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

SEP 04 2003

Federal Communications Commission
Office of the Secretary

EB Docket No. 03-152

In the Matter of)	
)	
WILLIAM L ZAWILA)	Facility ID No 72672
)	
Permittee of FM Station KNKS, Coalinga, California)	
)	
AVENAL EDUCATIONAL SERVICES, INC)	Facility ID No. 3365
)	
Permittee of FM Station KAAX, Avenal, California)	
)	
CENTRAL VALLEY EDUCATIONAL SERVICES, INC)	Facility ID No 9993
)	
Permittee of FM Station KAJP, Firebaugh, California)	
)	
H L CHARLES D/B/A FORD CITY BROADCASTING)	Facility ID No 22030
)	
Permittee of FM Station KZPE, Ford City, California)	
)	
LINDA WARE D/B/A LINDSAY BROADCASTING)	Facility ID No 37725
)	
Licensee of FM Station KZPO, Lindsay, California)	
)	
In re Application of)	
)	
WESTERN PACIFIC BROADCASTING, INC.))	File No. BR-19970804YJ
)	Facility ID No 71936
For Renewal of License for AM Station KKFO.))	
Coalinga, California)	

to Avenal Educational Services, Inc

049

**ENFORCEMENT BUREAU'S REQUEST FOR
ADMISSION OF FACTS**

The Enforcement Bureau, pursuant to section 1.246 of the Commission's Rules, 47 C F R § 1.246, hereby requests that, within ten (10) days of service of this Request, Avenal Educational Services, Inc. ("Avenal") admit to the truth of the following statements, as set forth in the following numbered paragraphs. Each response shall be labeled with the same number as the subject admission request and shall be made under oath or affirmation of the person providing the response. Avenal is reminded that "[a] denial shall fairly meet the substance of the requested admission, and when good faith requires that a party deny only a part or a qualification of a matter of which an admission is requested, he shall specify so much of it as true and deny only the remainder." 47 C.F.R. § 1.246(b)

Definitions

For this document, the following definitions apply:

"Avenal" means Avenal Educational Services, Inc., and/or any d/b/a, predecessor- or successor-in-interest, representative, employee, agent, consultant, and any other person working for or on behalf of any of the foregoing.

"Zawila" means Mr. William L. Zawila

"KAAX" means radio broadcast station KAAX(FM), Avenal, California.

"Avenal" means the City of Avenal, California, and/or any representative, employee, agent, consultant, and any other person working for or on behalf of any of the foregoing.

The "Commission" or the "FCC" means the Federal Communications Commission and any employee thereof.

Admissions

- 1 Avenal has been the permittee of KAAX since March 10, 1993
- 2 Avenal has never constructed KAAX in accordance with the construction permit for the station issued to it by the FCC
- 3 Avenal never had anyone else construct KAAX in accordance with the construction permit for the station issued to it by the FCC
- 4 Avenal has never filed an FCC Form 854 certifying construction of the tower on which KAAX was authorized by the FCC to be co-located with radio station KNGS(FM), Coalinga, California.
- 5 Zawila, the permittee for radio station KNGS(FM), has never filed an FCC Form 854 certifying construction of the tower on which KAAX was authorized by the FCC to be co-located with radio station KNGS(FM).
- 6 Zawila never constructed a 91-meter tower located at North Dome Ridge in Kettleman Hills, six kilometers East-Northeast of Avenal, California (the "KAAX/KNGS tower site").
- 7 Avenal never constructed a 91-meter tower at the KAAX/KNGS tower site
- 8 No one has ever constructed a 91-meter tower at the KAAX/KNGS tower site.
- 9 Zawila signed the license application (FCC File No. BLED-19990810KC) for KAAX on behalf of Avenal, certifying to the truth of the statements therein
- 10 In BLED-19990810KC, Zawila, on behalf of Avenal, represented that the KAAX antenna's radiation center was 40 meters above ground.
- 11 In BLED-19990810KC, Zawila, on behalf of Avenal, represented that the height of the tower on which the KAAX antenna was mounted was 41.3

meters above ground

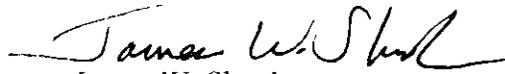
- 12 At the KAAX/KNGS tower site, no one has ever constructed a tower 41.3 meters in height
- 13 The main studio for KAAX has never been located at the KAAX/KNGS tower site.
- 14 Zawila's address is 12550 Brookhurst Street, Suite A, Garden Grove, California 92640
- 15 Zawila has never received a right-of-way from the Bureau of Land Management of the United States Department of the Interior to operate a radio station at the KAAX/KNGS tower site
16. Avenal has never received a right-of-way from the Bureau of Land Management of the United States Department of the Interior to operate a radio station at the KAAX/KNGS tower site
- 17 Avenal has never maintained a local telephone number for KAAX in Avenal.
- 18 Avenal has never maintained a toll-free telephone number for KAAX.
- 19 Zawila's representation in a letter filed November 25, 2000 with the FCC, which responded to an informal objection filed at the FCC by Richard M Smith (the "November 25, 2000, letter") that the tower at the KAAX/KNGS tower site was destroyed by vandalism was false
- 20 At the time that he made the representation in the November 25, 2000, letter that the tower at the KAAX/KNGS tower site was destroyed by vandalism, Zawila knew that the representation was false

- 21 Avenal does not have a public file for KAAX.
- 22 Avenal has never created a public file for KAAX.
- 23 Avenal has never maintained a public file for KAAX

Respectfully submitted,



Maureen F. Del Duca
Chief, Investigations and Hearings Division



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Attorney



David M. Janas
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September 4, 2003

CERTIFICATE OF SERVICE

Makia Day, a staff assistant of the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 4th day of September, 2003, sent by first class United States mail, electronic mail (e-mail) or delivered by hand, copies of the foregoing "Enforcement Bureau's Request for Admission of Facts" to:

Avenal Educational Services, Inc c/o
William L. Zawila (by first class mail and by e-mail)
12550 Brookhurst Street - Ste A
Garden Grove, CA 92840

Administrative Law Judge Arthur I. Steinberg (by hand)
Federal Communications Commission
445 12th Street, S.W., Room 1-C861
Washington, D.C. 20054


Makia Day