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LAW OFFICES
ROBERT J BUENZLE
11710 PLAZA AMERICA DRIVE
SUITE 2000
RESTON, VIRGINIA 20190

FACSIMILE
(703) 430-4994

E MAIL buenzle@buenzlelaw.com

TELEPHONE
(703) 430-6751

August 19, 2003

SENT BY FEDERAL EXPRESS

Marlene H. Dortch, Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743

Re: New Ulm Broadcasting Company "Reply to
Opposition to Motion to Strike Unauthorized
'Response' of Linda Crawford"
in MB Docket No. 02-248, RM-10537,
FM Table of Allocations, Smiley, Texas.

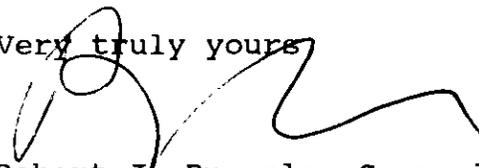
Dear Ms. Dortch:

Transmitted herewith is an original and four copies of
the above captioned pleading as directed to the Assistant
Chief, Audio Division, Media Bureau.

It is requested that the attached copy marked "FILE" be
date-stamped and returned to us in the enclosed self-
addressed stamped envelope.

Should any additional information be required, please
contact this office.

Very truly yours



Robert J. Buenzle, Counsel
for New Ulm Broadcasting Co.

FILED
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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of) MB Docket No. 02-248
)
Amendment of Section 73.202(b)) RM-10537
Table of Allotments)
FM Broadcast Stations)
Smiley, Texas)

To: Assistant Chief,
Audio Division
Media Bureau

**REPLY TO OPPOSITION TO MOTION TO STRIKE UNAUTHORIZED
'RESPONSE' OF LINDA CRAWFORD**

On July 30, 2003, a Motion to Strike was filed by New Ulm Broadcasting Company ("New Ulm"), directed against an unauthorized "Response" pleading that had been filed by Linda Crawford ("Crawford") in this proceeding on July 5, 2003 1/. As clearly pointed out in New Ulm's Motion to Strike, the pleading by Crawford was totally unauthorized and unrequested and its filing, receipt, or consideration would be directly contrary to Commission rules 47 CFR 1.45(c), and 1.415(d). As also noted, the Crawford pleading did not contain any showing of extraordinary "good cause" or any request at all for waiver of the rules which forbid such "additional" pleading in FCC proceedings. As such, New Ulm argued that the Crawford "Response" was clearly and unequivocally contrary to law and should be dismissed.

1/ The complete title of the Crawford pleading was "Response to Reply Comments of New Ulm Broadcasting"

Under FCC pleading rules (as cited above) oppositions could be filed to the Motion to Strike by August 13, 2003, with any Reply then due by August 20, 2003 (with 3 additional days allowed if an Opposition were served by Mail. Crawford has now proceeded to file a pleading entitled "Response to Motion to Strike Unauthorized Response of Linda Crawford" which New Ulm will treat as an "Opposition" under the rules. New Ulm's Reply is as follows:

Reference to Crawford's Opposition reveals that not once in that pleading does Crawford address, or even recognize, the very basis for the Motion to Strike, i.e. that the Crawford pleading was NOT LEGAL, and was absolutely contrary to FCC rules which clearly bar the filing of such "additional" pleadings. Although this defect was clearly stated in the Motion to Strike, it was simply ignored by Crawford which is, in itself, an insult to the Commission and its rules which apply to all parties and which are themselves absolutely essential to maintaining order and equity in FCC proceedings. Given the specificity in the Motion to Strike, Crawford could not claim ignorance of the rules, only that she simply did not care and chose to ignore them. More than that is required as minimal acceptable conduct by parties coming before the Federal Communications Commission.

As to what she did include in her Opposition, Crawford simply restated, still without benefit of any engineering education or expertise, her own personal engineering conclusions relating to this case. New Ulm has fully addressed the patent

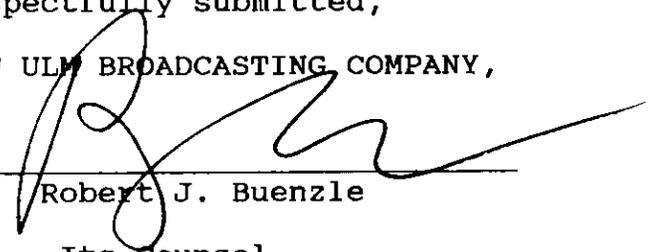
deficiencies in these arguments before and sees no need or purpose in doing so again here. Nor, for that matter, are such arguments by Crawford even appropriate in an Opposition to Motion to Strike. Suffice it to say that Crawford's arguments remain deficient, unsupported, and absurd. Time and reiteration have not improved them.

Conclusion

Wherefore, it is respectfully submitted that the Crawford Opposition contains no element of fact or law to rebut the basis of the New Ulm Motion To Strike and that the Motion to Strike should therefore be granted, that the Crawford pleading entitled "Response To Reply Comments of New Ulm Broadcasting" as filed on July 5, 2003, should be dismissed and returned without further consideration in this proceeding, and that the Commission should also admonish Linda Crawford to observe and obey the Commission's Rules which govern these proceedings.

Respectfully submitted,

NEW ULM BROADCASTING COMPANY,

by 

Robert J. Buenzle

Its Counsel

Law Offices
Robert J. Buenzle
11710 Plaza America Drive
Suite 2000
Reston, Virginia 20190
(703) 430-6751

August 20, 2003

CERTIFICATE OF SERVICE

I, Robert J. Buenzle, do hereby certify that copies of the foregoing Reply To Opposition to Motion to Strike Unauthorized 'Response' of Linda Crawford have been served by United States mail, postage prepaid this 20th day of August, 2003, upon the following:

*John A. Karousos, Esq.
Assistant Chief, Audio Division
Office of Broadcast License Policy
Media Bureau
Federal Communications Commission
Portals II, Room 3-A266
445 12th Street SW
Washington, D.C. 20554

Linda Crawford
3500 Maple Avenue, #1320
Dallas, Texas 75219
Smiley Petitioner

Victoria Radio Works Ltd.
Radio Station KVIC
8023 Vantage Dr.
Suite 840
San Antonio, Texas 78230

Pacific Broadcasting of Missouri, LLC
Radio Station KTKY
7755 Carondelet, Avenue
Clayton, Missouri 63105

David P. Garland
1110 Hackney Street
Houston, Texas 77023
Stargazer Broadcasting, Inc.

Maurice Salsa
5615 Evergreen Valley Drive
Kingwood, Texas 77345

Bryan A. King
BK Radio
1809 Lightsey Road
Austin, Texas 78704

Matthew L. Liebowitz, Esq.
Liebowitz & Associates, P.A.
One SE Third Avenue, Suite 1450
Miami, Florida 33131
Counsel for Next Media Licensing

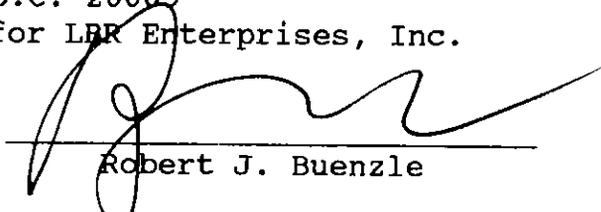
Gregory L. Masters, Esq.
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006
Counsel for Capstar Texas LP

Mark N. Lipp, Esq.
J. Thomas Nolan, Esq.
Shook, Hardy & Bacon, L.L.P.
600 14th Street, N.W.
Suite 800
Washington, D.C. 20005-2004
Counsel for Joint Petitioners

Gene A. Bechtel, Esq.
Attorney At Law
1050 17th Street N.W.
Suite 600
Washington, D.C. 20036
Counsel for Elgin Fm Limited
Partnership and Charles Crawford

Harry F. Cole, Esq.
Lee G. Petro, Esq.
Fletcher, Heald Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209
Counsel for Smiley Broadcast
Interest

Gregg P. Skall, Esq.
Patricia M. Chuh, Esq.
Womble Carlyle Sandridge & Rice, PLLC
1401 Eye Street, 7th Floor
Washington, D.C. 20005
Counsel for LER Enterprises, Inc.



Robert J. Buentzle

* Also Sent By Fax