

3. The Motion for Protective Order will be granted in part and denied in part. Issue 1 in this proceeding reads as follows:²

To determine whether Anthony T. Easton made misrepresentations and/or lacked candor before the Commission regarding the bid submitted by PCS 2000 for Basic Trading Area 324 for Norfolk, Virginia, in Round 11 of the Commission's Broadband C Block auction of January 23, 1996, and in view of the findings made, whether he should be barred from holding Commission authorizations and participating in future Commission auctions.

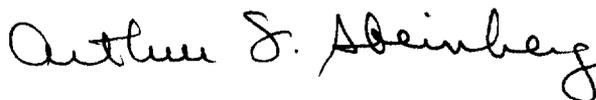
The facts and circumstances surrounding the "SDE Trust squeeze out" do not appear reasonably calculated to lead to the discovery of admissible evidence regarding Easton's conduct or his representations to the Commission. Section 1.311(b) of the Commission's Rules. Indeed, the "squeeze out" appears to have taken place almost six months after Easton's alleged misconduct. Consequently, inquiry into that matter will not be permitted.

4. However, it is well recognized that, in evaluating the credibility of witnesses, the interest each has in the outcome of a proceeding may be considered. *The Prattville Broadcasting Co.*, 5 FCC 2d 601, 602 (1966). Therefore, Easton may inquire into the very limited area of the financial (or other) interest prospective witnesses have in the outcome of this proceeding as a result of the "squeeze out."

Accordingly, IT IS ORDERED that the Reply to Opposition to Motion for Protective Order, filed by ClearComm on June 1, 1998, IS DISMISSED.

IT IS FURTHER ORDERED that the Motion for Protective Order, filed by ClearComm on May 20, 1998, IS GRANTED to the extent indicated above and IS DENIED in all other respects.

FEDERAL COMMUNICATIONS COMMISSION



Arthur I. Steinberg
Administrative Law Judge

² *Westel Samoa, Inc.*, 13 FCC Rcd 6342, 6348 (1998).