



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

memorandum

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TO: Chief, Reference Operations Division

SEP 23 1998

FROM: Daniel M. Armstrong
Associate General Counsel

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

SUBJECT: Orion Communications Ltd. v. FCC & USA, D.C. Cir. No. 98-1406 and
Lindsay Television, Inc. v. FCC, D.C. Cir. No. 98-1407. Filing of a new
Petition for Review and a new Notice of Appeal in the United States Court of
Appeals for the District of Columbia Circuit.

DATE: September 10, 1998

This is to advise you that Orion Communications Ltd. ("Orion") on August 28, 1998, filed a 402(a) Petition for Review, and Lindsay Television, Inc. ("Lindsay") on August 31, 1998, filed a 402(b) Notice of Appeal of: Implementation of Section 309(j) of the Communications Act -- Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses, et al., MM Docket No. 97-234, GC Docket No. 92-52 and GEN Docket No. 90-264, FCC 98-194 (released August 18, 1998).

Orion and Lindsay challenge this rulemaking decision in which the Commission adopted general competitive bidding procedures to select among mutually exclusive applications for commercial analog broadcast service and Instructional Television Fixed Service (ITFS) licenses.

The Court has docketed these cases as Nos. 98-1406 and 98-1407. The attorney assigned to handle the litigation of these cases is C. Grey Pash, Jr.

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