

Before the  
**Federal Communications Commission** AUG 4 3 58 PM '05  
 Washington, D.C. 20554

In re Applications of	)		FCC 05M-36
	)	MB Docket No. 04-144	04598
<b>PISCATAWAY BOARD OF EDUCATION</b>	)		
	)		
For Renewal of License	)	Facility ID No. 52686	
For Noncommercial Educational	)	File No. BRED-19980427WA	
Station WVPH(FM), Piscataway, New Jersey	)		
	)		
and	)		
	)		
<b>KING'S TEMPLE MINISTRIES, INC.</b>	)		
	)		
For a Construction Permit	)	Facility ID No. 91347	
For a New Noncommercial Educational	)	File No. BPED-19980805MB	
FM Station, Plainfield, New Jersey	)		

O R D E R

Issued: August 2, 2005 ; Released: August 4, 2005

This proceeding was designated for hearing by *Hearing Designation Order*, 19 FCC Rcd 6291, released April 9, 2004, *modified*, DA 05-2000, released July 13, 2005. The following issue was specified:

To determine whether a time sharing arrangement between Piscataway Board of Education and King's Temple Ministries, Inc. would result in more effective use of the specified channel than would operation restricted to Piscataway Board of Education and thus better serve the public interest, and, if so, the terms and conditions of a time sharing arrangement, including the hours of the day throughout the year during which each licensee is to operate, and to set forth such terms and conditions in a written document. Such arrangement shall not include simultaneous operation of the stations.

DA 05-2000, at para. 11.

On July 26, 2005, King's Temple Ministries, Inc. ("KTM"),<sup>1</sup> filed a Motion for Leave to Withdraw Application. Therein, KTM requests that its application be dismissed. Appended to its motion is a declaration from its Pastor and Senior President, Gary Kirkwood, certifying that neither KTM nor any of its principals has received, been promised, paid, or promised to pay, any money or other consideration in return for the dismissal of the KTM application. A similar declaration of no consideration was filed by Piscataway Board of Education ("PBE") on July 29, 2005.

<sup>1</sup> KTM changed its name to King's Temple Ministries World Outreach Church, Inc. DA 05-2000, at note 1. For clarity, this applicant will be referred to herein as King's Temple Ministries, Inc., the name it used at the time its application was filed.

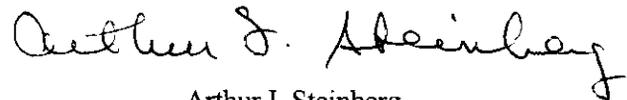
Good cause having been shown, and the requirements of Sections 73.3523 and 73.3525 of the Commission's Rules having been met, KTM's motion will be granted and its application will be dismissed. In addition, since there are no qualifying issues outstanding against PBE, its application will be granted. Finally, the hearing in this proceeding will be terminated as there remain no further matters requiring resolution at a hearing.<sup>2</sup>

Accordingly, IT IS ORDERED that the Motion for Leave to Withdraw Application, filed by KTM on July 26, 2005, IS GRANTED and the application of King's Temple Ministries, Inc., for a construction permit for a new noncommercial educational FM station in Plainfield, New Jersey (Facility ID No. 91347, File No. BPED-19980805MB), IS DISMISSED with prejudice.

IT IS FURTHER ORDERED that the application of Piscataway Board of Education for renewal of license for noncommercial educational station WVPH(FM), Piscataway, New Jersey (Facility ID No. 52686, File No. BRED-19980427WA), IS GRANTED.

IT IS FURTHER ORDERED that the hearing in this proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION



Arthur I. Steinberg  
Administrative Law Judge

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<sup>2</sup> It is noted that on July 18, 2005, PBE filed an Application for Review of DA 05-2000. This pleading was addressed to "The Commission" and remains pending.