

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

FCC 03M-08

In the Matter of	)	EB Docket No. 02-2
)	
PENINSULA COMMUNICATIONS, INC.	)	File No. EB 01-IH-0609
	)	FRN: 0001-5712-15
Licensee of stations)	
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)	

ORDER

Issued: January 30, 2003

Released: February 3, 2003

As a matter of clarification, communicated to counsel for the parties on January 30, 2003, official notice may be taken by the Presiding Judge of the fact that appellate briefs were filed by the parties in *Peninsula Communications, Znc. v. F.C.C.*, U.S. Court of Appeals for District of Columbia Circuit, Case No. 01-1273,¹ and of the fact that the appeal was argued by the parties and submitted to the Court on January 14, 2003.

There is no need for **further** discussion concerning **the** hearing record, now closed and set for an Initial Decision by the Presiding Judge?

¹ The appeal was taken by Peninsula Communications, Inc. opposing the Commission's "Termination Order," *Memorandum Opinion and Order and Order to Show Cause* (FCC 01-159), released May 18, 2001, that is relevant to this proceeding.

² The parties have filed **their** respective Proposed **Findings** of Fact and Conclusions of Law, and Reply Proposed Findings of Fact and Conclusions of Law.

Accordingly, IT IS ORDERED that Posthearing Conference set *for January 31, 2003*,³ **IS CANCELLED!**

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Richard L. Sippel". The signature is written in a cursive, flowing style.

Richard L. Sippel
Chief Administrative Law Judge

³ *Order* FCC 03M-02, released January 21, 2003.

⁴ Counsel for the parties were advised by telephone on January 30, 2003, and copies of this *Order* were e-mailed to counsel on the day of issuance.