter.

8 (Pause.)

9 JUDGE FRYSIAK: The problem with this letter, Mr.  
10 Kelly, is, is that the witness just a little while ago indi-  
11 cated that Mr. Birdsong indicated to her that even though a  
12 deposit has been received that there had to be a city  
13 inspection. Now, in her case he says that the need for a city  
14 inspection was obviated because of some connections with  
15 politicians; but in this case, allowing Mr. Smith, I don't  
16 have any, any indication as to how we overcome the city in-  
17 spection which apparently, at the time this letter was -- the  
18 subject of this letter was addressed, it was not had yet.

19 MR. KELLY: No. It's my understanding from the  
20 testimony, I think it's in the record, that, that the wit-  
21 ness's -- that, that the city inspection was never done by the  
22 lights were turned on anyway. And I don't want to mischaract-  
23 erize, but, but that's my understanding of what's in the  
24 record.

25 JUDGE FRYSIAK: I understand. But, you see, these,

1 -- it leaves the reader of this letter in a quandary, taking  
2 -- reading it in the context of what the witness had indicated  
3 just a little while ago, which was that a inspection was  
4 necessary before the power was turned on. Now, the witness  
5 herself is saying that there was no inspection. So, you know,  
6 the indication by the writer of this letter saying that the  
7 power was going to be turned on the 25th is -- has to be  
8 incorrect if we accept the witness's testimony.

9 MR. KELLY: I don't -- again, Your Honor, meaning no  
10 disrespect, I, I believe the witness testified that whatever  
11 requirement there was by the power company that a city  
12 inspection be had was waived and the, and the lights were  
13 turned back on because somebody from the Jaycees who had a CB  
14 radio or some, some type, was a nonbroadcast user on that  
15 tower, went and prevailed on the power company on her behalf.

16 JUDGE FRYSIK: Well, you're offering testimony now  
17 and that's not what --

18 MR. KELLY: Okay. Well, I don't mean, I don't mean  
19 to testify. All I want to do is get at the truth of this  
20 thing --

21 JUDGE FRYSIK: All right.

22 MR. KELLY: Because I don't think it's that  
23 material. I think it's a collateral issue, but it's, it's  
24 frustrating and I'd just like to get it clarified so we have  
25 it on the record.

1 JUDGE FRYSIAK: Nevertheless, I'll sustain the  
2 objection and I'll reject your exhibit and just remind you  
3 that it has been marked for identification.

4 (Whereupon, the document marked for  
5 identification as Praise Media  
6 Exhibit No. 8 was rejected.)

7 MR. KELLY: Right. I'll definitely get copies so it  
8 can go forward with the record.

9 JUDGE FRYSIAK: All right. Mr. Zauner.

10 MR. KELLY: Thank you, Your Honor.

11 BY MR. ZAUNER:

12 Q Mrs. Washington, on November 18, 1994, when you  
13 discovered that the lights were off for the station, for the  
14 tower, did you take any measures to inform -- well, what  
15 measures did you take to inform the FCC of this problem?

16 A I called Mr. Campbell's office. But the first thing  
17 I did was call FAA.

18 Q You call -- who did you call in the FAA?

19 A I spoke to Whiskey Juliet.

20 Q Could you spell it?

21 A Whiskey Juliet. They don't use names. They use  
22 their -- Whiskey Juliet. That's what she told me.

23 Q WJ?

24 MR. KELLY: The wit-- Your Honor, can the witness  
25 refer to her notes to answer this question? Because she, she

1 showed me a note and it would --

2 MR. ZAUNER: Yes.

3 JUDGE FRYSIAK: Whiskey is spelled like Corby's  
4 (phonetic sp.) Whiskey? Juliet, J U L I E T, perhaps?

5 WITNESS: Right.

6 JUDGE FRYSIAK: Like the drink whiskey.

7 MR. ZAUNER: All right. If the witness has notes --

8 WITNESS: I have some.

9 (Pause.)

10 WITNESS: Yes. Whiskey Juliet is the person I spoke  
11 with.

12 BY MR. ZAUNER:

13 Q And where was this person located?

14 A I called 1-800-722-6209.

15 Q Could you repeat that? 1-800 --

16 A 722-6209.

17 JUDGE FRYSIAK: Who was this person?

18 WITNESS: She told me that they didn't use their  
19 real names, they use --

20 JUDGE FRYSIAK: But who -- I mean --

21 WITNESS: She was with FAA.

22 JUDGE FRYSIAK: Oh.

23 BY MR. ZAUNER:

24 Q And where did you get this 1-800 number from?

25 A First of all, I called Gregg, Gregg County, because