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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	EB Docket No. <u>02-21</u>
)	
Peninsula Communications, Inc.)	
	)	File No. EB 01-IH-0609
Licensee of stations	)	FRN: 0001-5712-15
KGTL, Homer, Alaska;	)	Facility ID Nos. 52152
KXBA(FM), Nikiski, Alaska;	)	86717
KWVV-FM, Homer, Alaska; and	)	52145
KPEN-FM, Soldotna, Alaska.	)	52149
)	
Licensee of FM translator stations)	
K292ED, Kachemak City, Alaska;	)	52150
K285DU, Homer, Alaska;	)	52157
K285EG and K272DG, Seward, Alaska	)	52158 and 52160
)	
Former licensee of FM translator stations)	
K285EF, Kenai, Alaska;)	
K283AB, Kenai/Soldotna, Alaska;)	
K257DB, Anchor Point, Alaska;)	
K265CK, Kachemak City, Alaska;)	
K272CN, Homer, Alaska; and)	
K274AB and K285AA, Kodiak, Alaska)	

To: Administrative Law Judge
Richard L. Sippel

**ENFORCEMENT BUREAU'S SECOND MOTION
TO MODIFY PREHEARING ORDER**

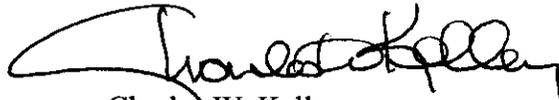
1. The Enforcement Bureau, pursuant to section 1.291 of the Commission's rules, requests that the Presiding Administrative Law Judge modify the *Prehearing Order*, FCC 02M-13, released February 15, 2002, by removing the numerical limitation to the number of interrogatories and/or requests to admit. Our reasons follow.

2. The *Prehearing Order* provides, *inter alia*, that the parties may immediately utilize interrogatories and/or requests to admit, "not to exceed 25 in number including sub-questions...." Considering the number of stations involved in this

proceeding, such a limitation may impose a significant burden on the Bureau's ability to develop its case, especially since there is no assurance at this point in time that the Bureau will have the resources to conduct depositions. It would far better serve the public interest to allow the Bureau to develop its case thoroughly through interrogatories and requests to admit than to force the Bureau to proceed by depositions or wait to develop its case at trial.

3. Accordingly, the Bureau requests that the numerical limitation on the number of interrogatories and/or requests to admit be lifted.

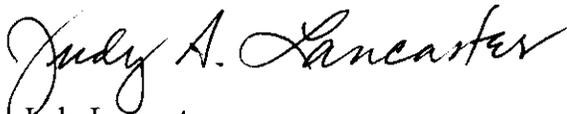
Respectfully submitted,



Charles W. Kelley
Chief, Investigations and Hearings Division



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Attorney



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February 27, 2002

Certificate of Service

James W. Shook, an attorney in the Enforcement Bureau's Investigations and Hearings Division, certifies that he has on this 19th day of February, 2002, sent by facsimile, by first class United States mail, or delivered by hand, one copy of the foregoing "Enforcement Bureau's Second Motion to Modify Prehearing Order" to each of the following:

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Administrative Law Judge Richard L. Sippel (by hand)
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