

37070351

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

In re)
)
GERARD A. TURRO)
)
For Renewal of Licence)
For FM Translator Stations)
W276AQ(FM), Fort Lee, NJ, and)
W232AL(FM), Pomona, NY)
)
MONTICELLO MOUNTAINTOP)
BROADCASTING, INC.)
)
Order to Show Cause Why the)
Construction Permit for FM Radio)
Station WJUX(FM), Monticello, NY,)
Should Not Be Revoked)

MM Docket No. 97-122
File Nos. BRFT-970129YC
BRFT-970129YD

Federal Communications Commission	
Docket No. <u>97-122</u>	Exhibit No. <u>MMB-28</u>
Presented by <u>FCC</u>	
Disposition	Identified <u>/</u>
	Received <u>/</u>
	Rejected _____
Reporter <u>FR</u>	
Date <u>11-24-97</u>	

**SUPPLEMENTAL ANSWERS OF GERARD A. TURRO TO
JOINT INTERROGATORIES OF THE MASS MEDIA BUREAU
AND UNIVERSAL BROADCASTING OF NEW YORK, INC.**

Gerard A. Turro, by his attorneys, and pursuant to Section 1.323 of the Commission's Rules, hereby supplements his answers the joint interrogatories of the Mass Media Bureau ("Bureau") and Universal Broadcasting of New York, Inc. ("Universal") in the above-captioned proceeding. These supplemental answers are Mr. Turro's response to the Joint Motion to Compel dated July 9, 1997.

Based upon the Memorandum Opinion and Order released July 11, 1997, in this proceeding, the Mr. Turro is not required to answer interrogatories directed toward the Franklin Lakes station because such matters are irrelevant to this proceeding. Therefore, the following supplements his answers to interrogatories 1, 3-8, 40 and 40.

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COMMUNICATIONS
DIVISION

SUPPLEMENTAL ANSWERS

Answer 1

Jukebox Radio possesses no records responsive to this interrogatory other than those previously identified.

Answers 3-8

Jukebox Radio possesses no records responsive to these interrogatories other than those previously identified.

Answers 40-41

To the best of Mr. Turro's recollection, oral communications with Mr. Blabey and Ms. Montana occurred infrequently. He has no specific memory of the substance of any of them. In general terms, such communications were substantially of a social nature and also may have touched upon matters relevant to the Jukebox Radio programming as it related to the Monticello Station. Such matters may have included the airing of Sullivan County emergency announcements, particularly with respect to weather-related road closures in March or April of 1997, Sullivan County news, weather and public service programming, and possibly technical matters.

Respectfully submitted,

GERARD A. TURRO

By: /s/ Alan Y. Naftalin
/s/ Alan Y. Naftalin

By: /s/ Charles R. Naftalin
/s/ Charles R. Naftalin

Koteen & Naftalin, L.L.P.
1150 Connecticut Avenue, N.W.
Washington, DC 20036
(202) 467-5700

July 16, 1997

His Attorneys

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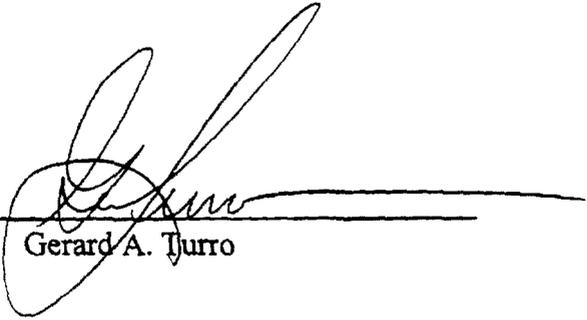
STATEMENT

I, Gerard A. Turro, under penalty of perjury, hereby state as follows:

I have read the foregoing Supplemental Answers of Gerard A. Turro to Joint Interrogatories of the Mass Media Bureau and Universal Broadcasting of New York, Inc., and those answers are true and correct to the best of my knowledge, information and belief, excluding such matters upon which the Federal Communications Commission may take official notice.

July 15, 1997

By: _____


Gerard A. Turro

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CERTIFICATE OF SERVICE

I, Barbara Frank, a secretary in the law offices of Koteen & Naftalin, L.L.P., hereby certify that true copies of the foregoing "SUPPLEMENTAL ANSWERS OF GERARD A. TURRO TO JOINT INTERROGATORIES OF THE MASS MEDIA BUREAU AND UNIVERSAL BROADCASTING OF NEW YORK, INC." have been served upon the following by first-class United States mail, postage prepaid, this 16th day of July 1997:

- * The Honorable Arthur I. Steinberg
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W., Room 228
Washington, D.C. 20554
- * Alan Aronowitz, Esq.
Hearing Branch
Enforcement Division
Federal Communications Commission
2025 M Street, N.W., Room 7212
Washington, D.C. 20554
- * Stephen Barone
Complaints and Investigations Branch
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8210
Washington, D.C. 20554

- * Suzan B. Friedman
Federal Communications Commission
2025 M Street, N.W., Room 8210
Washington, D.C. 20554

James P. Riley, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street
11th Floor
Rosslyn, VA 22209

Roy R. Russo, Esq.
Richard A. Helmick, Esq.
Cohn and Marks
1333 New Hampshire Avenue
Suite 600
Washington, D.C. 20036

/s/ Barbara Frank
Barbara Frank

* By Hand Delivery

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Ex. 29

BEFORE THE
Federal Communications Commission

In re)
)
GERARD A. TURRO)
)
For Renewal of License)
for FM Translator Stations)
W276AQ(FM), Fort Lee, NJ, and)
W232AL(FM), Pomona, NY)
)
MONTICELLO MOUNTAINTOP)
BROADCASTING, INC.)
)
Order to Show Cause Why the Construction)
Permit for FM Radio Station WJUX(FM),)
Monticello, NY, Should Not Be Revoked)

MM Docket No. 97-122

File Nos. BRFT-970129YC
BRFT-970129YD

To: Monticello Mountaintop Broadcasting, Inc.

Federal Communications Commission
Docket No. 97-122 Exhibit No. MMB-29
Presented by FCC
Disposition } Identified
 } Received
 } Rejected
Reporter R
Date 11-24-97

FIRST SET OF JOINT INTERROGATORIES
OF THE MASS MEDIA BUREAU AND
UNIVERSAL BROADCASTING OF NEW YORK, INC.

The Mass Media Bureau (the "Bureau") and Universal Broadcasting of New York, Inc. ("Universal"), by their attorneys, pursuant to Sections 1.311 and 1.323 of the Commission's Rules, hereby submit the following interrogatories to Monticello Mountaintop Broadcasting, Inc. ("MMBI") in the above-captioned proceeding. These interrogatories shall be deemed continuing and MMBI shall have an obligation to inform the Bureau and Universal of any additional and relevant information which may come to its attention subsequent to its response to the interrogatories.

Definitions and Instructions

A. As used herein, MMBI includes its agents, employees, consultants, or other persons acting on its behalf, including legal counsel, as well as Wesley R. Weis.

B. As used herein, the term "identify" when used with reference to a person or persons, means to state his/her full name, present position, last known business and residence address and telephone numbers, if known.

C. As used herein, the term "identify" when used with reference to documents, means to state the date, author, addressee, type of document (e.g., letter, memorandum, report, etc.), a brief description of the subject matter, its present or last known location and its custodian. If any such document was, but is no longer in MMBI's possession or control, state the disposition which was made of it, the reason for such disposition and the date thereof. In lieu of completely identifying any document, it may be made available to Universal and the Bureau for inspection and copying by so stating in your answer; however, a brief identification of the document should still be made in answering the interrogatory.

Interrogatories

1. Identify all transmitter/operating logs or other records which document interruptions in broadcast transmissions at Station WJUX, Monticello, New York, from October 1994 to the present.

2. Identify those individuals who either had responsibility for maintaining or who made entries in the WJUX transmitter/operating logs as well as the location or address of such logs during the period from October 1994 to the present.

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3. Confirm whether telephone calls to the WJUX main studio in Liberty, New York, during the period from October 1994 to the present, currently are or were forwarded to the Jukebox Radio studios in Dumont, New Jersey and, if so, the dates during which such call forwarding occurred.

4. The Network Affiliation Agreement dated October 17, 1994 between Bergen County Community Broadcast Foundation ("BCCBF") and MMBI provides that the monthly compensation due MMBI will be reduced by \$3,600 per months after the first 30 months of the network affiliation. State the basis for such provision and identify all documents relating thereto.

5. The aforementioned Network Affiliation Agreement provides that BCCBF "agrees to indemnify MMBI and hold it harmless from any and all fines, surcharges, forfeitures, levies, and any other monetary damages imposed by the F.C.C." Identify all documents relating to such indemnification provision and confirm whether BCCBF and/or Turro is either responsible for or has paid for MMBI's legal expenses in connection with (a) MMBI's July 27, 1995 response to Norman Goldstein of the FCC and (b) MMBI's current legal expenses in connection with the complaint and this proceeding.

6. Identify all documents relating to any preemption of Jukebox Radio programming by MMBI.

7. Identify all communications, written or oral, between Gerard A. Turro ("Turro") and Weis and Weis and Larry Fishman relating to the availability of the WJUX (then WXTM) construction permit for purchase and the decision of MMBI to purchase such permit.

8. On October 17, 1994, MMBI received a \$40,000 payment in consideration of entering into a network affiliation agreement with BCCBF; confirm whether the proceeds from this payment were, in turn, used to partially pay for the purchase of the WJUX (then WXTM) construction permit.

9. Other than the network affiliation agreement between MMBI and BCCBF, identify any other business relationships between MMBI and BCCBF and/or between Weis and Turro or their respective affiliates.

10. Identify all written and/or oral communications and/or agreements with Eugene Blabey during the period from October 1994 to the present relating to the operation of WJUX, Monticello, New York.

11. Identify and describe all work performed by Eugene Blabey during the period from October 1994 to the present relating to the operation of WJUX.

12. Identify all written or oral communications and/or agreements with Carol Montana during the period from October 1994 to the present relating to the operation of WJUX, Monticello, New York.

13. Identify and describe all work performed by Carol Montana during the period from October 1994 to the present relating to the operation of WJUX.

14. Identify and describe any agreement entered into on behalf of MMBI by BCCBF, FM-103, Inc. and/or Turro.

15. Identify the source of all funds used to purchase and construct WJUX, Monticello, New York. Confirm whether MMBI/Weis repaid any of these funds and, if so, to whom.

16. Identify and provide the names and current addresses for all current and former MMBI employees, including full-time, part-time, and independent contractors and descriptions of their duties, for the period from October 1994 to the present.

17. Identify and provide the names of each person responsible for hiring, managing and firing employees of WJUX from October 1994 to the present.

18. Identify and provide the names of each person responsible for paying the expenses of WJUX from October 1994 until the present. Identify the expenses, including the telephone bills, and the source for the funds used to pay such expenses from October 1994 to the present.

19. Identify the person or persons responsible for preparing and keeping the financial records of WJUX from October 1994 until the present.

20. Identify and describe each piece of broadcast equipment for WJUX located in the station's main studio and its function, prior to the April 1995 inspection by the FCC field engineer and state the working order of such equipment at the time of inspection. Identify and describe each piece of broadcast equipment added at the main studio of WJUX and its function after the April 1995 inspection by the FCC field engineer. Identify the person who purchased each piece of equipment and the source of funds for such purchases.

21. Identify and describe any other matter for which MMBI/Weis received reimbursement and/or compensation pursuant to the Network Affiliation Agreement between October 1994 through the present. Identify and describe any other matters for which MMBI received compensation from Turro and the amount of such compensation.

22. Identify the person or persons who represented WJUX in the community from October 1994 until the present. Identify and describe the occasions and/or events at which a representative of WJUX represented the station in the community.

23. Identify all locations where the public file was kept for WJUX from October 1994 through the present. Identify who was responsible for maintaining and providing access to the public file from October 1994 through the present.

24. Identify the individuals who prepared the quarterly issues/program lists for WJUX from October 1994 through the present.

25. Identify any present or past employee of WJUX from October 1994 to the present who is or was concurrently employed in any capacity by another broadcast station (i.e., other than WJUX).

Respectfully submitted

MASS MEDIA BUREAU

By: Alan E. Aronowitz
Norman Goldstein
Alan E. Aronowitz
Susan B. Friedman

FEDERAL COMMUNICATIONS COMMISSION
2025 M Street, N.W., Room 8210
Washington, D.C. 20554

Its Attorneys

UNIVERSAL BROADCASTING OF NEW YORK, INC.

By: Richard A. Helmick
Roy R. Russo
Richard A. Helmick

COHN AND MARKS
1333 New Hampshire Ave., Suite 600
Washington, D.C. 20036
(202) 452-4830

Its Attorneys

June 20, 1997

000651

CERTIFICATE OF SERVICE

I, Jovana M. Cooke, a secretary in the law firm of Cohn and Marks, hereby certify that I have, this 20th day of June, 1997, sent by U.S. mail, postage prepaid, or by hand delivery, as indicated, the foregoing **FIRST SET OF JOINT INTERROGATORIES** to the following:

The Honorable Arthur I. Steinberg */
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W., Room 228
Washington, D.C. 20554

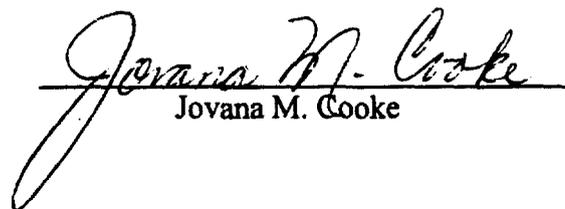
Alan E. Aronowitz, Esq.*/
Hearing Branch
Enforcement Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 7212
Washington, D.C. 20554

Suzan B. Friedman, Esq.*/
Hearing Branch
Enforcement Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8210
Washington, D.C. 20554

Stephen Barone*/
Complaints and Investigations Branch
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8210
Washington, DC 20554

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Charles R. Naftalin, Esq.
Koteen & Naftalin
1150 Connecticut Ave., N.W.
Washington, D.C. 20036
Counsel for Gerard A. Turro

James P. Riley, Esq.
Fletcher Heald & Hildreth, P.L.C.
1300 North 17th Street
11th Floor
Rosslyn, VA 22209
Counsel for Monticello Mountaintop
Broadcasting, Inc.


Jovana M. Cooke

*/ By hand

000652



ANN BAVENDER*
 ANNE GOODWIN CRUMP*
 VINCENT J. CURTIS, JR.
 RICHARD J. ESTEVEZ
 PAUL J. FELDMAN
 ERIC FISHMAN
 RICHARD HILDRETH
 FRANK R. JAZZO
 ANDREW S. KERSTING*
 KATHRYN A. KLEIMAN
 EUGENE M. LAWSON, JR.
 HARRY C. MARTIN
 J. TODD METCALF*
 GEORGE PETRUTSAS
 LEONARD R. RAISH
 JAMES P. RILEY
 KATHLEEN VICTORY
 HOWARD M. WEISS
 *NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P.L.C.

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 (1939-1985)
 ROBERT L. HEALD
 (1956-1983)
 PAUL D.P. SPEARMAN
 (1936-1982)
 FRANK ROBERSON
 (1936-1981)
 RUSSELL ROWELL
 (1948-1977)

RETIRED
 EDWARD F. KENEHAN
 CONSULTANT FOR INTERNATIONAL AND
 INTERGOVERNMENTAL AFFAIRS
 SHELDON J. KRYS
 U. S. AMBASSADOR (HR.)
 OF COUNSEL
 EDWARD A. CAINE*
 WRITER'S NUMBER
 (703) 812-

0450

July 8, 1997

HAND DELIVERED

Mr. William F. Caton
 Acting Secretary
 Federal Communications Commission
 1919 M Street, N.W., Room 222
 Washington, D.C. 20554

Re: MM Docket 97-122
 WJUX (FM), Monticello, New York

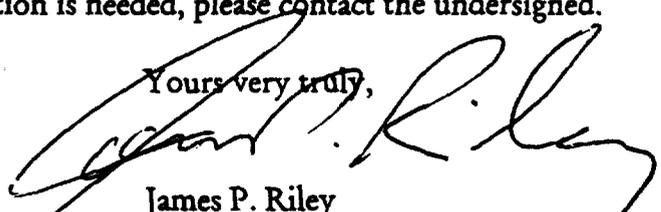
Dear Mr. Caton:

Transmitted herewith, on behalf of Monticello Mountaintop Broadcasting, Inc. ("MMBI"), is the original and three copies of its answers to the First Set of Joint Interrogatories of the Mass Media Bureau and Universal Broadcasting of New York, Inc.

Upon the request of counsel for MMBI, counsel for the Mass Media Bureau granted its consent to a one-day extension, to this date, for the filing of MMBI's answers. That extension request, made last week, was necessitated by the long-planned absence of Mr. Weis, president of MMBI, from his office.

If further information is needed, please contact the undersigned.

Yours very truly,



James P. Riley
 Counsel for Monticello Mountaintop Broadcasting, Inc.

JPR:deb

Enclosures

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Federal Communications Commission
 Docket No. 97-122 Exhibit No. MMB-30
 Presented by FCC
 Disposition } Identified ✓
 Received _____
 Rejected _____

Mr. William F. Caton

July 8, 1997

Page 2

cc: The Honorable Arthur I. Steinberg
Administrative Law Judge
✓ Alan Aronowitz, Esquire
Suzan B. Friedman, Esquire
Richard Helmick, Esquire
Charles R. Naftalin, Esquire

000654

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In re:)	
)	
GERARD A. TURRO)	MM Docket No. 97-122
)	
For Renewal of License)	File Nos. BRFT-970129YC
for FM Translator Stations)	BRFT-970129YD
W276AQ(FM), Fort Lee, NJ, and)	
W232AL(FM), Pomona, NY)	
)	
MONTICELLO MOUNTAINTOP)	
BROADCASTING, INC.)	
)	
Order to Show Cause Why the Construction)	
Permit for FM Radio Station WJUX(FM),)	
Monticello, NY, Should Not Be Revoked)	

ANSWERS OF
MONTICELLO MOUNTAINTOP BROADCASTING, INC.
TO FIRST SET OF JOINT INTERROGATORIES

James P. Riley
J. Todd Metcalf
FLETCHER, HEALD & HILDRETH, P.L.C.
1300 North 17th Street
11th Floor
Rosslyn, Virginia 22209
(703)812-0400

000655

July 8, 1997

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In re)	
)	
GERARD A. TURRO)	MM Docket No. 97-122
)	
For Renewal of License)	File Nos. BRFT-970129YC
for FM Translator Stations)	BRFT-970129YD
W276AQ(FM), Fort Lee, NJ, and)	
W232AL(FM), Pomona, NY)	
)	
MONTICELLO MOUNTAINTOP)	
BROADCASTING, INC.)	
)	
Order to Show Cause Why the Construction)	
Permit for FM Radio Station WJUX(FM),)	
Monticello, NY, Should Not Be Revoked)	

ANSWERS OF
MONTICELLO MOUNTAINTOP BROADCASTING, INC.
TO FIRST SET OF JOINT INTERROGATORIES

1. **ANSWER:** MMBI does not believe that such records exist or have existed.
2. **ANSWER:** The FCC's rules do not require maintenance of a "transmitter/operating log", the specific term employed in Interrogatory No. 2. The "station logs" required by the FCC's rules have been the responsibility of or had entries made in them by Gerard Turro, George Spicka, and Alan Kirschner. Station logs have been located at the WJUX main studio location and at Jukebox Network studios in Dumont, New Jersey.

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3. ANSWER: MMBI now believes that calls to the WJUX main studio number were forwarded to the Jukebox Radio studio until July 1995, although MMBI has not been able to exclude the possibility that some calls to the number listed for WJUX (originally WXTM) were answered at the WJUX main studio.

4. ANSWER: The reduction is based upon negotiations between MMBI and BCCBF, leading to a compensation schedule based partly on equipment amortization and partly upon completion of payment of the note owed to Larry Fishman arising from MMBI's acquisition of the construction permit. Documents relating to this would include the note given to Mr. Fishman.

5. ANSWER: The only such document is the Network Affiliation Agreement. BCCBF and/or Turro is not responsible for and has not paid any legal expenses in connection with (a) or (b) specified in the interrogatory.

6. ANSWER: No such documents exist.

7. ANSWER: All communications between Turro and Weis and between Weis and Fishman relating to the availability of the permit for purchase and the decision of MMBI to purchase the permit were oral, except for a hand written memorandum which appears to give directions to Mr. Fishman's office. While the purchase agreement was in writing, that does not appear to be encompassed within the interrogatory.

8. ANSWER: Yes.

9. ANSWER: Mr. Weis is the principal owner of Mikab Corp. Mikab has performed tower and antenna services for BCCBF at Franklin Lakes and for Mr. Turro at the

Fort Lee translator site. Mr. Weis rents the building at 75 Second Street, Dumont, New Jersey, to FM 103.1 (Jukebox Radio Network).

10. ANSWER: In addition to Mr. Blabey's employment agreement, and miscellaneous oral communications, the following written communications have been located:

February 6, 1995	Memo from Mr. Weis to Mr. Blabey to hire a sales manager.
February 8, 1995	Letter to Mr. Weis from Mr. Blabey re: interviewing S. Silverstein, re: local rate card for WXTM, re: Eugene Blabey deciding to join the Sullivan County Chamber of Commerce, and re: developing a public affairs program with Community General Hospital.
February 13, 1995	Memo re: employment of Stan Silverstein as sales manager of WXTM.
August 3, 1995	A note regarding S. Stevens, a WJUX originated show, and sending more stationery to Mr. Blabey.
August 3, 1995	A note regarding hiring George Spicka and his duties.
May 29, 1996	Call from Mr. Blabey to Mr. Weis re: FCC Form 395B
May 13, 1997	Re: meeting at studio re: Chuck Martin, political advertising, and contractor for new studio work.
May 29, 1997	Memo and drawing for new studio location.

11. ANSWER: Mr. Blabey is the general manager of WJUX. As such, he recommended the employment by MMBI of Carol Montana and George Spicka, and generally oversees their functions. He also represents WJUX in the community and to organizations such as the Chamber of Commerce, and interacts with community agencies concerning matters such as emergency announcements. He has also made a sales presentation on behalf of WJUX.

12. ANSWER: In addition to the employment agreement with Ms. Montana and miscellaneous oral communications, the following written communications between Ms. Montana and MMBI or Mr. Weis relating to the operation of WJUX have been located:

A W-4 Form for Steven Funney (it is not believed that Mr. Funney actually became an employee of WJUX).

An IT-Q104 Form for Steven Funney, received under an August 14, 1995, fax cover sheet.

George Spicka's application for employment, Carol Montana's application for employment, a W-4 Form for Carol Montana, a W-4 Form for George Spicka, a fax cover sheet of April 19, 1997 from Carol Montana with George Spicka's time card and a payroll request from Ms. Montana for the month of April 1997 for George Spicka and Carol Montana.

A fax of June 13, 1997, regarding an electric bill.

It is believed that other written communications from Ms. Montana to Mr. Weis forwarding other bills or correspondence received by Ms. Montana at the WJUX main studio have existed. Some were furnished by Ms. Montana at her deposition. MMBI is examining its files to determine whether additional written correspondence from Ms. Montana (or Mr. Blabey--see Interrogatory No. 10) concerning the operation of WJUX can be located.

13. ANSWER: Ms. Montana assembles local public service announcements and forwards them for inclusion in the network program material broadcast by WJUX, she is in contact with community organizations in the WJUX service area, she handles distribution of the WJUX payroll, and, in general, provides staff support services for WJUX.

14. ANSWER: None.

15. ANSWER: BCCBF, Marre Weis, Wesley Weis, Larry Fishman. The estate of Marre Weis was repaid the debt to Mrs. Weis. Mr. Fishman was paid off on the note he accepted as part of the purchase price.

16. ANSWER: Eugene Blabey, P. O. Box 888, Liberty, New York, description of duties set forth above. Carol Montana, P. O. Box 888, Liberty, New York, description of duties set forth above. George Spicka, P. O. Box 888, Liberty, New York, part-time engineer

for WJUX. Alan Kirschner, 20 Estates Drive, Sussex, New Jersey, 07461, chief operator of WJUX, part-time. Georgia Jennings, address unknown, former sales person.

17. ANSWER: Carol Montana has recommended employment of persons but has not been responsible for hiring, managing, and firing employees. Mr. Weis has ultimate responsibility and Mr. Blabey has responsibility as delegated to him by Mr. Weis.

18. ANSWER: All bills are paid by MMBI and they include but are not limited to telephone, tower rent, studio rent, payroll and taxes, ASCAP, BMI, electric, insurance, legal fees, payroll service company, etc. For the first several months of operation, until some time in 1995, the telephone bills were paid by Gerard Turro. All other bills have been paid by MMBI since October 1994.

19. ANSWER: Wes Weis.

20. ANSWER: The equipment at the WJUX main studio has been owned by Mr. Blabey's company, both before and after April, 1995, and is made available to WJUX under MMBI's studio lease. The equipment includes the console, a microphone, reel tape machine, cassette deck, turntable and EAS equipment. All equipment except the EAS was in place and in working order prior to the April 1995 inspection.

21. ANSWER: MMBI and Mr. Weis did not receive compensation pursuant to the Network Affiliation Agreement for "any other matter" than the affiliation of WJUX with Jukebox Network. MMBI has received compensation from Mr. Turro to reimburse it for damage to a generator, in the amount of approximately \$2,000.

22. ANSWER: Eugene Blabey and Carol Montana have represented WJUX in the community from October 1994 until the present. In general, Mr. Blabey would make

more formal community contacts, such as the Sullivan County Chamber of Commerce, than would Ms. Montana. No detailed list of the occasions and events yet exists.

23. ANSWER: The WJUX public inspection file has been maintained at the Monticello Public Library from October 1994 to the present. A copy of that file has also been available at the WJUX main studio in Liberty. Mr. Blabey and Ms. Montana have been responsible for maintaining the contents of the file and providing access to the file.

24. ANSWER: Staff of the Jukebox Network prepared the quarterly issues/program lists for WJUX.

25. ANSWER: Carol Montana and Alan Kirschner. It is possible that George Spicka has had part-time employment with another station during the period of the inquiry, although that is not known to MMBI. Mr. Blabey is a principal owner of WVOS (AM and FM) and serves as the WVOS general manager, although he may not technically be employed by the WVOS licensee corporation.

DECLARATION

I, Wesley R. Weis, president of Monticello Mountaintop Broadcasting, Inc. (MMBI), do hereby declare under penalty of perjury that the foregoing "Answers to First Set of Joint Interrogatories" are true and correct to the best of my knowledge and belief.

Executed this 7th day of July, 1997.



Wesley R. Weis

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