

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

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Federal Communications Commission  
Office of the Secretary

In the Matter of )  
)  
**COMMERCIAL RADIO SERVICE, INC.** ) **EB DOCKET NO. 06-168**  
)  
Licensee of Private Land Mobile Stations ) File No. EB-06-IH-1362  
WNDS861, Reelsville, Indiana; WNIL729, )  
Paxton, Indiana; WPCJ772, West Terre Haute, ) NAL Acct. No. 200632080166  
Indiana; and WPNU312 Greencastle, )  
Indiana/West Terre Haute, Indiana )  
)  
Licensee of Commercial Land Mobile Station )  
WNGE348, West Terre Haute, Indiana )  
)  
**TIMOTHY M. DOTY** )  
)  
Licensee of General Radiotelephone Operator )  
License PG1814366; and Amateur Radio )  
Operator and Licensee of Amateur Radio )  
Station WB9MDC, West Terre Haute, Indiana )

To: Commercial Radio Service, Inc.

**ENFORCEMENT BUREAU'S FIRST INTEROGATORIES**  
**TO**  
**COMMERCIAL RADIO SERVICE, INC.**

1. The Enforcement Bureau ("Bureau"), pursuant to Sections 1.311 and 1.323 of the Commission's rules, 47 C.F.R. §§ 1.311 and 1.323, submits the following interrogatories to Commercial Radio Service, Inc. ("CRS").

2. CRS shall deliver its responses to the offices of the Investigations and Hearings Division, Enforcement Bureau, Suite 4-C330, 445 12<sup>th</sup> Street, S.W., Washington, DC 20554 (or at some other location that is mutually acceptable to the Bureau and CRS) within 14 days of the date of these interrogatories.

**CERTIFICATE OF SERVICE**

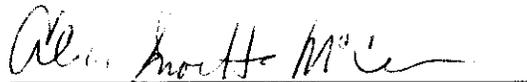
Alicia McCannon, an Industry Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 22<sup>nd</sup> day of September, 2006, sent by first class United States mail copies of the foregoing "Enforcement Bureau's First Interrogatories to Commercial Radio Service, Inc." to:

Elizabeth R. Sachs, Esq.  
Russell D. Lukas, Esq.  
Lukas, Nace, Gutierrez & Sachs, Chartered  
1650 Tysons Boulevard, Suite 1500  
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Counsel for Commercial Radio Service, Inc.

Commercial Radio Service, Inc.  
915 S. Prospect Street  
Terre Haute, Indiana 47802

Timothy M. Doty  
915 S. Prospect Street  
Terre Haute, Indiana 47802

Administrative Law Judge Arthur I. Steinberg\*  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 1-C861  
Washington, D.C. 20054

  
Alicia McCannon

\* Hand-Delivered

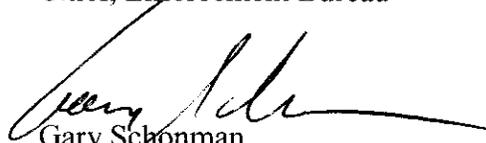
3. The obligation of CRS to answer these interrogatories is continuing in nature. CRS has an obligation to provide in the future any and all additional responsive information that may come to its attention subsequent to its answering these interrogatories but not initially disclosed at the time, date and place set forth herein or in any supplemental answers that it submits. In this regard, CRS must supplement its initial and supplemental responses if it learns that, in some material respect, the responses initially provided, or as supplemented, were incomplete or incorrect or if additional responsive information is acquired by or has become known to it after its initial or supplemental responses.

#### **Definitions and Instructions**

- a. As used herein, the term "CRS" means Commercial Radio Service, Inc., its subsidiaries and affiliates.
- b. The term "Commission" means Federal Communications Commission and includes any and all Bureaus, Divisions, Branches, and offices thereof.
- c. The terms "relate to" and "relating to" mean constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or in any way is pertinent to the specified subject, including documents concerning the preparation of the documents.
- d. The term "and" also means "or" and the term "or" also means "and."
- e. The term "each" also means "every" and the term "every" also means "each."
- f. The term "all" also means "any" and the term "any" also means "all."
- g. The term "identify" when used with reference to a person or persons, means to state his or her full name; last known business and residence addresses; and last known business and residence telephone numbers.

43. State whether Gary C. Doty was the licensee in fact of Station KST762 on June 21, 2006.

Respectfully submitted,  
Kris Anne Monteith  
Chief, Enforcement Bureau



Gary Schonman  
Special Counsel, Investigations and Hearings Division



William Knowles-Kellett  
Attorney, Investigations and Hearings Division

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 4-C330  
Washington, D.C. 20554  
(202) 418-1420

September 22, 2006

h. The term "Document" means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of CRS.

i. With regard to each answer, identify the person(s) or document(s) relied upon by CRS in determining the substance of the answer.

### **Interrogatories**

1. Identify all officers, directors, and shareholders of CRS at any and all times during the period from January 1, 1990, to the present. As to each such person:
  - a. specify his or her office, title, or position held with CRS and dates of service in each office or position;
  - b. specify the nature and extent of his or her stock interest in CRS, including percentages of ownership and voting rights; and

38. State whether Private Land Mobile Station KST762, which is licensed to Gary A. Doty, is, in fact, held or controlled in part or in full by Gary C. Doty. If so, explain fully.
39. State whether Gary C. Doty had any involvement of any kind whatsoever in the planning, preparation, review and/or filing of an application on FCC Form 601 (FCC Application for Wireless Telecommunications Bureau Radio Service Authorization), filed on February 26, 2003, for renewal-only of the license for Station KST762 (File No. 0001211478). If so, describe fully the nature and extent of such involvement.
40. Explain fully why the application on FCC Form 601 (FCC Application for Wireless Telecommunications Bureau Radio Service Authorization), filed on February 26, 2003, for renewal-only of the license for Station KST762 (File No. 0001211478) identifies the licensee of Station KST762 as Gary A. Doty, but is signed electronically by Gary C. Doty.
41. State whether Gary C. Doty is or at any time has been the real party-in-interest behind the license for Station KST762.
42. State whether Gary C. Doty is or at any time has been the licensee in fact of Station KST762, notwithstanding that the licensee of record is Gary A. Doty.

- c. if the person no longer is an officer, director and/or shareholder of CRS, specify the date and reason that the person ceased being an officer, director and/or shareholder of CRS.
2. Identify the name of all entities under which CRS has done business at any time during the period from January 1, 1990, to the present. For each such entity:
  - a. specify the principal place of business;
  - b. specify the telephone number; and
  - c. specify the dates of operation.
3. Describe the nature of all businesses in which CRS has engaged at any and all times during the period from January 1, 1990, to the present, and, for each such business, provide the dates of operation.
4. Specify by licensee name, licensee address, licensee telephone number, call sign, service, location, and expiration date all licenses held and/or controlled by CRS.
5. Specify by licensee name, licensee address, licensee telephone number, call sign, service, location, and expiration date all licenses held and/or controlled by each and every officer, director, and shareholder of CRS.
6. Identify all current and former employees of CRS during the period from January 1, 1990, to the present. As to each such person:
  - a. specify his or her title, position held, job responsibilities, and dates of service in such title and/or position held; and
  - b. if the person no longer is an employee of CRS, specify the date and reason the person was discharged from or otherwise left the employment of CRS.

32. Describe the nature and extent of the involvement of Timothy M. Doty in the day-to-day affairs of CRS between January 1, 1990, and the present. If the nature of such involvement has changed in any way between the period of time from January 1, 1990, to the present, describe fully how such involvement changed.
33. Describe the nature and extent of the involvement of Gary C. Doty in the day-to-day affairs of CRS between January 1, 1990, and the present. If the nature of such involvement has changed in any way between the period of time from January 1, 1990, to the present, describe fully how such involvement changed.
34. State whether Gary C. Doty holds or has ever held, in his individual capacity, any authorizations, licenses or permits issued by the Commission. If so, as to each such authorization, specify:
  - a. the licensee name, address, and telephone number;
  - b. call sign;
  - c. location;
  - d. service;
  - e. grant date; and
  - f. expiration date.
35. Identify Gary A. Doty.
36. State whether Gary A. Doty has any relationship of any kind whatsoever with CRS and/or Gary C. Doty and/or Timothy M. Doty. If so, describe fully.
37. State whether Gary C. Doty has ever signed an application filed with the Commission on behalf of Gary A. Doty. If so, explain fully.

7. Identify all current and former managers and supervisors of CRS during the period from January 1, 1990, to the present. As to each such person:
  - a. specify his or her title, position held, job responsibilities, and dates of service in each position held; and
  - b. if the person no longer is an employee of CRS, specify the date and reason the person was discharged from or otherwise left the employment of CRS.
8. Identify by file number, application number, application title, date of filing, purpose, and disposition of each and every application filed by or on behalf of CRS with the Commission between January 1, 1990, and the present. As to each such application:
  - a. identify each and every person who was engaged in the planning, preparation, review, and/or filing of the application; and
  - b. describe fully the nature and extent of his or her involvement therein.
9. State whether any officer, director, and/or shareholder of CRS has ever been convicted of a felony in a state or federal court. If so, as to each such conviction:
  - a. specify the case number;
  - b. identify the convicted felon;
  - c. specify the court in which the conviction occurred;
  - d. state the date of the conviction;
  - e. describe the nature of the offense;
  - f. state the date of the offense; and
  - g. describe the nature and extent of the sentence handed down.

23. State whether Gary C. Doty has filed federal income tax returns for each year between January 1, 1990, and the present. If not, explain fully why not.
24. State whether Timothy M. Doty has filed federal income tax returns for each year between January 1, 1990, and the present. If not, explain fully why not.
25. Explain fully the reasons why Timothy M. Doty ceased being an officer of CRS effective on or about May 9, 2006.
26. State whether the cessation of Timothy M. Doty as an officer of CRS effective on or about May 9, 2006, was related in any way or to any extent whatsoever because of the Enforcement Bureau's investigation of CRS in Case File No. EB-06-IH-1362. If so, provide a full and complete explanation.
27. Describe fully the educational background of Timothy M. Doty, including the names and addresses of schools attended, dates of attendance, degrees or certificates earned, and dates of graduation.
28. Describe fully the educational background of Gary C. Doty, including the names and addresses of schools attended, dates of attendance, degrees or certificates earned, and dates of graduation.
29. Describe each and every professional and/or trade license held by CRS between January 1, 1990, and the present.
30. Describe each and every professional and/or trade license held by Timothy M. Doty between January 1, 1990, and the present.
31. Describe each and every professional and/or trade license presently held by Gary C. Doty between January 1, 1990, and the present.

10. Specify when Gary C. Doty first learned that Timothy M. Doty had been convicted of a felony in federal court involving the manufacturing and possession of electronic devices for interception of electronic communications, and describe fully how Gary C. Doty came to acquire such information.
11. Specify when Gary C. Doty first learned that Timothy M. Doty had been convicted of a felony in state court involving possession of a controlled substance, and describe fully how Gary C. Doty came to acquire such information.
12. Identify by file number, application number, application title, date of filing, purpose of the application, and disposition each and every application that CRS has filed with the Commission between January 1, 1990, and the present in which it responded “No” to the question, “Has the applicant to this application or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court?” As to each such application, describe fully the basis for such “No” response.
13. Identify each and every person who was involved in any manner and to any extent in the decision to file a renewal-only application rather than a renewal-modification application for the renewal of license of Station WNIL729, describe the nature and extent of each person’s involvement, and describe fully the basis for such decision.
14. Identify each and every person who was involved in any manner and to any extent in the decision to file a renewal-only application rather than a renewal-modification application for the renewal of license of Station WPCJ772, describe

Commission. If not, explain fully why CRS did not report such convictions to the Commission prior to June 22, 2006.

19. Specify the date on which CRS became a Commission licensee.
20. Specify the date on which Timothy M. Doty became a Commission licensee.
21. State whether CRS has had, at any time between January 1, 1990, and the present, any contractual relationships to provide equipment and/or services to any federal, state or local government agencies. If so, as to each such contractual relationship:
  - a. describe fully the nature and extent of the contractual relationship;
  - b. specify the dates of the contractual relationship;
  - c. identify by name, address and telephone number the federal, state or local governmental agency involved;
  - d. state whether CRS was required pursuant to any federal, state or local government provision to disclose the felony convictions of Timothy M. Doty to the federal, state or local governmental agency involved;
  - e. state whether CRS in fact disclosed the felony convictions of Timothy M. Doty to the federal, state or local governmental agency involved. If so, identify by whom and specify when and the method by which CRS disclosed such convictions. If not, explain fully why CRS did not disclose such convictions to the federal, state or local governmental agency involved.
22. State whether CRS has filed federal income tax returns for each year between January 1, 1990, and the present. If not, explain fully why not.

the nature and extent of each person's involvement, and describe fully the basis for such decision.

15. Identify each and every person who was involved in any manner and to any extent in the decision to file a renewal-only application rather than a renewal-modification application for the renewal of license of Station WPNU312, describe the nature and extent of each person's involvement, and describe fully the basis for such decision.
16. Identify each and every person who was involved in any manner and to any extent in the decision to file a renewal-only application rather than a renewal-modification application for the renewal of license of Station WNGE348, describe the nature and extent of each person's involvement, and describe fully the basis for such decision.
17. Identify each and every person who was involved in any manner and to any extent in the decision to file a renewal-only application rather than a renewal-modification application for the renewal of license of Station WNDS861, describe the nature and extent of each person's involvement, and describe fully the basis for such decision.
18. State whether CRS ever reported the felony convictions of Timothy M. Doty to the Commission at any time prior to June 22, 2006 (the date on which CRS responded to the Enforcement Bureau's letter of inquiry in connection with its investigation of CRS in Case File No. EB-06-IH-1362). If so, identify by whom and specify when and the method by which CRS reported such convictions to the