

In the Matters of)
)
 NORCOM COMMUNICATIONS)
 CORPORATION)
)
 ASSOCIATION FOR EAST END LAND)
 MOBILE COVERAGE)
 Business Radio Station License WPAT918)
 New York, New York/Long Island Area)
)
 LMR 900 ASSOCIATION OF SUFFOLK)
 Business Radio Station License WNXT323)
 New York, New York/Long Island Area)
)
 METRO NY LMR ASSOCIATION)
 Business Radio Station License WPAZ643)
 New York, New York Area)
)
 NY LMR ASSOCIATION)
 Business Radio Station License WPAP734)
 New York, New York/Long Island Area)
)
 WIRELESS COMMUNICATIONS)
 ASSOCIATION OF SUFFOLK COUNTY)
 Business Radio Station License WPAT910)
 New York, New York/Long Island Area)

WTB Docket No. 98-181

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MEMORANDUM OPINION AND ORDER

Issued: February 2, 1999 ; Released: February 4, 1999

1. Under consideration are Wireless Communications Bureau's (Bureau) Comments Regarding Filings by Associations on January 20, 1999; Bureau's Motion to Deem Matters Admitted filed on January 22, 1999; Motion for Leave to File, Reply to Bureau's Comments Regarding Filings by Associations, Opposition to Bureau's Motion to Deem Matters Admitted and Request for Termination filed by Metro NY LMR Association (Metro) and Wireless Communications Association of Suffolk County (Suffolk) (jointly the Prior Parties) ; Opposition to Motion to Deem Matters Admitted filed by Norcom Communication Corp. (Norcom) on January 27, 1999.

2. A revocation proceeding was ordered by the Hearing Desigantion Order (HDO) herein against Metro, Suffolk and others on October 14, 1998. On January 8, 1999 the Prior Parties withdrew their formerly filed Notices of Appearance and additionally on January 8, 1999. Suffolk surrendered its license to the Commission for cancellation. It appears that Suffolk's surrender was not to be effective until March 31, 1999.

3. It is the Prior Parties and Norcom's contention that since the Prior Parties have withdrawn from offering evidence on the revocation issues and intend to surrender their respective licenses at a future date, they have no present obligation to respond to the Bureau's Requests for Admissions.

4. The Prior Parties and Norcom are mistaken. The Bureau's position is correct. Until the Prior Parties surrender their respective licenses they are parties to the revocation proceeding designated against them. Being parties in this proceeding they must respond as the Commission's Rules require.

5. Accordingly, the Prior Parties' Requests For Termination of Proceeding against them IS DENIED. Furthermore, Suffolk and Metro ARE EACH ORDERED TO RESPOND to the Bureau's Request For Admissions within five (5) days of the issuance of this Order.

FEDERAL COMMUNICATIONS COMMISSIONS


John M. Frysiak
Administrative Law Judge