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

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In Re Applications Of	)	WT DOCKET NO. 96-41	
	)		
	)	File Nos.:	
LIBERTY CABLE CO., INC.	)	708777	WNTT370
	)	708778, 713296	WNTM210
For Private Operational Fixed	)	708779	WNTM385
Microwave Service Authorization	)	708780	WNTM555
and Modifications	)	708781, 709426, 711937	WNTM212
	)	709332	NEW
New York, New York	)	712203	WNTW782
	)	712218	WNTY584
	)	712219	WNTY605
	)	713295	WNTX889
	)	713300	NEW
	)	717325	NEW

To: Administrative Law Judge Richard L. Sippel

**MOTION TO CORRECT HEARING TRANSCRIPT**

Pursuant to Order 97M-24 (released February 26, 1997), Bartholdi Cable Co., Inc., formally known as Liberty Cable Co., Inc. ("Liberty"), hereby submits its Motion to Correct the Hearing Transcript in the above-captioned proceeding. The attached Exhibit A consists of the errata sheets, previously submitted on February 7, 10 and 11, 1997, modified in accordance with the Order. In addition, Liberty has made the following non-substantive modifications:

- 1) Howard Milstein's errata sheet, submitted on February 11, 1997, contained a typographical error: Tr. 566:16 should have been listed as Tr. 556:16. This

*OHG*

correction has been made to Exhibit A.

- 2) Edward Milstein's errata sheet, submitted on February 11, 1997, contained two identical proposed corrections to Tr. 1654:9; the deletion of the repeated reference is reflected in Exhibit A.
- 3) Edward Milstein's errata sheet contained a proposed change at Tr. 1666:24. "LDE" is not mentioned in Edward Milstein's testimony; accordingly, this proposed change has been deleted from Exhibit A.
- 4) The errata sheets of Edward Milstein, submitted on February 11, 1997, and Anthony Ontiveros, submitted on February 7, 1997, contained proposed changes that were listed out of sequence. The proposed changes in Exhibit A are listed in the correct page/line number sequence.
- 5) The errata sheet of Anthony Ontiveros contained a typographical error: Tr. 1703:3 should have been listed as Tr. 1703:15. This correction has been made to Exhibit A.
- 6) The errata sheets of Liberty's attorneys are presented following the witness errata sheets at the end of Exhibit A.

Except for the above-noted modifications, the attached Errata Sheet is in all material respects identical to the errata sheets previously submitted.

Dated: New York, New York  
February 26, 1997

CONSTANTINE & PARTNERS

By: 

Robert L. Begleiter  
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Yang Chen  
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- and -

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Bartholdi Cable Company, Inc.

**- EXHIBIT A -**

*In the Matter of Liberty Cable Company, Inc.*  
WT Docket No. 96-41

**WITNESS ERRATA**

**Howard Milstein**  
**Volume VII: January 13, 1997**

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
509	6	“Grams” to “Brands”	Typographical error.
509	13	“bought” to “brought”	Typographical error.
510	10	“monopolous” to “monopolist”	Typographical error.
511	10	“Immigrant” to “Emigrant”	Correct company name.
511	11	“Immigrant Bank Corp.” to “Emigrant Bancorp,”	Correct company name.
511	12	“Bank Corp.” to “Bancorp”	Correct company name.
511	13	“Douglas Selliman” to “Douglas Elliman”	Typographical error.
513	4	“we” to “he”	Typographical error.
517	16	add “it” after “about”	Missing word.
520	5	“is” to “were”	Typographical error.
522	10	“involvement.” to “degree.”	Proper grammar
530	3	“You better that application” to “You better watch that application”	Missing word.
531	11	“spear” to “sphere”	Typographical error.
545	9	“wrong” to “right”	Misheard.
556	16	“founded” to “found”	Proper tense.
559	3	“WTV” to “WTB”	Typographical error.
560	5	“in this detail” to “in detail”	Typographical error.
564	22	“pining” to “finding”	Typographical error.

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
571	23	“responsive or” to “responses of”	Typographical error.
578	8	delete “if” before “had”	Unnecessary word.
594	18	“as” to “was”	Typographical error.
597	10	“ELM/2” to “ELM/TO”	Typographical error.

**Behrooz Nourain**  
**Volume VII: January 13, 1997**

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
608	15	“directing” to “director”	Typographical error.
610	18	“upped” to “inputted”	Typographical error.
610	19	“called nation” to “coordination”	Misheard.
611	20	“Yes, I did.” to “Yes, I was.”	Typographical error.
612	16	delete the word “from” before the word “serving”; “serving” to “surveying”	Typographical error.
624	19	“Initial” to “Emission”	Typographical error.

**Behrooz Nourain**  
**Volume VIII: January 14, 1997**

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
737	21	“it’s” to “its”	Typographical error.
856	11	“Than” to “Thank”	Typographical error.
865	25	“I” to “It”	Typographical error.
884	25	“February” to “April”	Misheard.
893	8	“Western” to “West End”	Typographical error.
893	10	“Western” to “West End”	Typographical error.

894	17	“Avenue” to “Street”	Conform with address in HDO Appendix A.
905	10	“on” to “off”	Misheard.

**Michael Lehmkuhl**  
**Volume IX: January 15, 1997**

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
1031	1	“one” to “once”	Typographical error.
1031	13	“coordination” to “coordinator”	Typographical error.
1154	11	“to” to “too”	Typographical error.
1157	4	“I little more eloquently I think.” to “I said it a little more eloquently, I think.”	Clarification.
1168	25	“Berrus” to “Behrooz”	Typographical error.
1172	4	“Crystal Plaza II” to “Bristol Plaza to”; also delete “,” between “to” and “30”.	Clarification
1174	11	add “April” to “in late ____ or in May,”	Missing word.

**Michael Lehmkuhl**  
**Volume X: January 16, 1997**

1293	11	delete the “,” between paralegal and assistant	There was no separate assistant in the search process.
1321	12	Change “on preparation” to “ <u>in</u> preparation”	Typographical error.

**Peter O. Price**  
**Volume X: January 16, 1997**

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
1345	14	“want” to “wanted”	Proper tense.
1347	21	“Rosenburg” to “Rosenberg”	Typographical error.

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
1349	1	“form” to “forum”	Typographical error.
1350	4	“Elleman” should read “Elliman”	Typographical error.
1358	7	“Howler” to “Haller”	Proper spelling of name.
1360	10	insert “if” between “or” and “it”	Missing word.
1371	21	insert “think” between “don’t” and “Howard”	Missing word
1382	5	add “it” after “that” at the end of the sentence	Missing word.
1408	24	“LDE” should read “LVE”	Typographical error.
1413	4	“of” between “lack” and “oversight”	Missing word.
1443	23	“supervisory” to “supervisor”	Typographical error.

**Peter O. Price**  
**Volume XI: January 21, 1997**

1497	11	delete the words “Mr. Price” after “Okay”	Unnecessary words.
1504	11	delete the words “when I saw” after “but”	Unnecessary words.
1513	10	“hardware” to “hardwire”	Misheard.
1514	1	insert after “conducting” the words “our business.”; add “I” in front of “shouldn’t”	Left out.
1533	20	“it may have” to “I may have”	Typographical error.
1534	25	after the word “author” insert “of,”	Missing word.
1536	5	delete the “a” at the beginning of the line	Unnecessary word.
1537	16	“help” to “helped”	Proper tense.
1538	20	delete the “I” before “I’ll”	Unnecessary word.
1539	16	replace second “I” with “am”	Incorrect.

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
1539	21	“of” at the end of the line to “or”	Typographical error.
1539	25	the word “or” after “affect” should be “our”	Typographical error.
1541	9	replace second “that” with “we”	Incorrect.
1567	20	insert “,” between “revised” and “questions”	Missing punctuation.
1572	3	replace “operation” with “supervision”	Misheard.
1584	20	“91” to “92”	Incorrect date.
1586	13	“foreign” to “fine”	Yale is not a foreign law school as the Presiding Judge is well aware.
1586	21	delete the capital “I” before the words “Force majeure”	Unnecessary word.
1588	13-14	insert quotation marks around the phrase “had been Liberty’s pattern and practice to wait”	Clarification.
1590	22	delete the words “were that”	Unnecessary words.

**Edward Milstein  
Volume XII: January 27, 1997**

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
1614	6	“Elleman” to “Elliman”	Proper spelling of name.
1614	9	“Elleman” to “Elliman”	Proper spelling of name.
1614	11	“immigrant” to “Emigrant”	Proper spelling of name.
1625	14	“even” to “event”	Typographical error.
1631	8	delete “that” after the word “about”	Unnecessary word.
1653	6	insert “know” after “really”	Missing word.
1654	9	“RCA” to “RCN”	Correct company name.

1659	16	“believe” to “believed”	Proper tense.
1662	25	insert “how” after “know,” at the end of the line	Missing word.
1663	10	“authorization” after the word “without”	Missing word.

**Anthony Ontiveros**  
**Volume XII: January 27, 1997**

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
1685	19	“hotels going to” to “at hotels, you go to your”	Clarification
1686	7	insert “I” after “and”	Missing word.
1686	21	“off their” to “off-air”	Misheard
1686	22	insert “signal” after “that	Clarification
1687	20	“When” to “From”	Misheard
1687	20	“come” to “came”	Proper tense.
1692	6	“we’re” to “or”	Misheard.
1702	24	delete “every company”	Unnecessary words
1703	12	insert “I” after “obviously”	Missing word.
1703	13	delete “our”	Unnecessary word.
1703	15	insert “had” before “sign-offs” at the beginning of the line	Missing word.
1753	25	“rights” to “rates”	Misheard.
1760	9	insert “with” after “coincided”	Missing word.
1766	6	“passes” to “passives”	Misheard.
1776	5	delete “bought” replace with “was brought to”	Misheard.
Global		“Normandy” to “Normandie”	Proper name.

**Howard Barr**  
**Volume XIII: January 28, 1997**

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
1790	5	“Ogelthorpe” to “Oglethorpe”	Misspelling
1790	11	“Emea” to “Femia”	Misspelling
1791	8	The word “wireless” is missing between the words “our” and “cable”.	Apparant transcription error
1796	13	“22nd” to “27th”	Apparant transcription error
1796	20	Clarify that I was focusing on the January, 1995 - April, 1995 time frame.	To assure that the response is placed in its appropriate context.
1801	9	“I’ve” to “I”	Apparant transcription error
1803	19	“say” to “see”	Apparant transcription error
1807	2	The word “everybody” to “anybody”	Apparant transcription error
1821	16	Clarify that I was focusing on the January, 1995 - April, 1995 time frame	To assure that the response is placed in its appropriate context.
1842	6	Delete “yeah”	I do not recall responding affirmatively to the question and the follow-up question does not suggest that I responded affirmatively.
1851	25	“Jeckabowski” to “Jakubowski”	Misspelling
1852	9	“very best” to “Berry Best”	Apparant transcription error

1888	23	“very” to “to refer”	Apparant transcription error
1928	21	“Jack Jeckabowski” to “Dave Jakubowski”	His name is Dave Jakubowski, not Jack Jeckabowski.
1929	23	“Jeckabowski” to “Jakubowski”	Misspelling
1930	4	“Jeckabowski” to “Jakubowski”	Misspelling

## **ATTORNEY ERRATA**

### **Volume VIII: January 14, 1997**

<u>Page No.</u>	<u>Line No.</u>	<u>Change</u>	<u>Reason for Change</u>
767	12	“combing” to “combining”	Typographical error [Spitzer] .
781	12	“candid” to “candor”	Typographical error [Begleiter].
883	18	“put” to “point”; “exhaustively” to “exhaustively”	Typographical error [Begleiter].

### **Volume IX: January 15, 1997**

1008	7	“administerial” to “administrative”	Typographical error [Spitzer].
1223	11-14	“Judge, again, I hate to interrupt, but it’s, I think this is really unfair and I do out of the presence of this witness when the information is right in front of you not to show it to the witness.” to “Judge, again, I hate to interrupt, and I would do this out of the presence of this witness, but I think this is really unfair when the information is right in front of you not to show it to the witness.”	Clarification [Begleiter].

**Volume X: January 16, 1997**

1301	11	“will” to “were”	Typographical error [Spitzer].
1342	8	insert “than” between “other” and “if”	Missing word [Spitzer].
1380	2	“airs” to “bears”	Typographical error [Spitzer].

**Volume XI: January 21, 1997**

1521	24	insert a “colon” between “effect” and “to”	Clarification [Spitzer].
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**Volume XII: January 27, 1997**

1619	12	“199” to “1995”	Typographical error [Begleiter].
1626	16-17	“else anyone” to “anyone else”	transposed words [Begleiter].
1666	12	“no” to “not”	Typographical error [Begleiter].
1680	18	“privileged” to “privilege”	Typographical error [Spitzer].
1748	15	“an HDL” to “on the HDO”	Clarification; typographical error [Chen].
1749	8	“hot water” to “hardwire”	Misheard [Spitzer].

**CERTIFICATE OF SERVICE**

I, Mamie Mellerson, certifies and says that I am not a party to the action and am over 18 years of age, have on this 26th day of February 1997, caused to be served by facsimile and by pre-paid first class mail, except as indicated\* below, a true copy of the foregoing *Motion to Correct hearing Transcript*, upon:

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Katherine C. Power, Esq.  
Mark L. Keam, Esq.  
Wireless Telecommunications Bureau  
Enforcement Division  
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Hon. Richard L. Sippel \*  
Administrative Law Judge  
2000 L Street, N.W. Suite 220  
Washington, D.C. 20554

Dated: New York, New York  
February 26, 1997

  
Mamie Mellerson

\* By Hand Delivery by:  
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