

Before the
Federal Communications Commission
Washington, DC

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 202(b),
Table of Allotments,
FM Broadcast Stations
(West Rutland, VT)

DOCKET FILE COPY ORIGINAL

) MM Docket No. 00-12
) RM-9706
)
)

To: Chief, Allocations Branch

MOTION TO STRIKE

The Great Casco Bay Wireless Talking Machine Limited Liability Company ("Great Casco"), by its attorney, hereby moves to strike the "Opposition to Proposed Rulemaking and Order to Show Cause" filed on March 23, 2000 by Brian Dodge and WRUT, Inc. With respect thereto, the following is stated:

Pursuant to Section 1.420 of the Commission's Rules and paragraph 9 of the *NPRM*, all parties filing comments were required to serve undersigned counsel, who serves as the Petitioner's counsel. While on March 22, 2000, Brian Dodge contacted undersigned counsel and indicated that an extension of time to respond was going to be filed, undersigned counsel at no time has been (1) served with a copy of any request for an extension of time; and (2) served with the Opposition that apparently was filed with the FCC. As such, it was an *ex parte* communication in violation of Section 1.1206(a) of the Rules, is contrary to Section 1.420(a) of the Commission's rules, and must be stricken. *Prescott Valley, AZ, 6 FCC Rcd 2037 n.2* (Allocations Branch

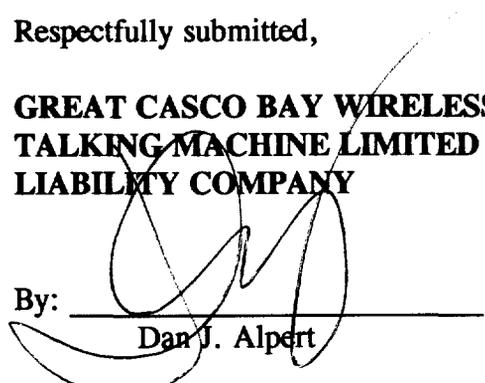
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1991).¹

Great Casco continues to support the grant of this rulemaking request. It is filing reply comments under separate cover.

Respectfully submitted,

**GREAT CASCO BAY WIRELESS
TALKING MACHINE LIMITED
LIABILITY COMPANY**

By: 

Dan J. Alpert

Its Attorney

*The Law Office of Dan J. Alpert
2120 N. 21st Rd.
Arlington, VA 22201
(703) 243-8690*

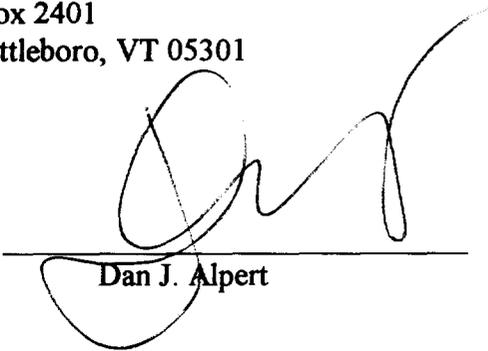
April 12, 2000

¹ The existence of the Comments were discovered by a undersigned counsel on April 11, 2000, following a routine review of the Commission's Electronic Comment Filing System.

CERTIFICATE OF SERVICE

I, Dan J. Alpert, hereby certify that a copy of the foregoing document was served on April 12, 2000 on the following parties by First Class Mail:

Brian Dodge
WRUT, Inc.
P.O. Box 2401
W. Brattleboro, VT 05301



Dan J. Alpert