

FCC MAIL SECTION

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554
FCC 97I-28
71746

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|------------------------------------|---|-----------------------|
| In re Applications of |) | MM DOCKET NO. 92-6 |
| |) | |
| NORMANDY BROADCASTING CORP. |) | File No. BRH-910129UR |
| |) | |
| For Renewal of License for Station |) | |
| WYLR(FM) (95.9 MHz) |) | |
| Glenns Falls, New York |) | |
| |) | |
| LAWRENCE N. BRANDT |) | File No. BPH-910430MB |
| |) | |
| For A Construction Permit for a |) | |
| New FM Station on 95.9 MHz at |) | |
| Glenns Falls, New York |) | |

ORDER

Adopted: August 25, 1997 ; Released: August 27, 1997

By the Assistant General Counsel, Administrative Law Division:

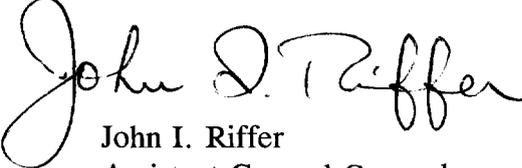
1. This order directs the Mass Media Bureau to respond to the pleading entitled "Response to Order Released July 24, 1997 and Motion to Reopen Record and Establish Disqualifying Issue Against Lawrence N. Brandt" filed August 13, 1997 by Normandy Broadcasting Corp.

2. Normandy filed its pleading pursuant to the Order, FCC 97I-22, released July 24, 1997, which directed it to respond to a Motion to Reopen Record and Enlarge Issues filed April 16, 1997 by Lawrence N. Brandt. Brandt's Motion requested specification of issues, inter alia, to determine whether Normandy has transferred control over station WLYR(FM) and its companion AM station WWSC without Commission consent and whether Normandy has failed to maintain a main studio in compliance with 47 C.F.R. § 73.1125. In Comments on Brandt's Motion filed April 30, 1997, the Bureau opined that although the allegations did not raise substantial and material questions of fact warranting further hearing:

Brandt's allegations and supporting evidence, unless adequately rebutted by Normandy, appear sufficient to warrant an investigation by the Bureau to determine whether rule violations have occurred. If an investigation occurs, the Bureau may ultimately decide to institute forfeiture proceedings and/or seek enlargement of the issues in this proceeding, and/or advocate institution of revocation proceedings with respect to the license for Station WWSC.

Bureau Comments at 5 n. 1. In view of the Bureau's stated position, it will assist the Commission in its deliberations on this matter for the Bureau to file comments giving its response to Normandy's pleading.

3. ACCORDINGLY, IT IS ORDERED, pursuant to the authority delegated under 47 C.F.R. § 0.251(c), that the Mass Media Bureau IS DIRECTED to submit, within 15 days after the release of this order, its response to the Response to Order Released July 24, 1997 and Motion to Reopen Record and Establish Disqualifying Issue Against Lawrence N. Brandt filed August 13, 1997 by Normandy Broadcasting Corp.

A handwritten signature in black ink that reads "John I. Riffer". The signature is written in a cursive style with a large, looping initial "J".

John I. Riffer
Assistant General Counsel
Administrative Law Division
Office of General Counsel