

RECEIVED & INSPECTED
DEC 9 - 2002
FCC - MAILROOM

ORIGINAL

Scott W. Reed, ISB #818
Attorney at Law
P. O.Box A
Coeur d'Alene, ID 83816
Phone (208) 664-2161
FAX (208) 765-5117

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

In the Matter of Applications of)
)
RESORT AVIATION SERVICES, INC.)
)
)
For Renewal of Aeronautical Advisory)
Station WYT9, Coeur d'Alene Airport,)
Hayden, Idaho)
)
and)
)
KOOTENAI COUNTY COEUR)
D'ALENE AIRPORT)
)
For a New Aeronautical Advisory)
Station at Coeur d'Alene Airport,)
Hayden, Idaho)

WT DOCKET NO. 02-179
REQUEST FOR SUBPENA
AD TESTICANDUM

TO: ARTHUR I. STEINBERG
FEDERAL COMMUNICATIONS
COMMISSION
445 12TH STREET, S.W., ROOM 1-C861
WASHINGTON, D.C. 20054

Pursuant to 47 CFR 1, Sec. 1.333, Resort Aviation Services, Inc. requests
the issuance of a subpena to enforce notice to take deposition of Larry Booher,
owner and operator of Southfield Fuel, Inc. and HeliProp Aircraft, Inc.

No. of Copies rec'd
List A B C D E
ATG

Request is made to take the deposition of Larry Booher at a date and time mutually convenient to counsel for Kootenai County Coeur d'Alene Airport at a date in December of 2002 in Room 205, Bank of American Building, 401 Front Street, Coeur d'Alene, Idaho, which is about five miles from the Coeur d'Alene Airport and place of business of Larry Booher.

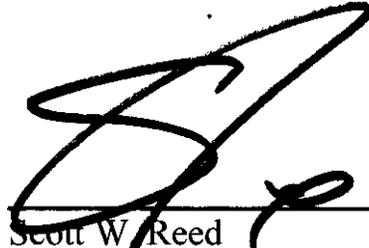
Larry Booher's company has been named by the Coeur d'Alene Airport as an entity which has expressed interest in obtaining the Unicom license now held by Resort Aviation Services, Inc. and which is the subject of these proceedings. Southfield Fuel, Inc. is the only fuel competitor of Resort Aviation Services, Inc. at the Coeur d'Alene Airport.

The inquiries at the deposition of Larry Booher will be directly relevant to the issues identified in the Hearing Designation Order adopted July 1, 2002. No documents are sought to be produced.

Larry Booher has earlier received full notice of intent to take his deposition.

Request is made pursuant to Sec. 1.333 that a subpoena be issued commanding Larry Booher to whom it is directed to appear and be deposed at a mutually convenient date in December of 2002. A copy of the subpoena form in blank is attached.

Dated this 4th day of December, 2002.



Scott W. Reed
Attorney for Resort Aviation
P. O. Box A
Coeur d'Alene, Idaho 83816
(208) 664-2161
Fax: (208) 765-5117
Services, Inc.

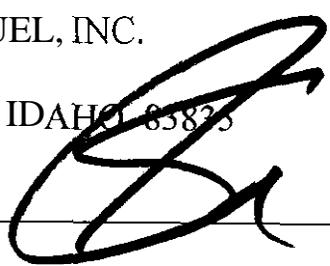
I hereby certify that a true and exact copy of the foregoing was sent by fax on December 4, 2002 to:

JOHN CAFFERTY, ESQ.
KOOTENAI COUNTY DEPT. OF
LEGAL SERVICES
P. O. BOX 9000
COEUR DALENE, IDAHO 83816-9000

DANA LEAVITT
ATTORNEY AT LAW
INVESTIGATIONS AND HEARINGS DIVISION
FEDERAL COMMUNICATIONS COMMISSION
445 12TH STREET S. W. - ROOM 3-B443
WASHINGTON, D. C. 20554
FAX (202) 418-2644

ADMINISTRATIVE LAW JUDGE
ARTHUR I. STEINBERG
FEDERAL COMMUNICATIONS
COMMISSION
445 12TH STREET, S.W., ROOM 1-C861
WASHINGTON, D.C. 20054
FAX (202) 418-0195

LARRY BOOHER
SOUTHFIELD FUEL, INC.
P. O. BOX 2811
HAYDEN LAKE, IDAHO 83825

A large, stylized handwritten signature in black ink, appearing to be 'LB', is written over a horizontal line.

SUBPOENA

DUPLICATE - To be sewed upon the person named herein. retained by him, and presented in support of any claim for witness fees or mileage allowances for testimony on behalf of the FCC.

UNITED STATES OF AMERICA

FEDERAL COMMUNICATIONS COMMISSION

IN THE MATTER OF

)
)
)
)

Docket No. _____

THE PRESIDENT OF THE UNITED STATES OF AMERICA

To _____ GREETINGS

YOU ARE HEREBY ORDERED under penalty of law to appear before the Federal Communications Commission or

_____ at _____
(Name and official title of person authorized to take depositions)

in the city of _____ on the _____ day of _____, 19_____,
at _____ o'clock _____ M., of that day, to testify in the above-captioned matter and to bring with you and to
produce then and there the following books, papers, and documents: _____

BY ORDER OF THE FEDERAL COMMUNICATIONS COMMISSION, this _____ day of

_____, 19_____. _____
(Official Title)

NOTICE: - Witness fees and mileage for attendance under this subpoena for service hereof are to be paid by the party at whose instance the witness is subpoenaed, and every copy of this summons for the witness must contain a copy of this notice.

Service of subpoenas may be made by any citizen of the United States over the age of 18 years who is competent to be a witness. and is not a party to or in any way interested in the proceeding.

PROOF OF SERVICE

State of _____ }
County of _____ } ss:

_____, being first duly sworn, says:

I am a citizen of the United States of America, over the age of eighteen years, and not a party to or in any way interested in the proceeding in which this subpoena was issued.

On the _____ day of _____, 19____, I served the within subpoena on the witness named therein at the address shown, by -- (Check method used.)

- (1) Delivering to and leaving with the witness personally a copy of said subpoena and at the same time exhibiting to said witness this original.
- (2) Unable to effect service in the manner specified in the immediately preceding section by leaving a copy at the principal office or place of business of the witness, to wit:

_____ on the _____ day of _____, 19_____.

Subscribed and sworn to me before this _____ day of _____, 19_____

NOTARY PUBLIC

I certify that the person named herein was in attendance as a witness at _____

on _____
(DAY, MONTH, AND YEAR)

(NAME OF PERSON CERTIFYING)

OFFICIAL TITLE