

P&C applied for STAs for certain paths where license applications were pending and that previously had been activated. In a letter from P&C, which was directed to Mr. McKinnon, P&C also indicated that it might be possible for the Company to obtain an authorization to use Hughes' experimental authorization. Mr. McKinnon left the Company shortly after the letter was sent.<sup>10</sup>

Accordingly, between the fall of 1992 and the fall of 1993, it appears that:

- Mr. Nourain began to activate microwave paths on the incorrect assumption that STAs would be granted by the FCC within 45 days of the coordination notification but failed to notify Liberty's management of this activity. It appears that service on paths to numerous buildings was initiated prior to specific FCC authorization.

- Of Liberty's management, only Mr. McKinnon, the Company's Executive Vice President who left Liberty in the spring of 1993, was aware that specific licenses or STAs had not been obtained for certain microwave paths although he was not aware of Mr. Nourain's specific practices. However, Mr. McKinnon believed that until the FCC applications were granted, Liberty's operations were covered by Hughes Aircraft's experimental authorization and that in accordance with that authority no charges were being made to subscribers and potential subscribers for those services. Mr. Price shared this belief; however, he was not aware that any of his

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<sup>10</sup> Mr. McKinnon's departure was unrelated to licensing matters.

subordinates were activating service on the basis of this belief. Neither was he aware that service was otherwise being activated prematurely. Moreover, neither Mr. McKinnon nor Mr. Nourain so informed him.

- P&C appears to have become aware in April 1993 that service without specific licenses or STAs had been undertaken on some paths but likewise failed to communicate this fact to Liberty's management.

### **C. Licensing From Fall 1993 to April 1995.**

In October 1993, P&C informed Liberty that the FCC disfavored routine STA requests, and at that time P&C ceased filing STA requests on behalf of Liberty. However, P&C did not explicitly inform anyone at the Company that they intended to stop filing STAs altogether. As a result, Mr. Nourain stated that he continued to believe that STA requests were being filed with license applications and that they were being granted about 45 days after coordination notification. Accordingly, Mr. Nourain continued to initiate service based on the mistaken assumption that the paths were authorized although he has acknowledged that he activated service to some buildings knowing that authorizations had not been granted. Service to the 19 buildings currently operating without specific license or STA was initiated at this time.

Mr. Ontiveros, the Company's General Manager, learned at some point in late 1994 or early 1995 that one or two buildings had been improperly activated. Mr. Ontiveros indicated that he raised the issue of unrealistic time constraints on the

activation of service to a particular building at a meeting in December 1994. However, Mr. Ontiveros said that he did not tell anyone in the management structure of the Company that microwave paths had been activated without specific license or STA.

During the course of its analysis, the investigating firms discovered that service to four buildings had been initiated in July 1994 even though no applications were filed for those paths. The investigating firms discovered that from March 1994 through May 1994, Mr. Nourain conducted initial site surveys of each of the four buildings and that he then instructed Comsearch to perform the engineering analysis to clear the paths. These analyses were conducted between March and May 1994, and the results were transmitted to Mr. Nourain. Mr. Nourain stated that he believed that he instructed Comsearch to initiate the application process by circulating the coordination notification. However, since the established procedure was for issuing such instructions to Comsearch by telephone, there is no record of this. The investigation disclosed that Comsearch had lost the files relating to these four paths, suggesting that Mr. Nourain may in fact have instructed Comsearch to file the applications. Mr. Nourain, operating under his mistaken assumptions regarding the application and STA processes, thereafter initiated service to the four sites without knowing that P&C had neither received the data sheets from Comsearch nor filed for licenses.

#### **D. Investigative Conclusions.**

Based on its analysis and research, the investigating firms came to the following conclusions:

- While Liberty's initial licensing (during Mr. Stern's tenure as a consulting engineer) was completed in accordance with Commission rules and policies, after Mr. Nourain was employed by Liberty there were numerous instances in which service was initiated on microwave paths without specific FCC authorization.

- Service was initiated by Liberty's Chief Engineer without reference either to the Hughes Test License or to specific STA or license grants. Throughout this period, Liberty's top management and ownership was unaware that paths were being activated on this basis. It appears that Mr. McKinnon, who supervised construction and activation of service, was aware that some paths had been initiated without specific FCC authorization. However, Mr. McKinnon appears to have believed that such operation was covered by a Test License secured from Hughes. Much later, Mr. Ontiveros became aware that one or two paths had been activated without specific FCC authorization. None of these officials appears to have communicated the circumstances surrounding initiation of new service to Liberty's President or owners.

- The company retained Pepper & Corazzini to apply for FCC licenses and assist Liberty management in assuring compliance with FCC regulations. Pepper & Corazzini became aware in April 1993 that Liberty had in certain instances initiated microwave service prior to obtaining licenses but never communicated this fact to any

Liberty officer. Instead, Pepper & Corazzini cryptically informed Liberty of the need to comply with FCC licensing regulations. At the same time, Pepper & Corazzini's practices exacerbated the apparent confusion at Liberty about licensing procedures and about which license or STA authorized which path. These practices included having Liberty's engineer sign license applications in blank, failing to identify for Liberty which microwave paths were covered by granted STAs and failing to prepare a regular report to "accurately audit what licenses Liberty has requested and which have been provided," a report which Liberty had asked Pepper & Corazzini to prepare.

- While the Company took actions evidencing its intention to comply with FCC licensing regulations, throughout this period, there was no continuing, effective internal supervision or oversight of the licensing process. However, when evidence of licensing problems began to emerge in April and May of 1995, the Company moved aggressively to investigate the problem and take remedial action.

- As President of Liberty, Mr. Price had overall responsibility for operations, including licensing. Mr. Price understood the importance of the 18 GHz licenses and the need to track their progress. While attempts were made by Mr. Price to assure compliance with FCC rules, it does not appear that he sufficiently monitored the status of FCC authorizations.

- While Liberty recognizes that the FCC's inability to promptly respond to Liberty's licensing requests (necessary to provide competition to Time Warner in the provision of programming services) does not justify Liberty's actions, had the Commission been more responsive to Liberty applications, many of the paths could have been authorized at the time they were activated.

As stated previously, the investigating firms have prepared an FCC Licensing Compliance Program, which is being implemented by the Company and is attached as Exhibit A.

A

**LIBERTY CABLE COMPANY, INC.  
FCC LICENSING COMPLIANCE PROGRAM**

In order to insure that Liberty Cable Company, Inc. ("Liberty") complies with all applicable laws and FCC rules and regulations relating to the licensing of 18 GHz microwave transmission paths, Liberty retained Constantine & Partners to formulate a compliance program that would:

- (a) define the procedures to be followed by Liberty to obtain FCC authorization to transmit over 18 GHz microwave paths;
- (b) create a training program that would insure that all relevant Liberty employees understood the steps involved in the FCC licensing procedure and all surrounding laws, rules, and regulations;
- (c) create a reporting procedure so that any violations of applicable laws, rules, or regulations or Liberty's own procedures would immediately be reported to both a Liberty supervisor and a designated FCC Compliance Officer; and
- (d) create an audit process so that Liberty can verify that it is satisfying the procedures created in this document.

**I. License Acquisition Procedures To Be Followed By Liberty**

**A. General Rules and Procedures**

1. No Liberty employee will be permitted to initiate any 18 GHz transmission over a microwave path until the FCC Compliance Officer (hereinafter "the Officer") has signed the FCC Path License Check List (the "Check List," a copy is attached as Exhibit 1), certifying that all necessary steps have been completed and that either a license or a Certificate of Special Temporary Authority ("STA") (collectively FCC "Authorization") has been obtained authorizing service on such microwave path.

2. The Officer shall be selected by the Chairman of Liberty and shall report directly to the Chairman. The Officer may have other duties within Liberty.

3. The Officer shall be responsible for maintaining complete records of all licensing related documents involving every 18 GHz path used by Liberty. For every path for which FCC authorization is sought after August 15, 1995, these files shall contain the documents listed in Exhibit 2. For licenses sought before July 15, 1995, the Officer shall develop as complete a file as is possible, seeking to compile all documents analogous to those listed in Exhibit 2.

**B. Licensing Steps**

1. The license acquisition process shall begin when any individual within Liberty determines that there is a significant likelihood that Liberty will need to initiate transmission of 18 GHz signal to a particular destination within the next six months. This determination, as soon as made, will be conveyed to the Officer by means of a "Path Acquisition Request," a copy of which is attached as Exhibit 3.

2. The Officer, upon receipt of a Path Acquisition Request, shall open a file pertaining to that Path and shall, if he/she determines that the path is likely to be needed by Liberty within the next six months, transmit the Path Acquisition Request, with his/her approval indicated, to the Chief Engineer.

3. The Chief Engineer shall, upon receipt of an approved Path Acquisition Request, perform the following tasks:

- a. determine whether line of site exists for the path;
- b. determine the coordinates of the receiving and transmitting locations for the path;
- c. determine the elevation above ground level of the transmitting and receiving locations;

- d. determine the type of antenna to be used at the receiving location; and
    - e. determine any other information needed by Comsearch to perform a prior coordination of the specific proposed microwave path.
  4. The information referenced in point 3 shall be transmitted by the Chief Engineer to the Officer on a form called "Liberty Engineer Evaluation Report" (attached as Exhibit 4).
  5. The Officer shall transmit the Liberty Engineer Evaluation Report to the following parties:
    - a. Comsearch, via fax, with a cover letter requesting that the path be coordinated.
    - b. The law firm retained to file 18 GHz license applications with the FCC, via fax, with a request that such firm be prepared to file any applicable FCC license applications as soon as Comsearch has completed prior coordination and notice procedures.
    - c. The Liberty employee initially requesting that the path be cleared.
  6. Upon completion of its initial analysis of the desired path, but before circulation of Pre-Clearance Notifications, Comsearch shall be instructed by the Officer to send, via fax, to both the Chief Engineer and the Officer a Data Sheet for approval.
  7. Upon verification of the accuracy of the information in the Data Sheet, the Chief Engineer shall so certify by sending to the Officer a copy of the Data Sheet with a signature indicating approval. The Officer shall then send the approved Data Sheet, via fax, to Comsearch, with a cover memorandum indicating that Comsearch should initiate prior coordination notification.

8. Upon completion of the prior coordination notification, Comsearch shall generate its Supplemental Showing and send copies of that showing to the Officer, the Chief Engineer, and the retained law firm.

9. The Officer, upon receipt of the Supplemental Showing, if there continues to be a likelihood that Liberty will need authorization for transmission over the path, shall instruct the retained law firm to prepare and file a license application and, when necessary and appropriate, an STA request as soon as permitted by then applicable FCC rules or procedures.

10. The retained law firm: a) shall submit all completed license applications or STA requests for review and signature by Liberty; (b) shall file the application or request with the FCC; c) shall copy the Officer on all correspondence; and d) shall indicate on all documents, licenses, STAs and correspondence not only the FCC file number but also the addresses of the transmission and receiving locations of the path at issue.

11. Whenever a license is received by Liberty, it shall send copies to the following parties: the Officer, the Chief Engineer, and the retained law firm.

12. Upon receipt of any license or STA, the Officer shall send to the Chief Engineer a copy of the completed FCC Path License Check List authorizing the initiation of service.

13. The Officer shall create a system to insure that 90 days before the expiration of any license, a renewal process is commenced.

C. Training Program

1. Every Liberty employee in the marketing, construction and engineering departments shall receive and acknowledge in writing receipt of this Compliance

## FCC PATH LICENSE CHECK LIST

Transmission Location: \_\_\_\_\_

Receiving Location: \_\_\_\_\_

FCC Path Number: \_\_\_\_\_

1. Date Path Acquisition Request received by Officer: \_\_\_\_\_
2. From Whom Path Acquisition Request was Received: \_\_\_\_\_
3. Date Path Acquisition Request approved and sent to Chief Engineer: \_\_\_\_\_
4. Date Chief Engineer completed Liberty Engineer Evaluation Report: \_\_\_\_\_
5. Date Liberty Engineer Evaluation Report received by FCC Compliance Officer: \_\_\_\_\_
6. Date Officer transmitted Liberty Engineer Evaluation Report to:
  - a. Comsearch via fax requesting path coordination: \_\_\_\_\_
  - b. Retained law firm: \_\_\_\_\_
  - c. Liberty employee requesting path be cleared: \_\_\_\_\_
7. Date Officer received from chief engineer certification of accuracy of Comsearch data sheet: \_\_\_\_\_
8. Date Officer sent approved data sheet to Comsearch to initiate pre-clearance notification: \_\_\_\_\_
9. Date Comsearch supplemental showing received by:
  - a. Officer: \_\_\_\_\_
  - b. Chief Engineer: \_\_\_\_\_

10. Date Officer instructed retained law firm to prepare and file license application: \_\_\_\_\_
11. Date Officer instructed retained law firm to prepare and file STA application: \_\_\_\_\_
12. Date Liberty Officer received granted license : \_\_\_\_\_
13. Date Liberty Officer received granted STA: \_\_\_\_\_
14. Date Officer sent this completed form to Liberty chief engineer: \_\_\_\_\_
15. Expiration date of license: \_\_\_\_\_
16. Expiration date of STA: \_\_\_\_\_
17. All necessary FCC licensing steps have been completed for the path identified above and consequently I authorize initiation of service over this path:

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## FILE CHECKLIST

The Officer will be responsible for maintaining complete records of all licensing related documents for every 18GHz path used by Liberty. For each path for which FCC authorization is sought after August 7, 1995, the file should contain the following documents:

1. A completed and signed copy of the "FCC Path License Checklist."
2. A completed and signed "Path Acquisition Request."
3. A completed and signed "Liberty Engineer Evaluation Report."
4. Any correspondence between Liberty and Comsearch relating to the specific path .
5. Any correspondence between Liberty and the retained law firm relating to the specific path.
6. Any interoffice memoranda or correspondence between Liberty personnel relating to the specific path.
7. Any correspondence between Liberty and the FCC relating to the path.
8. STA applications.
9. Granted STA(s).
10. License applications.
11. Granted license(s).

## PATH ACQUISITION REQUEST

To: FCC Compliance Officer

From: \_\_\_\_\_

Date: \_\_\_\_\_

1. Street address of location where Liberty is likely to need to initiate service within six months: \_\_\_\_\_

2. Date, if known, by which service is likely to be needed: \_\_\_\_\_

3. [To be completed by FCC Compliance Officer] Signature of FCC Compliance Officer, indicating approval of Path Acquisition Request and forwarding to Chief Engineer.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# LIBERTY ENGINEER EVALUATION REPORT

1. Address of receiving location: \_\_\_\_\_
2. Address of transmitting location: \_\_\_\_\_
3. Does line of site exist? If yes, date determined: \_\_\_\_\_
4. Coordinates of receiving location: \_\_\_\_\_
5. Coordinates of transmitting location: \_\_\_\_\_
6. The elevation above ground level of the receiving location: \_\_\_\_\_
7. The elevation above ground level of the transmitting location: \_\_\_\_\_
8. Type of antenna to be used at the receiving location: \_\_\_\_\_
9. Other information needed by Comsearch to perform a prior coordination of the proposed microwave path: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Date this Report is transmitted by Chief Engineer to FCC Compliance Officer:

Signature of Liberty Engineer who determined information in report:

Date: \_\_\_\_\_

\_\_\_\_\_

**B**

CHART 1

**BUILDINGS IN COMPLIANCE WHEN ACTIVATED**

<b>ADDRESS</b>	<b>CALL SIGN</b>	<b>DATE OF FIRST AUTHORIZATION</b>	<b>DATE OF FIRST SERVICE</b>	<b>TRANSMIT SITE</b>
345 E. 86th Street	WNTM 385	2/28/92	9/4/92	Normandie
10 W. 66th Street	WNTM 210	2/2/92	4/9/92	Lincoln
180 East End Avenue	WNTM 385	2/21/92	2/17/93	Normandie
30 Lincoln Plaza - 30 W. 63rd Street	WNTM 210	2/21/92	3/24/93	Lincoln
Newport	WNTL 307	12/6/91	4/28/92	Milford
733 Park Avenue	WNTM 212	2/21/92	10/12/93	Bristol
1 Lincoln - 20 W. 64th Street	WNTM 385	2/28/92	4/23/94	Normandie
River Tower - 420 E. 54th Street	WNTM 212	2/21/92	6/92	Bristol
Milford Plaza Hotel	WNTM 210	2/21/92	8/92	Lincoln
Windsor Court	WNTM 212	12/6/91	1/92	Bristol
160 West End Avenue	WNTM 210	2/21/92	1/16/93	Lincoln
785 Park Avenue	WNTM 212	2/21/92	5/10/93	Bristol
29 E. 64th Street	WNTM 212	2/21/92	7/1/92	Bristol
Mayfair - 207 E. 74th Street	WNTM 212	2/21/92	12/7/92	Bristol
St. Tropez - 340 East 64th Street	WNTM 212	2/21/92	4/15/92	Bristol
35 Park Avenue	WNTM 555	2/28/92	3/17/93	Windsor
The Horizon - 415 E. 37th Street	WNTM 555	2/28/92	10/28/92	Windsor
175 E. 62nd Street	WNTM 212	2/21/92	12/16/92	Bristol
179 E. 70th Street	WNTM 385	2/28/92	3/2/92	Normandie

CHART 1

BUILDINGS IN COMPLIANCE WHEN ACTIVATED

ADDRESS	CALL SIGN	DATE OF FIRST AUTHORIZATION	DATE OF FIRST SERVICE	TRANSMIT SITE
60 East End Avenue	WNTM 385	2/28/92	9/20/93	Normandie
25 Sutton Place	WNTM 212	5/11/93 (STA)	6/24/93	Bristol
650 Park Avenue	WNTM 212	2/21/92	1/26/95	Bristol
857 Fifth Avenue	WNTM 212	7/28/93 (STA)	11/15/93	Bristol
2 E. 70th Street	WNTM 212	7/28/93 (STA)	10/4/93	Bristol
Claridge House - 201 E. 87th Street	WNTM 385	7/28/93 (STA)	10/6/93	Normandie
Stonehenge	WNTM 385	12/6/91(STA)	10/25/93	Normandie
301 E. 62nd Street	WNTM 212	8/12/93 (STA)	10/4/93	Bristol
49 E. 86th Street	WNTM 385	10/4/93 (STA)	11/3/93	Normandie
251 E. 51st Street	WNTM 212	10/1/93	10/18/93	Bristol
898 Park Avenue	WNTM 212	1/11/94	3/2/94	Bristol
Grand Central Hyatt - 109 E. 42nd Street	WNTM 555	5/13/93	7/30/93	Windsor
Highgate 182 E. 95th Street	WNTM 385	7/28/93 (STA)	7/28/93	Normandie
Bristol - 205 E. 64th Street	WNTM 385	12/6/91 (STA)	12/15/91	Normandie

CHART 2

BUILDINGS ACTIVATED WITH LICENSES PENDING

A. THE 15 BUILDINGS DISCOVERED IN APRIL 1995

ADDRESS	COMSEARCH COORD. (PCN Date)	FINAL COORD.	LICENSE APPL DATE	STA FILED	STA GRANTED	EARLIEST CUSTOMER SERVICE DATE	TRANSMIT SITE
NYU Medical Resident Hall -	9/26/94	10/31/94	11/7/94	5/4/95	Pending	1/11/95	Windsor
Greenburg Hall	9/26/94	10/31/94	11/7/94	5/4/95	Pending	1/23/95	Windsor
GM Building 767 Fifth Avenue	9/26/94	10/31/94	11/7/94	5/4/95	Pending	4/12/95	Normandie
524 E. 72nd Street	9/26/94	10/31/94	11/7/94	5/4/95	Pending	11/16/94	Bristol
114 E. 72nd Street	10/13/94	11/17/94	11/23/94	5/4/95	Pending	1/30/95	Bristol
639 West End Avenue	11/16/94	12/21/94	12/22/94	5/4/95	Pending	2/14/95	Lincoln
35 West End Avenue	11/16/94	12/21/94	12/22/94	5/4/95	Pending	1/3/95	Lincoln
25 W. 54th Street	11/13/94	11/17/94	11/23/94	5/4/95	Pending	2/6/95	767 Fifth Avenue
6 E. 44th Street	1/12/95	2/16/95	2/21/95	5/4/95	Pending	4/12/95	335 Madison Avenue
The Brittany 441 E. 92nd Street	1/12/95	2/16/95	2/21/95	5/4/95	Pending	1/23/95	Normandie
30 Waterside Plaza	1/12/95	2/16/95	2/21/95	5/4/94	Pending	3/15/95	Bristol
16 W. 16th Street	1/12/95	2/16/95	2/21/95	5/4/95	Pending	3/28/95	Waterside

CHART 2

BUILDINGS OPERATING WITH LICENSES PENDING

A. THE 15 BUILDINGS DISCOVERED IN APRIL 1995 (CONT'D)

ADDRESS	COMSEARCH COORD. (PCN Date)	FINAL COORD.	LICENSE APPL DATE	STA FILED	STA GRANTED	EARLIEST CUSTOMER SERVICE DATE	TRANSMIT SITE
2727 Palisades	2/16/95	3/21/95	3/24/95	5/19/95	Pending	4/24/95	Century
200 E. 32nd Street	2/16/95	3/21/95	3/23/95	5/4/95	Pending	3/27/95	Windsor
433 E. 56th Street	11/16/94	12/21/94	1/31/95	5/4/95	Pending	12/27/94	Bristol

B. THE FOUR BUILDINGS DISCOVERED DURING THE INVESTIGATION

ADDRESS	COMSEARCH COORD. (PCN Date)	FINAL COORD.	LICENSE APPL DATE	STA FILED	STA GRANTED	EARLIEST CUSTOMER SERVICE DATE	TRANSMIT SITE
430/440 E. 56th Street (East 56th)	3/21/94	7/14/95	7/17/95	7/24/95	Pending	7/11/94	Bristol
Wales Hotel 1295 Madison Avenue (East 92nd)	5/24/94	7/14/95	7/17/95	7/24/95	Pending	7/28/94	Normandie
35 E. 85th Street (East 85th)	5/24/94	7/14/95	7/17/95	7/24/95	Pending	7/18/94	Normandie
Liberty Terrace -380 Rector Place (Liberty Tower)	5/24/94	7/14/95	7/17/95	7/24/95	Pending	10/12/94	99 Battery

**CHART 3**

**BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE**

<b>ADDRESS</b>	<b>CALL SIGN</b>	<b>PCN DATES</b>	<b>LICENSE APPLICATION FILED</b>	<b>FIRST AUTHORIZATION DATE</b>	<b>FIRST SERVICE DATE</b>	<b>TRANSMIT SITE</b>
Andover - 1675 York Avenue	WNTM 385	5/28/92	7/16/92	2/17/94	6/2/92	Normandie
345 E. 52nd Street	WNTM 569	11/4/92	11/6/92	5/10/93 (STA)	7/28/92	River Tower
420 E. 51st Street	WNTM 569	8/24/92	10/30/92	5/10/93 (STA)	6/25/92	River Tower
Random House - 201 E. 50th Street	WNTM 569	8/24/92	10/30/92	5/10/93 (STA)	10/1/92	River Tower
Phoenix - 160 E. 65th Street	WNTM 212	8/24/92	10/30/92	5/11/93 (STA)	9/10/92	Bristol
Four Seasons Hotel	WNTM 212	8/24/92	10/30/92	5/11/93 (STA)	2/1/93	Bristol
125 W. 55th Street	WNTM 210	8/24/92	10/30/92	5/10/93 (STA)	9/1/92	Lincoln
45 E. 72nd Street	WNTM 210	8/24/92	10/30/92	5/10/93 (STA)	9/25/92	Lincoln
Parker Meridien Hotel	WNTM 210	8/24/92	10/30/92	5/10/93 (STA)	9/1/92	Lincoln
Henderson House - 535 E. 86th Street	WNTM 385	10/10/92	1/7/93	5/10/93 (STA)	10/5/92	Normandie

**CHART 3**

**BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE**

<b>ADDRESS</b>	<b>CALL SIGN</b>	<b>PCN DATES</b>	<b>LICENSE APPLICATION FILED</b>	<b>FIRST AUTHORIZATION DATE</b>	<b>FIRST SERVICE DATE</b>	<b>TRANSMIT SITE</b>
Lincoln Plaza - 44 W. 62nd Street	WNTM 210	8/24/92	10/30/92	5/10/93 (STA)	10/14/92	Lincoln
19 E. 88th Street	WNTM 385	10/23/92	1/8/93	5/10/92 (STA)	12/21/92	Normandie
111 E. 30th Street	WNTM 555	10/23/92	1/8/93	5/13/93 (STA)	12/21/92	Windsor
175 E. 74th Street	WNTM 212	1/13/93	4/1/93	12/1/93	3/9/93	Bristol
812 Fifth Avenue	WNTM 212	1/13/93	4/1/93	5/11/93 (STA)	3/9/93	Bristol
400 E. 59th Street	WNTM 212	1/13/93	4/1/93	12/1/93	2/11/93	Bristol
510 E. 86th Street	WNTM 212	1/13/93	4/1/93	5/10/93 (STA)	2/1/93	Normandie
116 E. 66th Street	WNTM 212	2/2/93	4/1/93	5/11/93 (STA)	4/21/93	Bristol
90 Riverside Drive	WNTM 385	2/2/93	4/1/93	5/10/93 (STA)	3/16/93	Normandie
200 E. 36th Street	WNTM 555	2/2/93	4/1/93	5/13/93	4/29/93	Windsor
108 E. 82nd Street	WNTM 212	4/21/94	7/15/94	12/20/94	6/20/94	Bristol
302 E. 88th Street	WNTM 385	4/1/93	5/13/93	7/28/93 (STA)	4/28/93	Normandie
911 Park Avenue	WNTM 212	4/1/93	5/13/93	7/28/93 (STA)	4/7/93	Bristol

**CHART 3**

**BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE**

<b>ADDRESS</b>	<b>CALL SIGN</b>	<b>PCN DATES</b>	<b>LICENSE APPLICATION FILED</b>	<b>FIRST AUTHORIZATION DATE</b>	<b>FIRST SERVICE DATE</b>	<b>TRANSMIT SITE</b>
38 E. 85th Street	WNTM 385	4/1/93	5/13/93	7/28/93 (STA)	6/15/93	Normandie
155 E. 73rd Street	WNTM 212	4/1/93	5/13/93	8/12/93	6/16/93	Bristol
245 E. 25th Street	WNTM 555	4/1/93	5/13/93	7/29/93	7/1/93	Windsor
407 Park Avenue South	WNTM 555	4/1/93	5/13/93	7/29/93 (STA)	6/2/93	Windsor
145 E. 84th Street	WNTM 212	7/6/93	7/23/93	10/1/93 (STA)	8/3/93	Bristol
555 Park Avenue	WNTM 212	11/19/91	11/29/91	2/21/92	1/28/92	Bristol
Imperial House - 150 E. 69th Street	WNTM 212	4/12/93	5/21/93	8/12/93 (STA)	6/14/93	Bristol
333 E. 55th Street	WNTM 569	4/12/93	5/21/93	7/28/93 (STA)	5/24/93	River Tower
Biltmore - 155 E. 29th Street	WNTM 555	4/28/93	5/13/93	7/29/93 (STA)	7/28/93	Windsor
550 Park Avenue	WNTM 212	4/28/93	5/13/93	7/28/93 (STA)	6/6/93	Bristol
12 W. 96th Street	WNTM 385	4/28/93	5/13/93	7/28/93 (STA)	7/12/93	Normandie
1112 Park Avenue	WNTM 385	5/24/93	6/15/93	7/28/93 (STA)	7/6/93	Normandie

**CHART 3**

**BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE**

<b>ADDRESS</b>	<b>CALL SIGN</b>	<b>PCN DATES</b>	<b>LICENSE APPLICATION FILED</b>	<b>FIRST AUTHORIZATION DATE</b>	<b>FIRST SERVICE DATE</b>	<b>TRANSMIT SITE</b>
33 W. 67th Street	WNTM 210	5/24/93	6/15/93	10/4/93 (STA)	6/24/93	Lincoln
200 E. 89th Street	WNTM 210	10/22/93	11/22/93	4/12/94	8/23/93	Lincoln
169 E. 69th Street	WNTM 212	7/6/93	7/23/93	10/1/93 (STA)	9/29/93	Bristol
350 E. 57th Street	WNTM 212	7/6/93	7/23/93	10/1/93 (STA)	9/1/93	Bristol
820 Park Avenue	WNTM 212	7/6/93	7/23/93	10/1/93	8/9/93	Bristol
144 E. 84th Street	WNTM 212	4/1/93	5/13/93	7/28/93 (STA)	6/12/93	Bristol
170 E. 87th Street	WNTM 385	7/6/93	7/23/93	10/4/93 (STA)	8/26/93	Normandie
175 W. 73rd Street	WNTM 210	7/6/93	7/23/93	10/4/93 (STA)	9/27/93	Lincoln
229 E. 79th Street	WNTM 212	8/10/93	9/7/93	12/1/93	10/28/93	Bristol
1155 Park Avenue	WNTM 385	8/10/93	9/7/93	11/16/93	10/25/93	Normandie
215 W. 91st Street	WNTM 210	8/10/93	9/7/93	1/6/94	11/15/93	Lincoln
186 W. 80th Street	WNTM 210	8/10/93	9/7/93	1/6/94	11/10/93	Lincoln
140 E. 81st Street	WNTM 212	10/22/93	11/22/93	4/12/94	2/28/94	Bristol
140 E. 83rd Street	WNTM 212	2/9/94	3/22/94	9/2/94	3/28/94	Bristol