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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC

In the Matter of)
)
JAMES A. KAY, JR.) WT DOCKET NO. 94-147
)
)
Licensee of 152 Part 90 Stations in the)
Los Angeles, California Area)

To: Honorable Richard L. Sippel
Administrative Law Judge

**WIRELESS TELECOMMUNICATIONS BUREAU'S
REPORT CONCERNING TELEPHONE CONFERENCES**

1. The Chief, Wireless Telecommunications Bureau, by his attorneys, and pursuant to the Presiding Judge's Order, FCC 98M-95 (released July 16, 1998), now provides its report concerning its willingness to participate in unrecorded telephone conferences which are later memorialized in writing.

2. If the Presiding Judge believes that conducting such a conference would assist the Presiding Judge or the parties in resolving a time-sensitive matter, the Bureau has no objection, and it will fully participate in such a conference. As the Presiding Judge noted in his Order, the Commission's Rules give the Presiding Judge full authority to regulate the course of the hearing and to call conferences. The Bureau believes that a party's deliberate refusal to participate in such a conference could constitute a procedural default.

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3. Counsel for Kay and counsel for the Bureau consulted on this matter on July 15, 1998. Counsel for Kay restated his position that he is unwilling to participate in such telephone conferences, and the Bureau stated it is willing to participate in such conferences. There appeared to be no means of reaching any agreement on the question.

Respectfully submitted,
Daniel B. Phythyon
Chief, Wireless Telecommunications Bureau



Gary P. Schonman
Chief, Compliance and Litigation Branch
Enforcement and Consumer Information Division



William H. Knowles-Kellett
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July 17, 1998

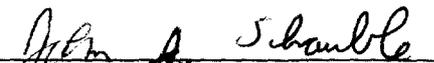
CERTIFICATE OF SERVICE

I, John J. Schauble, an attorney in the Enforcement and Consumer Information Division, Wireless Telecommunications Bureau, certify that I have, on this 17th day of July, 1998, sent by hand delivery (unless otherwise indicated), copies of the foregoing "Wireless Telecommunications Bureau's Report Concerning Telephone Conferences" to:

Robert J. Keller, Esq.
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(Counsel for James A. Kay, Jr.)
(Via Facsimile and Mail)

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(Co-Counsel for James A. Kay, Jr.)

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John J. Schauble