

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the matter of

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JAMES A. KAY, JR.

WT Docket No. 94-147

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Honorable Joseph Cachkin
Chief Administrative Law Judge

MOTION TO CORRECT TRANSCRIPT

James A. Kay, Jr. ("Kay"), by his attorneys, respectfully moves the Presiding Judge to issue an order making the following corrections to the transcript of this proceeding:

1. Throughout Volume 11 of the transcript (Tr. 478-823), change "CHACKIN" to "CHACHKIN" each time it occurs.
2. Throughout Volume 21 of the transcript (Tr. 2200-2321), change "CHACKIN" to "CHACHKIN" each time it occurs.
3. Throughout Volume 22 of the transcript (Tr. 2322-2509), change "CHACKIN" to "CHACHKIN" each time it occurs.
4. At Tr. 840, line 5, change "to get" to "did".
5. At Tr. 844, line 18, change "want torn" to "wanted to know".
6. At Tr. 860, line 2, change "have been" to "have you been".
7. At Tr. 861, line 13, change "flight" to "and provide".
8. At Tr. 872, line 3, change "had to" to "did not".
9. At Tr. 874, line 25, change "January 1st" to "January 31st".
10. At Tr. 876, line 9, change "MR. SCHAUBLE" to "JUDGE CHACHKIN".
11. At Tr. 879, line 9, change "MR. SCHAUBLE" to "JUDGE CHACHKIN".
12. At Tr. 884, line 11, change "one" to "run".

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13. At Tr. 884, lines 15-18, change to attribute all of line 15 after the words “we kept” and all of lines 16-18 to Mr. Schauble, not the witness.
14. At Tr. 897, line 22, change “KELLETT” to “KELLER”.
15. At Tr. 901, line 10, change “Shainis” to “Schauble”.
16. At Tr. 915, line 18, change “SHAINIS” to “KELLER”.
17. At Tr. 916, line 2, change “SHAINIS” to “KELLER”.
18. At Tr. 916, line 12, change “95.179” to “90.179”.
19. At Tr. 921, line 20, change “manual designate” to “manual to designate”.
20. At Tr. 928, line 16, change “asked and answered” to “read or scanned through”.
21. At Tr. 929, line 14, change “rescanned” to “scanned”.
22. At Tr. 931, line 15, change “Nobody is” to “Only as”.
23. At Tr. 938, line 4, change “manager” to “managed”.
24. At Tr. 943, line 25, change “Kay’s case applied to” to “Kay supply”.
25. At Tr. 944, line 2, change “constant” to “instant”.
26. At Tr. 963, line 4, change “LMSER” to “SMR”.
27. At Tr. 963, line 10, change “trans-USMR” to “transportation-SMR”.
28. At Tr. 964, line 2, change “3040” to “30/40” and change “2240” to “22/40”.
29. At Tr. 964, line 5, change “4030” to “40/30” and change “4022” to “40/22”.
30. At Tr. 968, lines 2-3, change to attribute all after “Okay.” on line 2 and all of line 3 as part of the witness’s answer.
31. At Tr. 968, line 23, change “going” to “gone”.
32. At Tr. 968, line 25, change “ask you to” to “actually”.
33. At Tr. 971, line 18, change “JUDGE CHACHKIN” to “THE WITNESS”.
34. At Tr. 973, line 11, change “KELLETT” to “KELLER”.
35. At Tr. 983, line 24, change “Edax” to “EDACS”.

36. At Tr. 984, line 13, change “openly” to “home”.
37. At Tr. 987, line 18, change “was every” to “ever was”.
38. At Tr. 990, lines 13, 16, & 22, change “Sibbel’s” to Sippel’s”.
39. At Tr. 990, line 14, change “Sibbel’s” to Sippel’s”.
40. At Tr. 993, lines 5, 8, & 12, change “KELLETT” to “KELLER”.
41. At Tr. 995, line 20, change “city” to “sitting”.
42. At Tr. 1003, line 12, change “and” to “an”.
43. At Tr. 1009, line 22, change “-- all” to “saw”.
44. At Tr. 1011, line 3, change “billed” to “call”.
45. At Tr. 1011, line 19, delete “What’s wade.”
46. At Tr. 1013, line 20, change “WEC-9 through 4” to “WEC-934”.
47. At Tr. 1023, line 9, change “Kellett” to “Keller”.
48. At Tr. 1023, line 10, change “KNOWLES-KELLETT” to “KELLER”.
49. At Tr. 1028, line 3, change “immunized” to “immunizing”.
50. At Tr. 1031, line 18, change “Q” to “JUDGE CHACHKIN:”.
51. At Tr. 1035, line 1, change “KNOWLES-KELLETT” to “SHAINIS”.
52. At Tr. 1037, line 22, change “ZENIX” to “Xenix”
53. At Tr. 1038, line 1, change “Crow” to “Pro”.
54. At Tr. 1038, lines 4 & 24, change “ZENIX” to “Xenix”
55. At Tr. 1038, line 20, change “to prepare to make” to “as opposed to making”.
56. At Tr. 1038, line 22, change “North Ridge” to “Northridge”.
57. At Tr. 1039, lines 1 & 23, change “ZENIX” to “Xenix”
58. At Tr. 1040, line 23, change “North Ridge” to “Northridge”.
59. At Tr. 1043, line 17, change “bought” to “sought”.
60. At Tr. 1046, lines 20 & 22, change “ZENIX” to “Xenix”.

61. At Tr. 1057, line 1, change “KELLER” to “KNOWLES-KELLETT”.
62. At Tr. 1061, line 18, change “three” to “free”.
63. At Tr. 1063, line 20, change “cluster of” to “customer”.
64. At Tr. 1064, line 25, change “designation” to “designation order”.
65. At Tr. 1066, lines 20 & 23, change “93-13” to 90.313”.
66. At Tr. 1067, line 1, change “93-13” to 90.313”.
67. At Tr. 1067, line 7, change “9127” to “90.127”.
68. At Tr. 1067, line 19, change “91.7” to “90.127”.
69. At Tr. 1069, line 6, change “either could” to “either used”.
70. At Tr. 1074, line 10, change “CRP” to “Sierra Peak”.
71. At Tr. 1075, line 12, change “licenses” to “licensed”.
72. At Tr. 1076, lines 9 & 12, change “KNOWLES-KELLETT” to “KELLER”.
73. At Tr. 1076, lines 18-19, change “for six more rules” to “is for six mobiles”.
74. At Tr. 1077, line 13, change “Oak” to “Oat”.
75. At Tr. 1079, line 2, change “radii” to “radio”.
76. At Tr. 1080, line 8, change “then to” to “didn’t”.
77. At Tr. 1081, line 3, change “fix a” to “a fixed”.
78. At Tr. 1082, line 15, change “probably” to “probable”.
79. At Tr. 1087, line 8, change “repair” to “repeater”.
80. At Tr. 1089, line 17, change “ZENIX” to “Xenix”.
81. At Tr. 1091, line 24, change “ZENIX” to “Xenix”.
82. At Tr. 1092, lines 4, 7 & 12, change “ZENIX” to “Xenix”.
83. At Tr. 1093, line 7, change “KNOWLES-KELLETT” to “KELLER”, and change “overwriting of” to “conversion to”.
84. At Tr. 1094, lines 8 & 16, change “ZENIX” to “Xenix”.

85. At Tr. 1094, line 25, change “purchase” to “purges”.
86. At Tr. 1095, line 17, change “ZENIX” to “Xenix”.
87. At Tr. 1097, line 6, change “FB 16” to “FB6T”, and change “authorizes to” to “authorizes us to”.
88. At Tr. 1109, line 5, change “in” to “and”.
89. At Tr. 1116, line 10, change “produce” to “to reduce”.
90. At Tr. 1117, line 25, change “470.512 800 Mhz” to “470-512 and 800 MHz”.
91. At Tr. 1118, line 1, change “band” to “bands”.
92. At Tr. 1118, line 16, change “Kellett” to “Keller”.
93. At Tr. 1118, line 24, change “work” to “welcome”.
94. At Tr. 1120, line 17, change “indelibly” to “undoubtedly”.
95. At Tr. 1122, line 20, change “four” to “for”.
96. At Tr. 1133, line 6, change “for” to “four”.
97. At Tr. 1135, line 21, change “I” to “they”.
98. At Tr. 1137, line 14, change “500.000014 Sierra” to “500.0000, 14 Sierra”.
99. At Tr. 1137, line 20, change “route” to “group”.
100. At Tr. 1138, line 8, change “use” to “used”.
101. At Tr. 1138, line 10, change “Ross Alan” to “Roz Allen”.
102. At Tr. 1142, line 22, change “the” to “them”.
103. At Tr. 1143, line 4, change “trunked-to-channels” to “trunked channels”.
104. At Tr. 1150, line 8, change “I think” to “I don’t think”.
105. At Tr. 1151, line 8, change “91-35(a)” to “91.135(a)”.
106. At Tr. 1153, line 8, change “uses” to “use”.
107. At Tr. 1161, line 10, change “JUDGE CHACHKIN” to “THE WITNESS”.
108. At Tr. 1168, line 24, change “tree” to “trunk”.

109. At Tr. 1193, line 25, change “release” to “delete”.
110. At Tr. 1217, line 9, change “cite” to “site”.
111. At Tr. 1217, line 18, change “5082125” to “508.2125”.
112. At Tr. 1227, line 6, change “LPR” to “LTR”.
113. At Tr. 1227, line 8, change “9135(a)” and “90.135(a)”.
114. At Tr. 1243, line 5, change “where” to “who”.
115. At Tr. 1247, line 3, change “decimated” to “designated”.
116. At Tr. 1247, lines 8-9, change "automotive equivalent of a recall" to "equivalent of an automotive recall".
117. At Tr. 1279, line 9, change “telecopier” to “television”.
118. At Tr. 1283, line 1, change “is” to “his”.
119. At Tr. 1284, line 5, change “spur” to “SMR”.
120. At Tr. 1292, line 24, change “gopher” to “go-fer”.
121. At Tr. 1368, line 6, change “806” to “809”.
122. At Tr. 1368, line 6, change “806.4875” to “809.4875”.
123. At Tr. 1370, line 23, change “854.487” to “854.4875”.
124. At Tr. 1415, line 10, change “one” to “a long”.
125. At Tr. 1415, line 21, change “been” to “gone”.
126. At Tr. 1420, line 3, change “maintenance” to “maintenance screens”.
127. At Tr. 1429, line 2, change “attacked” to “packed”.
128. At Tr. 1442, line 13, change “archives” to “ARC”.
129. At Tr. 1487, line 6, change “These” to “37”.
130. At Tr. 1490, lines 3 & 9, change “Oak” to “Oat”.
131. At Tr. 1491, lines 5, 7, 14 & 18, change “Oak” to “Oat”.
132. At Tr. 1492, lines 5, 9, 11, 14 & 19, change “Oak” to “Oat”.

133. At Tr. 1515, line 18, change “is finding” to “is a finding”.
134. At Tr. 1610, line 15, delete “MR. KELLER: ”
135. At Tr. 1634, lines 19 & 21, change “trunk” to “trunked”
136. At Tr. 1635, lines 3, 6, 13 & 14, change “trunk” to “trunked”
137. At Tr. 1636, lines 5 & 13, change “trunk” to “trunked”
138. At Tr. 1642, line 18, change “no” to “any”.
139. At Tr. 1646, line 10, change “possibly” to “approximately”.
140. At Tr. 1655, line 7, change “why” to “the way”.
141. At Tr. 1659, lines 4-5, change “has been approved” to “as an offer of proof”.
142. At Tr. 1670, line 24, change “We” to “He”.
143. At Tr. 1678, lines 1 & 6, change “I” to “001”.
144. At Tr. 1678, line 4, change “III” to “003”.
145. At Tr. 1679, lines 12 & 25, change “I” to “001”.
146. At Tr. 1679, line 24, change “III” to “003”.
147. At Tr. 1680, lines 5, 9 & 15, change “I” to “001”.
148. At Tr. 1697, line 4, change “necessary” to “processing”.
149. At Tr. 1706, line 15, change “a list” to “it in”.
150. At Tr. 1773, lines 23-24, change “regular” to “radio”.
151. At Tr. 1798, line 15, change “finding” to “signing”.
152. At Tr. 1799, line 25, change “SHAINIS” to “SCHAUBLE”.
153. At Tr. 1839, lines 3-4, change “475 watt” to “470-512”.
154. At Tr. 1903, line 15, change “prepared pending” to “prepared and pending”.
155. At Tr. 1986, line 8, change “entered into any” to “ended end user”.
156. At Tr. 1955, line 9, change “Mr. Kay” to “the Bureau”.
157. At Tr. 2135, line 20, change “shaft” to “chaff”.

158. At Tr. 2222, line 14, change “anybody” to “everybody”.
159. At Tr. 2223, lines 8 & 12, change “repair” to “repeater”.
160. At Tr. 2229, line 11, change “country” to “company”.
161. At Tr. 2229, line 24, change “your” to “the”.
162. At Tr. 2233, line 24, change “were” to “are”.
163. At Tr. 2235, line 19, change “I” to “It”.
164. At Tr. 2240, line 2, change “menus or” to “many”.
165. At Tr. 2246, line 17, change “our operations” to “SMR operators”.
166. At Tr. 2256, line 4, change “THE WITNESS” to “MR. SCHAUBLE”.
167. At Tr. 2283, line 8, change “4:41” to “4:31”.
168. At Tr. 2315, lines 10 & 14, change “voracity” to “veracity”.
169. At Tr. 2368, line 16, change “SCHAUBLE” to “KELLER”.
170. At Tr. 2371, line 9, change “in” to “on”.
171. At Tr. 2418, line 20, change “base” to “Bates”.
172. At Tr. 2433, line 5, change “directional” to “conventional”.
173. At Tr. 2439, line 9, change “grantor” to “granted end”.
174. At Tr. 2444, line 2444, change “station” to “statement”.
175. At Tr. 2445, line 2, change “not” to “no”.
176. At Tr. 2445, line 24, change “meant” to “met”.
177. At Tr. 2486, line 4, change “discovered” to “described”.

Respectfully submitted this 10th day of May, 1999

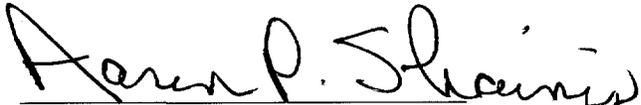
JAMES A. KAY, JR.

By:

Robert J. Keller
Law Office of Robert J. Keller, P.C.
4200 Wisconsin Avenue, N.W.
Suite 106 - Box 233
Washington, D.C. 20016-2157

Telephone: 301-320-5355
Facsimile: 301-229-6875
Email: rjk@telcomlaw.com

By:



Aaron P. Shainis
Shainis and Peltzman, Chartered
1901 L Street, N.W. - Suite 290
Washington, D.C. 20036

Telephone: 202-293-0011
Facsimile: 202-293-0810

CERTIFICATE OF SERVICE

I, Aaron P. Shainis, counsel for James A. Kay, Jr., hereby certify that on this 10th day of May, 1999, I caused copies of the foregoing **MOTION TO CORRECT TRANSCRIPT** to served, by hand delivery (except as otherwise indicated) on the officials and parties in WT Docket No. 94-147, as follows:

HON JOSEPH CHACHKIN
CHIEF ADMINSTRATIVE LAW JUDGE
FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH ST SW
WASHINGTON DC 20554

JOHN SCHAUBLE ESQ
ENFORCEMENT DVISION
WIRELESS TELECOMMUNICAITONS BUREAU
FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH ST SW
WASHINGTON DC 20554

By mail: WILLIAM H KNOWLES-KELLTT ESQ
GETTYSBURG OFFICE OF OPERATIONS
WIRELESS TELECOMMUNICAITONS BUREAU
FEDERAL COMMUNIATIONS COMMISSION
1270 FAIRFIELD RD
GETTYSBURG PA 17325-7245


Aaron P. Shainis