

..... *** DKT/RM: 88-48 ***

01/27/88 NOTICE OF PROPOSED RULE MAKING AND ORDER TO SHOW CAUSE ADOPTED BY CHIEF, ALLOCATIONS BRANCH DIRECTING THAT THE OAKS BROADCASTING OF TEXAS, INC. LICENSEE OF STATION KWPL-FM, MCKINNEY, TEXAS, SHALL SHOW CAUSE WHY ITS LICENSE SHOULD NOT BE MODIFIED TO SPECIFY OPERATION ON CHANNEL 295A IN LIEU OF CHANNEL 237A; THAT THE OAKS BROADCASTING MAY, NOT LATER THAN 04/21/88, REQUEST THAT A HEARING BE HELD ON THE PROPOSED MODIFICATION; THAT IF THE RIGHT TO REQUEST A HEARING IS WAIVED, THE OAKS BROADCASTING OF TEXAS, INC., MAY NOT LATER THAN 04/21/88, FILE A WRITTEN STATEMENT SHOWING WITH PARTICULARITY WHY ITS PERMIT SHOULD NOT BE MODIFIED AS PROPOSED IN THE ORDER TO SHOW CAUSE; THAT THE COMMISSION MAY CALL ON THE OAKS BROADCASTING OF TEXAS TO FURNISH ADDITIONAL INFORMATION, DESIGNATE THE MATTER FOR HEARING, OR ISSUE, WITHOUT FURTHER PROCEEDINGS, AN ORDER MODIFYING THE LICENSE AS PROVIDED IN THE ORDER TO SHOW CAUSE; THAT IF THE RIGHT TO REQUEST A HEARING IS WAIVED AND NO WRITTEN STATEMENT IS FILED BY THE DATE REFERRED TO ABOVE, THE OAKS BROADCASTING OF TEXAS, INC. WILL BE DEEMED TO HAVE CONSENTED TO THE MODIFICATION AS PROPOSED IN THE ORDER TO SHOW CAUSE AND A FINAL ORDER WILL BE ISSUED BY THE COMMISSION, IF THE ABOVE-MENTIONED CHANNEL MODIFICATION IS ULTIMATELY FOUND TO BE IN THE PUBLIC INTEREST; THAT THE SECRETARY OF THE COMMISSION SHALL SEND BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, A COPY OF THIS ORDER TO THE FOLLOWING: THE OAKS BROADCASTING OF TEXAS, INC., 4849 GREENVILLE AVENUE, DALLAS, TEXAS 75206; AND FIRST HERITAGE BROADCASTING CORP., 900 N.E. 9TH STREET, MINERAL WELLS, TX 76067; THAT INTERESTED PARTIES MAY FILE COMMENTS ON OR BEFORE 04/21/88, AND REPLY COMMENTS ON OR BEFORE 05/06/88; THAT A COPY OF SUCH COMMENTS SHOULD BE SERVED ON THE PETITIONER, OR ITS COUNSEL OR CONSULTANT, AS FOLLOWS: ERIC L. BERNTHAL, ESQUIRE; JAMES F. ROGERS; STEVEN E. MCCOWIN; LATHAM & WATKINS, 1333 NEW HAMPSHIRE AVENUE, NW, SUITE 1200; WASHINGTON, D.C. 20036 (COUNSELS FOR STATEWIDE BROADCASTING, INC.) & J.S. SELLMAYER, P.E.; PO BOX 205; MCKINNEY, TEXAS 75069 (MCKINNEY BROADCASTING COMPANY); THAT FOR FURTHER INFORMATION CONTACT PATRICIA RAWLINGS, MM BUREAU, (202) 634-6530. (DA 88-214) REL. 03/01/88 WEG (UNCLAIMED CERTIFIED MAIL RETURN RECEIPT RETURNED FROM FIRST HERITAGE BROADCASTING, #97389; 03/04/88 CERTIFIED MAIL RR REC'D BY S. CONSINO, FOR THE OAKS BROADCASTING OF TEXAS, INC. #97390) WEG

04/20/88 COMMENTS FILED BY JACK SELLMAYER, FOR MCKINNEY BROADCASTING COMPANY, (PETITIONER). WEG

04/21/88 COMMENTS AND RESPONSE TO ORDER TO SHOW CAUSE FILED BY J. GEOFFREY BENTLEY, ATTORNEY FOR THE OAKS BROADCASTING OF TEXAS, INC. WEG

04/21/88 COMMENTS FILED BY JEFFREY D. SOUTHMAYD AND STEPHEN C. SIMPSON, ATTORNEYS FOR CHARLES JOHNSON. WEG

04/21/88 COMMENTS IN OPPOSITION FILED BY LAWRENCE ROBERTS AND LINDA J. ECKARD, ATTORNEYS FOR MARTIN SANBERG. WEG

04/21/88 COMMENTS FILED BY THOMAS J. KELLER, ATTORNEY FOR DIVCON ASSOCIATES, INC. WEG

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04/21/88 COMMENTS OF H&G COMMUNICATIONS AND COUNTERPROPOSALS OF SCOTT K. GINSBURG, KEVIN PATRICK MCCAULEY, ENTERTAINMENT PLUS, INC. AND JAMES HENRY FILED BY ERIC L. BERNTHAL AND KEVIN C. BOYLE, ATTYS. FMY. (PUT ON PUBLIC NOTICE 10/07/88 & ASSIGNED RM-6535)

04/21/88 COMMENTS AND CONTINGENT COUNTER PROPOSAL FILED BY JAMES A. GAMMON, ATTY. FOR RADIO PLANO, INC. FMY 04/22/88 SUPPLEMENT TO CERTIFICATE OF SERVICE FILED. WEG 04/28/88 ERRATUM FILED. FMY (PUT ON PUBLIC NOTICE 10/07/88 & ASSIGNED RM-6536)

04/21/88 COMMENTS AND COUNTER PROPOSAL FILED BY RICHARD M. RIEHL, ATTY. FOR DURANT BROADCASTING. FMY 04/25/88 SUPPLEMENT FILED. FMY (PUT ON PUBLIC NOTICE 10/07/88 & ASSIGNED RM-6534)

04/21/88 COMMENTS AND COUNTER PROPOSAL FILED BY MARTIN R. LEADER, DAVID D. OXENFORD, AND JOHN K. HANE, ATTYS. FOR HICKS BROADCASTING CORP. FMY (PUT ON PUBLIC NOTICE 11/14/88 & ASSIGNED RM-6581)
05/12/89 AMENDMENT FILED. WEG

04/21/88 COMMENTS IN OPPOSITION AND COUNTERPROPOSAL FILED BY ROBERT A. MARMET AND HAROLD K. MCCOMBS, JR., ATTYS. FOR METRO BROADCASTERS, INC. FMY

04/21/88 COMMENTS AND COUNTER PROPOSAL FILED BY DANIEL F. VAN HORN, ATTY. FOR RONALD STROTHER. FMY 04/25/88 ERRATUM FILED. FMY (PUT ON PUBLIC NOTICE 10/07/88 & ASSIGNED RM-6533)

05/06/88 REPLY COMMENTS FILED BY RICHARD M. RIEHL, ATTY. FOR DURANT BROADCASTING. FMY 05/10/88 SUPPLEMENT FILED. FMY

05/06/88 REPLY COMMENTS FILED BY THOMAS J. KELLER, ATTY. FOR DIVON ASSOCIATES, INC. FMY

05/06/88 REPLY COMMENTS FILED BY ROBERT A. MARMET AND HAROLD K. MCCOMBS, JR. ATTYS. FOR METRO BROADCASTERS, INC. FMY

05/06/88 REPLY COMMENTS FILED BY JAMES A. GAMMON, ATTY. FOR RADIO PLANO, INC. FMY 06/02/88 SUPPLEMENT FILED. WEG

05/06/88 REPLY COMMENTS FILED BY ROY E. HENDERSON AND HENRY E. CRAWFORD, ATTYS. FOR ROY E. JOHNSON. FMY

05/06/88 REPLY COMMENTS FILED BY DANIEL F. VAN HORN, ATTY. FOR RONALD STROTHER. FMY 05/09/88 SUPPLEMENT TO CERT. OF SERV. FILED. FMY

05/06/88 REPLY COMMENTS FILED BY ERIC L. BERNTHAL AND KEVIN C. BOYLE, ATTYS. FOR H&G COMMUNICATIONS. FMY

10/24/88 REPLY COMMENTS SUBMITTED PURSUANT TO THE 10/07/88 PUBLIC NOTICE FILED BY KEVIN C. BOYLE AND ERIC L. BERNTHAL, ATTORNEYS FOR SCOTT K. GINSBURG. WEG

10/24/88 REPLY COMMENTS SUBMITTED PURSUANT TO THE 10/07/88 PUBLIC NOTICE FILED BY KEVIN C. BOYLE AND ERIC L. BERNTHAL, ATTORNEYS FOR ENTERTAINMENT PLUS, INC. WEG

10/24/88 REPLY COMMENTS SUBMITTED PURSUANT TO THE 10/07/88 PUBLIC NOTICE FILED BY KEVIN C. BOYLE AND ERIC L. BERNTHAL, ATTORNEYS FOR EVERGREEN MEDIA CORPORATION OF DALLAS. WEG

10/24/88 REPLY COMMENTS SUBMITTED PURSUANT TO THE 10/07/88 PUBLIC NOTICE FILED BY MARTIN R. LEADER, DAVID D. OXENFORD, AND JOHN K. HANE, ATTORNEYS FOR HICKS COMMUNICATIONS, INC. WEG

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10/24/88 REPLY COMMENTS SUBMITTED PURSUANT TO THE 10/07/88 PUBLIC NOTICE FILED BY ROBERT A. MARMET AND HAROLD K. MCCOMBS, JR., ATTORNEYS FOR METRO BROADCASTERS, INC. WEG

10/24/88 REPLY COMMENTS SUBMITTED PURSUANT TO THE 10/07/88 PUBLIC NOTICE FILED BY KEVIN C. BOYLE AND ERIC L. BERNTHAL, ATTORNEYS FOR KEVIN PATRICK MCCAULEY. WEG

10/24/88 REPLY COMMENTS SUBMITTED PURSUANT TO THE 10/07/88 PUBLIC NOTICE FILED BY KEVIN C. BOYLE AND ERIC L. BERNTHAL, ATTORNEYS FOR JAMES HENRY. WEG

10/24/88 FURTHER REPLY COMMENTS SUBMITTED PURSUANT TO THE 10/07/88 PUBLIC NOTICE FILED BY RICHARD M. RIEHL AND DAVID G. O'NEIL, ATTORNEYS FOR

DURANT BROADCASTING CORPORATION. WEG

10/24/88 PETN. FOR CONSIDERATION OF ITS 04/21/88 COUNTERPROPOSAL FILED BY MARTIN R. LEADER, DAVID D. OXENFORD, AND JOHN K. HANE, ATTORNEYS FOR HICKS COMMUNICATIONS, INC. WEG

11/07/88 OPPOSITION TO HICKS COMMUNICATION'S 10/24/88 PETN. FOR CONSIDERATION OF COUNTERPROPOSAL FILED BY EDWARD W. HUMMERS, JR., FRANK R. JAZZO, AND ROBERT D. PRIMOSCH, ATTORNEYS FOR RADIO U.S.A., LTD. WEG

11/07/88 PETN. FOR RECONSIDERATION OF THE 10/07/88 PUBLIC NOTICE, REPORT NO. 1752, FILED BY ROBERT A. MARMET AND HAROLD K. MCCOMBS, JR., ATTORNEYS FOR METRO BROADCASTERS, KTLR(FM). WEG

11/08/88 COMMENTS WITH RESPECT TO (RM-6536) FILED BY JAMES A. GAMMON, ATTORNEY FOR RADIO PLANO, INC. WEG

11/08/88 MOTN. TO ACCEPT ITS 11/08/88 LATE-FILED COMMENTS ON CONTINGENT COUNTER PROPOSAL (RM-6536) FILED BY JAMES A. GAMMON, ATTORNEY FOR RADIO PLANO. WEG

11/29/88 COMMENTS AND STATEMENT OF CONTINUING INTEREST FILED BY MARTIN R. LEADER, DAVID D. OXENFORD, AND JOHN K. HANE, ATTORNEYS FOR HICKS COMMUNICATIONS. WEG

11/29/88 COMMENTS ON HICKS COMMUNICATION'S 10/24/88 PETN. FOR CONSIDERATION OF COUNTERPROPOSAL FILED BY JAMES RICHARD MAPLES. WEG

11/29/88 REPLY COMMENTS IN OPPOSITION TO HICKS COMMUNICATION'S 04/21/88 COUNTERPROPOSAL FILED BY ROBERT J. BUENZLE AND HENRY E. CRAWFORD, ATTORNEYS FOR ROY E. HENDERSON. WEG

11/29/88 REPLY COMMENTS FILED BY J. A. OWENS, FOR NEW COLLEGE STATION BROADCASTING. WEG

11/30/88 OPPOSITION TO HICKS COMMUNICATION'S 10/24/88 PETN. FOR CONSIDERATION OF COUNTERPROPOSAL FILED BY ERIC L. BERNTHAL AND KEVIN C. BOYLE, ATTORNEYS FOR EVERGREEN MEDIA CORPORATION OF DALLAS. WEG

04/14/89 LTR. SENT TO CONGRESSMAN HALL CONCERNING HIS 03/20/89 INQUIRY FILED BY EDWARD MINKEL, MANAGING DIRECTOR, FOR THE FCC. (IN DOCKET CORRESPONDENCE FILE.) WEG

05/04/89 LTR. STATING THAT IT WILL ACCEPT FOR ITS UPGRADE IN THIS PROCEEDING THE CHANNEL AS STATED IN THE 10/07/88 PUBLIC NOTICE, #1752, FILED BY STEVE LANDTROOP, PRESIDENT, FOR DURANT BROADCASTING. WEG

05/04/89 (REQUEST FOR) WITHDRAWAL OF ITS 04/21/88(?) COUNTERPROPOSAL FILED BY BOB D. BELL, PRESIDENT, FOR DIVCON ASSOCIATES. WEG

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05/12/89 (REQUEST FOR) WITHDRAWAL OF HIS 05/06/88 REPLY COMMENTS FILED BY RONALD STROTHER. WEG

05/12/89 (REQUEST FOR) WITHDRAWAL OF ITS 11/28/88 REPLY COMMENTS FILED BY J. A. OWENS, FOR NEW COLLEGE STATION BROADCASTING. WEG

05/15/89 COMMENTS ON HICKS COMMUNICATION'S 05/12/89 AMENDMENT TO COUNTERPROPOSAL FILED BY JAMES RICHARD MAPLES. WEG

05/15/89 (REQUEST FOR) WITHDRAWAL OF HIS 04/21/88 COMMENTS FILED BY MARTIN SANDBERG. WEG

05/18/89 SUPPLEMENTAL COMMENTS FILED BY ERIC L. BERNTHAL AND KEVIN C. BOYLE, ATTORNEYS FOR EVERGREEN MEDIA CORPORATION OF DALLAS. WEG

05/22/89 EXHIBITS FILED. WEG

05/19/89 COMMENTS ON HICKS COMMUNICATION'S 05/12/89 AMENDMENT TO COUNTERPROPOSAL FILED BY ROBERT J. BUENZLE AND HENRY E. CRAWFORD, ATTORNEYS FOR ROY E. HENDERSON. WEG

05/31/89 OPPOSITION TO HENDERSON'S 05/19/89 COMMENTS FILED BY DAVID D. OXENFORD AND JOHN K. HANE, ATTYS. FOR HICKS BROADCASTING. FMY

06/02/89 RESPONSE TO EVERGREEN MEDIA'S 05/18/89 SUPPLEMENTAL COMMENTS FILED BY ROBERT A. MARMET AND HAROLD K. MCCOMBS, JR., ATTORNEYS FOR

METRO BROADCASTERS. WEG

06/02/89 PETN. FOR LEAVE TO FILE ITS 06/02/89 "RESPONSE" FILED BY ROBERT A. MARMET AND HAROLD K. MCCOMBS, JR., ATTORNEYS FOR METRO BROADCASTERS, INC. WEG

06/02/89 PETN. FOR LEAVE TO FILE RESPONSE TO EVERGREEN MEDIA'S 05/18/89 SUPPLEMENTAL COMMENTS FILED BY ROBERT B. JACOBI, ATTORNEYS FOR RADIO PLANO, INC. WEG

06/12/89 REPLY TO HICKS BROADCASTING'S 05/31/89 OPPOSITION TO COMMENTS FILED BY ROBERT J. BUENZLE AND HENRY E. CRAWFORD, ATTORNEYS FOR ROY E. HENDERSON. WEG

06/14/89 REPLY TO METRO BROADCASTER'S 06/02/89 RESPONSE TO SUPPLEMENTAL COMMENTS FILED BY ERIC L. BERNTHAL, KEVIN C. BOYLE, AND MARK RYLAND, ATTORNEYS FOR EVERGREEN MEDIA CORPORATION OF DALLAS. WEG 07/26/89 ENGINEERING SUPPLEMENT FILED. WEG

06/29/89 JOINT MOTN. TO STRIKE RADIO PLANO'S 06/02/89 PETN. FOR LEAVE TO FILED RESPONSE FILED BY ERIC L. BERNTHAL, KEVIN C. BOYLE, AND KENNETH R. MCVAY, ATTORNEYS FOR EVERGREEN MEDIA; J. GEOFFREY BENTLEY, ATTORNEY FOR THE OAKS BROADCASTING; RICHARD M. RIEHL, ATTORNEY FOR DURANT BROADCASTING; DAVID D. OXENFORD, JR., ATTORNEY FOR HICKS BROADCASTING; DANIEL F. VAN HORN, ATTORNEY FOR RONALD STROTHER; LAWRENCE ROBERTS, ATTORNEY FOR MARTIN SANDBERG; JEFFREY D. SOUTHMAYD, ATTORNEY FOR CHARLES JOHNSON; AND RICHARD J. HAYES, JR., ATTORNEY FOR SALVATION BROADCASTING OF TEXAS. WEG

07/26/89 MOTN. FOR LEAVE TO FILE ENGINEERING SUPPLEMENT TO HIS 06/14/89 REPLY FILED BY ROBERT J. BUENZLE AND HENRY E. CRAWFORD, ATTORNEYS FOR ROY E. HENDERSON. WEG

07/28/89 07/28/89 CORRECTION FILED. WEG

07/28/89 REPLY TO EVERGREEN MEDIA, ET AL'S 06/29/89 JOINT MOTN. TO STRIKE

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08/10/89 FILED BY ROBERT B. JACOBI, ATTORNEY FOR RADIO PLANO, INC. WEG OPPOSITION TO HENDERSON'S 07/26/89 MOTN. FOR LEAVE TO FILE ENGINEERING SUPPLEMENT FILED BY DAVID D. OXENFORD AND LISA C. WILSON, ATTORNEYS FOR HICKS BROADCASTING. WEG

08/22/89 REPLY TO HICKS BROADCASTING'S 05/31/89 OPPOSITION TO COMMENTS FILED BY ROBERT J. BUENZLE AND HENRY E. CRAWFORD, ATTORNEYS FOR ROY E. HENDERSON. WEG

01/25/90 WITHDRAWAL OF PLEADINGS IT SUBMITTED IN THIS PROCEEDING FILED BY M. RODRIGUEZ, FOR RADIO PLANO, INC. WEG

03/07/90 SUPPLEMENTAL COMMENTS WITH RESPECT TO RM-5772 FILED BY HARRY C. MARTIN, ATTORNEY

03/07/90 METRO BROADCASTERS, INC. WEG

03/07/90 MOTN. FOR LEAVE TO FILE ITS 03/07/90 SUPPLEMENTAL COMMENTS FILED BY HARRY C. MARTIN, ATTORNEY

03/23/90 METRO BROADCASTERS, INC. WEG

03/23/90 REPORT AND ORDER ADOPTED BY CHIEF, POLICY AND RULES DIV.; PROCEEDING TERMINATED: CONTACT PERSON: ROBERT HAYNE, (202) 634-6530. (DA 90-578) REL. 04/23/90 WEG

05/23/90 PETN. FOR RECONSIDERATION OF DA 90-578 FILED BY RICHARD M. RIEHL, ATTORNEY

05/24/90 DURANT BROADCASTING CORPORATION. WEG

05/24/90 PETN. FOR RECONSIDERATION OF DA 90-578 FILED BY HARRY C. MARTIN, ATTORNEY

METRO BROADCASTERS, INC. WEG

06/25/90 ORIGINAL ENGINEERING STATEMENT FILED. WEG

05/24/90 APPLICATION FOR REVIEW OF DA 90-578 FILED BY ROBERT J. BUENZLE, ATTY
ROY E. HENDERSON. WEG
05/31/90 ERRATUM FILED. WEG

06/08/90 OPPOSITION TO APPLICATION FOR REVIEW FILED BY JOHN K. HANE, ATTY
KICKS BROADCASTING CORPORATION. WEG

06/21/90 REPLY TO OPPOSITION TO APPLICATION FOR REVIEW FILED BY ROBERT J.
BUENZLE, ATTORNEY
ROY E. HENDERSON. WEG 06/22/90 CORRECTION FILED. WEG

06/29/90 WITHDRAWAL OF ALL PENDING KTLR-FM UPGRADE-RELATED PLEADINGS,
INCULDING PETN. FOR RECONS. AND COUNTERPROPOSALS FILED BY HARRY
C. MARTIN, ATTORNEY
METRO BROADCASTERS, INC. WEG

08/24/90 SECOND REPORT AND ORDER ADOPTED BY DEPUTY CHIEF, P & R DIV.; THE
RULES ARE AMENDED AS FOLLOWS:
CITY CHANNEL NO.
DURANT, OK 248C2,296C2
THE LICENSE OF STATION KLBC(FM) IS MODIFIED AS STATED
THEREIN; PROCEEDING TERMINATED; CONTACT PERSON: ROBERT HAYNE,
(202) 634-6530. (DA 90-1175) REL. 09/14/90 WEG

09/21/90 ORDER ADOPTED BY DEPUTY CHIEF, POLICY AND RULES DIVISION; METRO'S
PETN. FOR RECONS. IS DISMISSED. (DA 90-1284) REL. 10/05/90 WEG

11/30/90 REQUEST TO SEVER FILED BY KEVIN C. BOYLE, ATTORNEY FOR EVERGREEN
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MEDIA CORPORATION OF DALLAS. SB

12/13/90 OPPOSITION TO MOTN. TO SEVER FILED BY ROBERT J. BUENZLE, ATTORNEY
ROY E. HENDERSON. WEG

12/18/90 REPLY TO OPPOSITION FILED BY KEVIN C. BOYLE, ATTY FOR
EVERGREEN MEDIA CORPORATION OF DALLAS. DLP

12/26/90 REPLY TO OPPOSITION TO MOTN. TO SEVER FILED BY DAVID D. OXENFORD,
ATTORNEY
HICKS BROADCASTING CORPORATION. WEG

12/26/90 MO&O ADOPTED BY CHIEF, POLICY AND RULES DIVISION; EVERGREEN MEDIA'S
"MOTN. TO SEVER" IS GRANTED. (DA 90-1898) REL. 01/11/91 WEG

02/13/91 APPLICATION FOR REVIEW OF DA 90-1898 FILED BY ROBERT J. BUENZLE,
ATTORNEY
ROY E. HENDERSON. WEG

02/25/91 OPPOSITION TO APPLICATION FOR REVIEW FILED BY ERIC L. BERNTHAL,
ATTORNEY
EVERGREEN MEDIA CORPORATION OF DALLAS. WEG

02/25/91 OPPOSITION TO APPLICATION FOR REVIEW FILED BY RICHARD M. RIEHL,
ATTORNEY
DURANT BROADCASTING CORPORATION. WEG

03/12/91 REPLY TO OPPOSITION TO APPLICATION FOR REVIEW FILED BY ROBERT J.
BUENZLE, ATTORNEY
ROY E. HENDERSON. WEG

04/03/91 MO&O ADOPTED BY THE COMMISSION; HENDERSON'S APPLICATIONS FOR REVIEW
ARE DENIED & DISMISSED, RESPECTIVELY; PROCEEDING TERMINATED.
(FCC 91-105) REL. 04/17/91 WEG

05/17/91 PETN. FOR RECONSIDERATION OF FCC 91-105 FILED BY ROBERT J. BUENZLE,
ATTORNEY
ROY E. HENDERSON. WEG

05/20/93 LTR. STATUS REQUEST FILED BY JACK SELLMAYER, P.E.
SELLMEYER ENGINEERING. WEG

06/14/93 MO&O ADOPTED BY THE COMMISSION; ROY E. HENDERSON'S PETN. FOR
RECONSIDERATION IS DISMISSED; PROCEEDING TERMINATED. (FCC 93-312)

REL. 06/25/93 WEG