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MAR 18 1997

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

Federal Communications Commission
Office of Secretary

In the Matter of) WT DOCKET NO. 94-147
)
JAMES A. KAY, JR.)
)
Licensee of one hundred fifty two Part 90)
Licenses in the Los Angeles, California, Area)

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To: Administrative Law Judge
Richard L. Sippel

WIRELESS TELECOMMUNICATIONS BUREAU'S
STATUS REPORT

1. The Wireless Telecommunications Bureau hereby submits its status report, as directed by the Presiding Judge in his Prehearing Conference Order, FCC 97M-32 (released March 3, 1997).

2. The Bureau anticipates further discovery as follows: inspecting Kay's stations; initiating further document requests and interrogatories; conducting depositions of James A. Kay, Jr. ("Kay"), Marc Sobel, and other of Kay's witnesses when such witnesses are identified. The Bureau also anticipates filing a further motion to compel the production of loading information as well as motions to enlarge issues against Kay. It is anticipated that the latter would seek multiple issues arising, in part, out of Kay's failure, earlier in this proceeding, to produce requested loading information.

3. The Bureau anticipates using written direct testimony for its witnesses, to the extent possible. Because discovery is not yet complete, the Bureau is unable at this time to provide a definitive list of the individuals who will, on behalf of the Bureau, provide direct testimony. However, the Bureau notes that it has previously submitted in response to Kay's interrogatories a list of persons who have knowledge and information about relevant matters in this case. It is from that list of persons (and any other individual whom the Bureau might identify and provide to Kay prior to hearing) that the Bureau will call its witnesses. The Bureau estimates at this early date that it will call fewer than twelve witnesses.

4. In the Show Cause Order in this proceeding, the Commission directed the Presiding Judge to consider whether a forfeiture is appropriate. The Bureau anticipates that it will address in its proposed findings of fact and conclusions of law the matter of appropriate sanctions, including a forfeiture penalty. The amount of any forfeiture penalty that the Bureau may recommend will be based on the guidelines referenced in Section 503(b)(2)D) of the Communications Act of 1934, as amended.

5. The Bureau proposes the following procedural schedule:

July 25, 1997	Conclusion of discovery
August 8, 1997	Bureau exchange of exhibits.
August 22, 1997	Kay exchange of exhibits.
August 26, 1997	Notification of witnesses for cross-examination

Sept. 8, 1997 Hearing to commence with Admissions Session in
Washington, D.C.

Sept. 22, 1987 Los Angeles phase of hearing to commence.

Respectfully submitted,
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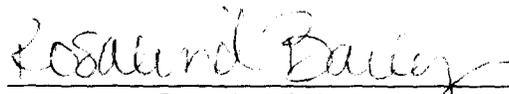
March 18, 1997

CERTIFICATE OF SERVICE

I, Rosalind Bailey, a secretary in the Enforcement Division, Wireless Telecommunications Bureau, certify that I have, on this 18th day of March 1997, sent by regular First Class United States mail, copies of the foregoing "Wireless Telecommunications Bureau's Status Report" to:

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Rosalind Bailey