

FCC MAIL SECTION

Before the

FEDERAL COMMUNICATIONS COMMISSION

APR 29 12 01 PM '97 Washington, D.C. 20554

FCC 97M-70
71157

In re)	MM DOCKET NO. 96-173
)	
CHAMELEON RADIO CORPORATION)	
)	
Order to Show Cause Why the)	
License of Station KFCC(AM),)	
Bay City, Texas Should Not)	
Be Revoked)	
)	
Request for Extension of Special)	
Temporary Authority)	

MEMORANDUM OPINION AND ORDER

Issued: April 24, 1997

Released: April 28, 1997

1. Under consideration are "Second Motion For Extension Of Time In Which To File Findings Of Fact" filed April 23, 1997 by Chameleon Radio Corporation (Chameleon); and Mass Media Bureau's Opposition To Second Motion For Extension Of Time filed April 23, 1997.

2. The record in this proceeding was closed on February 24, 1997 and, with the agreement of the parties, ¹ the date for the filing of proposed findings and conclusions was set for April 11, 1997. By Order (FCC 97M-53, released April 11, 1997), the Presiding Judge granted Chameleon's request to extend the date for filing proposed findings to April 25, 1997. Now before the Presiding Judge is a further request filed by Chameleon on April 23, the eve of the extended filing deadline, for an additional 14 days to file its proposed findings.

3. Chameleon claims, as it did in support of its prior request, that additional time is warranted due to Chameleon's lack of counsel and Werlinger's lack of experience in the preparation of such documents and difficulty of accessing the Commission's law library. Chameleon also asserts that the requested extension of time will not result in unnecessary delay and that this will be the last such request it will make. The Bureau opposes Chameleon's request and urges its denial.

4. Chameleon has not established good cause for grant of additional time to file its proposed findings. In this connection, the record in this proceeding is not extensive. The

¹ Don Werlinger, the president of Chameleon, who appeared on behalf of Chameleon, when asked his choice of date for the filing of proposed findings, asserted that he "would like the shortest schedule possible." (Tr. 213).

hearing was completed in one day and the transcript of the hearing consumes only 200 pages. Under the circumstances, more than ample time has been afforded to Chameleon to prepare its proposed findings. Nevertheless, considering the shortness of time prior to the due date and the desire to afford Chameleon an opportunity to put forth its view of the record, the Presiding Judge will grant Chameleon an additional seven days to May 2, 1997 to file its proposed findings. No further extension of time will be granted.

Accordingly, **IT IS ORDERED**, That the "Second Motion For Extension Of Time In Which To File Findings Of Fact" filed April 23, 1997 by Chameleon Radio Corporation IS **GRANTED** in part; the date for filing proposed findings and conclusions of law IS **EXTENDED** to May 2, 1997; and the date for filing replies IS **EXTENDED** to May 16.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in cursive script, appearing to read "Joseph Chachkin".

Joseph Chachkin
Administrative Law Judge