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

FCC 96M-25
60809

In re Applications of)	GC Docket No. 95-172
)	
RAINBOW BROADCASTING COMPANY)	File No. BMPCT-910625KP
)	File No. BMPCT-910125KE
)	File No. BTCCT-911129KT
)	
For an Extension of Time to Construct)	
)	
and)	
)	
For an Assignment of its Construction)	
Permit for Station WRBW(TV),)	
Orlando, Florida)	

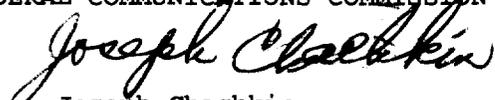
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FEDERAL COMMUNICATIONS COMMISSION

ORDER
Issued: February 28, 1996 Released: March 1, 1996

On February 12, 1996, Press Broadcasting Company, Inc. (Press) filed a "Request For Determination Of Relevance Of Examination." Press seeks therein a determination by the Presiding Judge that the proposed examination of certain named Commission employees relate to matters that are relevant to the designated ex parte issue (issue (1)). Now pending before the Presiding Judge is a "Notice of Depositions" of the named Commission employees plus an additional employee, filed by Press on February 26, 1996. The filing of the instant Notice moots consideration of the earlier pleading, which will be dismissed.^{1 2}

Accordingly, IT IS ORDERED, That the "Request For Determination Of Relevance Of Examination" filed February 12, 1996 by Press Broadcasting Company, Inc. IS DISMISSED as moot.

FEDERAL COMMUNICATIONS COMMISSION


Joseph Chachkin
Administrative Law Judge

¹ Press states in its Notice that it does not object to the dismissal of its earlier pleading if the Presiding Judge chooses to rule on the instant Notice (see Notice, note 3). The filing of a Notice, pursuant to Section 1.315 of the Rules, is the proper procedure for the taking of depositions of non Commission as well as Commission employee deponents. Among other things, it provides a process for filing oppositions and responses and also affords due process to deponents whether represented by counsel or not (Section 1.315(b)(1)).

² Any grant of the relief sought herein by Press will include a Protective Order requiring a special order of the Commission as prescribed in Section 1.311(b)(2) of the Rules.