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Federal Communications Commission
Office of the Secretary

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

EB Docket No. 03-152

In the Matter of)
)
 WILLIAM L ZAWILA)
)
 Permittee of FM Station KNKS,)
 Coalinga, California)
)
 AVENAL EDUCATIONAL SERVICES, INC.)
)
 Permittee of FM Station KAAX,)
 Avenal, California)
)
 CENTRAL VALLEY EDUCATIONAL)
 SERVICES, INC.)
)
 Permittee of FM Station KAJP,)
 Firebaugh, California)
)
 H.L. CHARLES D/B/A FORD CITY)
 BROADCASTING)
)
 Permittee of FM Station KZPE,)
 Ford City, California)
)
 LINDA WARE D/B/A LINDSAY)
 BROADCASTING)
)
 Licensee of FM Station KZPO.)
 Lindsay, California)
)
 In re Application of)
)
 WESTERN PACIFIC BROADCASTING, INC.)
)
 For Renewal of License for AM Station KKFO,)
 Coalinga, California)

Facility ID No 72672

Facility ID No 3365

Facility ID No 9993

Facility ID No. 22030

Facility ID No 37725

File No. BR-19970804YJ
Facility ID No. 71936

To H.L. Charles d/b/a Ford City Broadcasting

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, H.L. Charles d/b/a Ford City Broadcasting ("FCB") 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. FCB 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:

"FCB" means H.L. Charles d/b/a Ford City Broadcasting, and/or any other 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.

"Stevens" means Mr. Jay Stevens.

"KZPE" means radio station KZPE(FM), Ford City, California.

"Charles" means Ms. H.L. Charles.

"Turner" means Mr. Robert F. Turner.

The "Commission" or the "FCC" means the Federal Communications Commission

Admissions

- 1 FCB has been the permittee of KZPE since July 12, 1990
- 2 FCB has never constructed KZPE in accordance with the construction permit
for the station issued to it by the FCC
- 3 No one has ever constructed KZPE in accordance with the construction permit
for the station issued to FCB by the FCC.
- 4 On or about July 29, 1999, Zawila informed Turner that KZPE would be built
without main studio facilities
- 5 On or about July 29, 1999, Stevens informed Turner that KZPE would be built
without main studio facilities
- 6 On or about July 29, 1999, Zawila informed Turner that KZPE would re-
broadcast an off-air signal from another FM station located in or near
Porterville, California
- 7 On or about July 29, 1999, Stevens informed Turner that KZPE would re-
broadcast an off-air signal from another FM station located in or near
Porterville, California
- 8 Zawila's address is 12550 Brookhurst Street, Suite A, Garden Grove,
California, 92640.
- 9 Zawila signed the license application (FCC File No BLH-19990804KG) on
behalf of KZPE, certifying to the truth of the statements therein.
- 10 Zawila signed BLH-19990804KG due to the physical disability of Charles.
- 11 All matters stated in BLH-19990804KG were based on the personal
knowledge of Zawila.

- 12 Charles is unaware of any details about the operation of KZPE.
- 13 On February 21, 2001, Charles was unaware of any details about the operation
of KZPE
- 14 Charles refers all inquiries regarding KZPE to Zawila.
15. All KZPE applications filed with the Commission during or subsequent to
1999 bear Zawila's signature
- 16 Zawila determines the basic operating policies of KZPE.
- 17 Charles does not determine the basic operating policies of KZPE
- 18 Charles has never determined the basic operating policies of KZPE
- 19 Zawila makes all policy decisions concerning personnel of KZPE.
- 20 Zawila makes all policy decisions concerning programming of KZPE
- 21 Zawila makes all policy decisions concerning finances of KZPE.
- 22 Charles does not make any policy decisions concerning personnel of KZPE
- 23 Charles does not make any policy decisions concerning programming of
KZPE
- 24 Charles does not make any policy decisions concerning finances of KZPE.
- 25 Charles has never made any policy decisions concerning personnel of KZPE
- 26 Charles has never made any policy decisions concerning programming of
KZPE
27. Charles has never made any policy decisions concerning finances of KZPE.
- 28 On August 4, 1999, Zawila (on behalf of FCB) represented in BLH-
19990804KG that KZPE was operating under automatic program test
authority

29. On August 4, 1999, KZPE was not operating under automatic program test authority.
30. Zawila knew, on August 4, 1999, that KZPE was not operating under automatic program test authority
- 31 KZPE's facilities have never operated on a full-time basis
- 32 In February 2001, KZPE's facilities were not operational
- 33 In February 2001, KZPE's equipment was housed in a metal shed that was open to the elements and sitting on a sheet of plywood that was laid on the ground
34. In February 2001, KZPE's diesel-powered generator was not operational.
- 35 In February 2001, FCB could not find a fuel company that would deliver fuel to the KZPE transmitter site
- 36 In February 2001, FCB could not find a company that would deliver a large fuel tank to the KZPE transmitter site
- 37 FCB has never constructed or maintained a main studio for KZPE.
- 38 No one has ever constructed or maintained a main studio for KZPE.
- 39 There is no main studio or any program origination equipment at KZPE's main studio site of record at the FCC.
- 40 In February 2001, there was no main studio or any program origination equipment at KZPE's main studio site of record at the FCC.
- 41 Prior to February 2001, KZPE was only on the air during July or August of 1999 for testing, and for about 30 minutes around September of 2000
- 42 FCB has never maintained a complete public inspection file at KZPE's main

- studio
- 43 No one has ever maintained a complete public inspection file at KZPE's main studio
- 44 FCB does not have a complete public inspection file for KZPE
- 45 No one has a complete public inspection file for KZPE
- 46 In February 2001, FCB did not have a complete public inspection file for KZPE
47. In February 2001, no one had a complete public inspection file for KZPE.
- 48 A public inspection file for KZPE was placed in the Taft, California, Chamber of Commerce in February of 2001.
- 49 The FM receive antenna for KZPE has never been operational
50. The FM receive antenna for KZPE is not operational.
- 51 In February 2001, the FM receive antenna for KZPE was neither mounted nor connected
- 52 In February 2001, the FM receive antenna for KZPE was lying unconnected on the ground.
- 53 In February 2001, the FM receive antenna for KZPE was damaged
- 54 There has never been EAS equipment at KZPE's authorized transmitter or main studio locations
- 55 There is no EAS equipment at KZPE's authorized transmitter or main studio locations
- 56 In February 2001, there was no EAS equipment at KZPE's authorized transmitter or main studio locations.

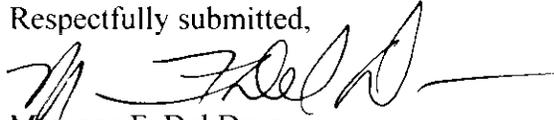
- 57 FCB has never constructed a 24-meter antenna for KZPE.
- 58 No one has ever constructed a 24-meter antenna for KZPE.
- 59 In February of 2001, FCB had not constructed a 24-meter antenna for KZPE.
- 60 In February of 2001, no one had constructed a 24-meter antenna for KZPE
- 61 FCB has never constructed a fence around the pole on which KZPE's antenna
is mounted.
- 62 No one has ever constructed a fence around the pole on which KZPE's
antenna is mounted
63. In February of 2001, FCB had not constructed a fence around the pole on
which KZPE's antenna is mounted
- 64 In February of 2001, no one had constructed a fence around the pole on which
KZPE's antenna is mounted
- 65 FCB has never posted radiation hazard signs around KZPE's antenna.
- 66 No one has ever posted radiation hazard signs around KZPE's antenna.
- 67 In February of 2001, FCB had not posted radiation hazard signs around
KZPE's antenna.
- 68 In February of 2001, no one had posted radiation hazard signs around KZPE's
antenna
- 69 FCB has operated KZPE substantially at variance from the terms of the
station's Commission authorization.
- 70 Zawila moved KZPE's antenna to a tower other than that which is authorized
without a construction permit
- 71 FCB moved KZPE's antenna to a tower other than that which is authorized

without a construction permit.

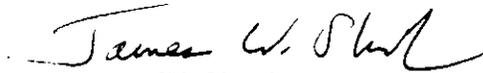
72 Someone moved KZPE's antenna to a tower other than that which is authorized without a construction permit.

73 FCB failed to maintain a properly staffed main studio for KZPE

Respectfully submitted,



Maureen F. Del Duca
Chief, Investigations and Hearings Division
Enforcement Bureau



James W. Shook
Attorney



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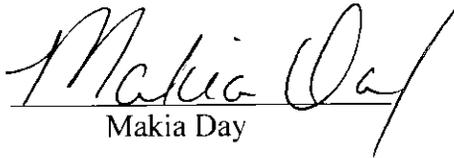
September 4, 2003

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