

Before the
Federal Communications Commission
Washington, D.C. 20554

FCC 03M-37
SEP 3 9 53 AM '03
02567

In the Matter of)
)
WILLIAM L. ZAWILA)
)
Permittee of FM Station KNGS,)
Coalinga, California)
)
Et al.)

EB Docket No. 03-152
Facility ID No. 72672

MEMORANDUM OPINION AND ORDER

Issued: September 2, 2003 ; Released: September 4, 2003

Under consideration is a Motion to Continue Prehearing Conference for the Purpose of Retaining Communications Counsel, dated August 28, 2003, submitted by William L. Zawila, *et al.* (collectively "Zawila"). Since time is of the essence, this motion will be acted on without awaiting responsive pleadings.

Zawila again¹ requests that the prehearing conference in this proceeding, presently scheduled for September 9, 2003, be postponed in order to allow time for the permittees and licensees he represents "to retain communications counsel who regularly practice before the FCC." Motion at 1. In support, Zawila states:

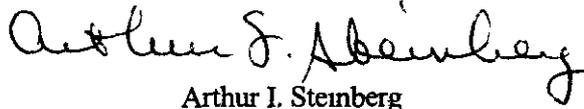
1. . . . It would serve the interests of all concerned to have experienced communications counsel who are familiar with the practices and procedures of the FCC in a proceeding such as the one at hand to represent the [permittees and licensees] in this matter.
2. The undersigned California counsel to the [permittees and licensees, *i.e.*, Mr. Zawila himself] does not practice in Washington, D.C. before the FCC on a regular basis and has never previously participated in any hearing proceeding before the FCC. [*Id.*]

Zawila's motion will be denied. Suffice it to say, Zawila and his clients have had more than ample time to retain communications counsel, if he (and they) so desired. Thus, this proceeding was designated for hearing by *Order to Show Cause, Notice of Opportunity for Hearing, and Hearing Designation Order*, FCC 03-158, released July 16, 2003, and the September 9, 2003, prehearing conference was scheduled by *Order*, FCC 03M-28, released July 21, 2003. In addition, Zawila has offered no explanation whatsoever as to why communications counsel could not have been retained prior to the scheduled conference. Consequently, no good cause has been established for a grant of Zawila's eleventh-hour request, and a continuance of the scheduled prehearing conference is not warranted.

¹ See *Memorandum Opinion and Order*, FCC 03M-35, released September 2, 2003. An advance copy of this ruling was faxed to Zawila on August 28, 2003.

Accordingly, IT IS ORDERED that Zawila's Motion to Continue Prehearing Conference for the Purpose of Retaining Communications Counsel, dated August 28, 2003, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Arthur I. Steinberg". The signature is written in a cursive style with a large, prominent initial "A".

Arthur I. Steinberg
Administrative Law Judge