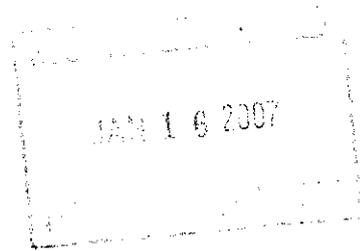


Indiana Community Radio Corp
15 Wood St
Greenfield IN 46140

FCC
Office Of Secretary
445 12th St SW
Washington DC 20554



Dear Madam,

Enclosed please find an original and copies of the following documents:

- 1) Supplement Petition For Reconsideration Dockets 06-77 and 05-17;
- 2) Motion to Correct Errors Docket 05-17;
- 3) Motion To Correct Errors Docket 06-77;
- 4) Motion To Strike Opposition to Petition 1 Dockets 05-17 06-77
- 5) Motion To Strike Opposition to Petition 2 Dockets 05-17 06-77
- 6) Opposition To Motion To Sever Docket 06-77

Jennifer Cox-Hensley
15 Wood St
Greenfield IN 46140

317 467 1064

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Before the
Federal Communications Commission
Washington D.C. 20554

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th St SW
Washington, D.C. 20554

In the matter of Docket 06-77
FM Table Of Allotments

Petition For Reconsideration Supplement

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of Channel 262 which meets with guidelines established by the Commission in it's streamlining Rulemaking.

FCC Allocations Bureau Chief Mark N. Lipp has opposed ICRC and has been allowed to participate with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. *Including this proceeding. Allowing Lipp to "Switch Sides" in a Rulemaking in which he represented the U.S. Government as an employee is a criminal act.* As such, ICRC opposes the finality of any decision as it was corrupt and in violation Of U.S. Code. It is anticipated the Department Of Justice will participate in the criminal portion of this matter. Docket 05-17 and Docket 06-77

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy and which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Commission Staff had approved the streamlining procedures prior to announcement of decisions in Docket 06-77 without considering that 06-77 was in opposition to the Decision it had planned to announce. Commission Staff improperly delayed the request first made by ICRC filed prior to the Rulemaking Request 06-77 but failed to act on the first filed request which ICRC discloses is tied to criminal actions by Commission Staff. The actions outlined are represented as criminal actions by U.S. Code.

Disclosure

Lifetime Ban on "Switching Sides." "...employees"..."are subject to a lifetime ban on "switching sides" on certain particular matters, that is, they are barred from ever representing a private party before or against the United States Government in relation to a "particular matter" involving "specific parties," such as a specific legal case, investigation, or contract, when the official had worked on that *same* matter involving those parties "personally and substantially" while in the employ of the Government. 18 U.S.C. § 207(a)(1). The lifetime prohibition is upon subsequent "representational" or "professional advocacy" types of activities, that is, where the former official makes "any communication or ... appearance" to or before the Government "with the intent to influence" the Government on the same matter on which the former official had personally and substantially worked for the Government while in its employ.

ICRC has provided the same information to Commission General Counsel related to acts by Commission Staff which are clearly unethical and violate Ethics Laws of the Commission and of

The United States Government. 18 U.S.C. § 207(a)(1).

ICRC has requested The Department of Justice and Congress investigate related to acts by Commission Staff which are clearly unethical and violate Ethics Laws of the Commission and of The United States Government. 18 U.S.C. § 207(a)(1).

Specifically : Mark N. Lipp is a former FCC Bureau Chief who made Decisions for the U.S. Government and the FCC related to changes in Laws of the U.S. Government as Allocations and FCC Rules are concerned. 18 U.S.C. § 207(a)(1).

As Lipp represented the U.S. Governemnt in establishing Law related to allocations he should have been permanently barred from any interation with Commission Staff representing another party in the same matters. This is a conflict of interest and 18 U.S.C. § 207(a)(1) is clear. This is a criminal act.

Despite this clear requirement for Lipp to be permanently barred in interacting in these matters Staff has allowed Lipp to represent third parties since leaving the Commission in which changes to the table of allotments have been changed in opposition to decisions and settled law made while Lipp was overseing the same matters. This is a criminal act.

Specific Allocations

Lipp represented the Commission in establishing Laws (The Table Of Allotments) that he now proposes to change for personal benefit in opposition to earlier decisions made on behalf of the Federal Government. Lipp switches sides in his allocation decisions. This is a criminal act.

Mark N. Lipp established the procedures used by the Federal Government in determining which allocations (Law - the Table of Allotments) were permissable and which were not. By being allowed to interact with Commission Staff in this process he is now arguing against Law he established while working for the Commission representing the Federal Government as a government employee. This is not a grey area. U.S. Code is clear. Lipp is switching sides and participating in a criminal act..

Mark N. Lipp was Bureau Chief of the Allocations Branch during the time that an allocation was placed in Versailles, Indiana. Lipp argued for the Commission that Versailles was a preferred location for the allocation as service was already provided to Brookville by what is now WIFE FM. Lipp was Bureau Chief when service was denied Brookville, IN and the Versailles allocation was established. This was based on Lipp's acceptance of Connersville IN serving Brookville IN.

Clearly, the decision and Law which Lipp argued and approved on behalf of the Federal Government is now being amended by Lipp's client and this is being argued by the person who made an earlier differing Law. Lipp has switched sides.

Lipp argued representing the Federal Government that WCNB-FM, now WIFE-FM would provide service to Brookville, Indiana. Service as defined by Congress and with Lipp overseeing specific Congressional requirements.

Lipp directed the Brookville allocation be placed in Versailles, Indiana to provide service.

Lipp has argued for and won removal of service from Connersville, IN (which also removes service from Brookville, IN) in Docket 05-17. Lipp as an insider and with friends on Commission Staff changed the allocation and opposed the ICRC proposal in violation of United States Code and Commission Staff allowed this. Are their palms being greased in the process? They have let every proposal Lipp has presented carry weight where Lipp should not even be allowed Lipp has switched sides and is using unduie influence.

Once service was removed from Connersville and Brookville which Lipp oversaw , with other

proposals being denied to replace service, Lipp was allowed to remove another allocation (by Changing Law - The Table of Allotments). Lipp removed the Versailles allocation he had established as a matter of Law when the Table of Allotments was amended to establish Versailles, Indiana.

Lipp's arguments and established Law which Lipp as a government employee representing Congress are being changed now that a client will pay Lipp to change them. This clear picture of two allocation changes amde by Lipp is the reason Attorney General Robert Kennedy pressed for Law which permanently bars employees of the Government from opposing Law they established while employees. Kennedy was concerned about criminal influence and both Rulemaking proceedings are evidence of the same criminal actions Kennedy pressed to avoid. 18 U.S.C. § 207(a)(1). The mere appearance of impropriety is passed in this case. Criminal contact to influence the Federal Government to make changes are demonstrated.

Mark N. Lipp is with the Law Firm of Wiley Reihn and Fielding which touts itself as a firm with the ability to work for their clients at the FCC. Lipp's resume' is clear and the prospectus that he can make allocations changes at the FCC to allow clients to move their FM stations is a clear picture of why Kennedy pressed to bar former employees from such practices.

Not only is Lipp of concern but using Lipp and his connections the firm of Wiley Reihn and Fielding is able to make things happen using fomer FCC employees who helped make changes in Law to subvert these changes for monetary gain. The current Commissioner is a fomer employee of Wiley Reihn and Fielding. Is this the reason the Commission is able to allow the firm to continue to subvert U.S. Code?

All allocation matters where Lipp has participated are violations of 18 U.S.C. § 207(a)(1). These are criminal violations. These proceedings should be reversed. Lipp should be held to the lifetime ban and work in another area of law where he made no changes to law, like personal injury.

All Commission matters where Wiley Reihn and Fielding have participated should be reversed. They should also be held to the lifetime ban.

Nothing short of complete reversal of decisions where Lipp and Wiley Reihn and Fielding have participated is acceptable. Once improper representations have been allowed nothing short of complete reversal of any improperly argued decision is acceptable.

In addition, reversal of modification of the ICRC proposal Lipp argued against with his Commission Staff subordinates should be modified and this will ultimately be upheld by a Federal Court as Lipp's involvement in reversal of allocations he oversaw clearly are switching sides by a government employee.

ICRC proposed in good faith to provide new service and advocated this service. ICRC could not compete with a former Commission employee with contacts in the same officie where the Decision would be made. In each specific case the criminal contact with Commission Staff by Lipp and his Law Firm are evidence of multiple contacts violating U.S. Code.

Lipp stored the allocation CIRC first requested, using his contacts and influence to use it for his client in another location. Crminal Negligence is demonstrated by the multiple criminally negligent contacts after Lipp switched sides.

Conclusion

18 U.S.C. § 207(a)(1) stands as a Federal Law Commission Staff has overlooked. This is a criminal matter now and exceeds the ability of the Commission as a civil court to resolve. The Connersville and Edinburgh, Hope, Versailles allocations are at best

"tainted". At worst this is a General Practice of Commission Action and would warrant on overhaul of the entire process as money is able to grease wheels and this has been clearly demonstrated in both proceedings. Any action made using Government employee Mark N. Lipp who has switched sides is both unethical and criminal.

Licensees using Lipp as a former Government employee were and are aware of his ability to interact with subordinates to grease their projects with cash to completion. As such, the licensees share responsibility.

Dockets 05-17 and 06-77 should be started from the beginning and the decisions made should be completely overturned as violations of 18 U.S.C. § 207(a)(1) have taken place with the involvement of FCC Bureau Chief Mark N. Lipp. An investigation into ethics violations should be conducted by Congress. This move will allow decisions which are not made by a "Kangaroo Court" to evidence ethical conduct at the Commission representing the "Public" and not the highest bidder.

Decisions 05-17 and 06-77 have been made in error and in violation of ethical laws established by 18 U.S.C. § 207(a)(1). Complete reversal as the outcome is totally and irrevocably tainted and unethical. If Commission Staff affirms it's previous criminally negligent decision it would still be tainted by the criminal contact of Government employee Mark N. Lipp. The outcome should be established by an independent third party, such as a Congressional Committee in a Congressional Investigation.

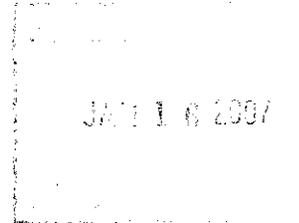
Respectfully submitted



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317-467-1064

Before the
Federal Communications Commission
Washington D.C. 20554

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th St SW
Washington, D.C. 20554



In the matter of Docket 06-77
FM Table Of Allotments

Motion To Correct Errors

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of the channel which meets with guidelines established by the Commission in it's streamlining Rulemaking.

Because the former FCC Allocations Bureau Chief Mark N. Lipp has opposed ICRC and has been allowed to participate with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. Including this proceeding. The violations which have taken place are criminal and not civil violations. It is anticipated the Department Of Justice will participate in the criminal portion of this matter.

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Commission Staff improperly delayed the request first made by ICRC filed prior to the Rulemaking Request 06-77 but failed to act on the first filed request which ICRC discloses is tied to criminal actions by Commission Staff. The actions outlined are represented as criminal actions by U.S. Code.

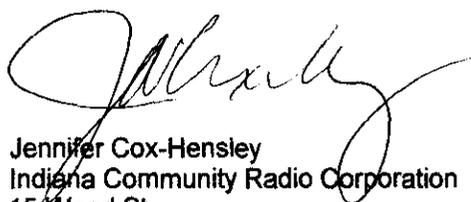
As the fruit or outcome of the Rulemaking Proceeding is predicated on criminal actions by Commission Staff Mark N. Lipp and current Commission Staff the outcome should be reversed. Lipp made decisions on Rulemaking Proceedings involving Connersville, IN and Versailles, IN and is now switching sides.

Reversing the outcome which Mark N. Lipp has supported and Granting the ICRC request would allow WIUX-LP to remain on air and would allow ICRC to remove interference to television Channel 6 WRTV and is in the Public Interest.

CONCLUSION

Mark N. Lipp is noted as switching sides to make changes to Law he established as a supervisor while a member of Commission Staff and Chief of the Allocations Branch at the FCC. His involvement has tainted the outcome and this action is noted as criminal. Staff should reverse their previous decision in which parties benefitted from the criminal acts of Mark N. Lipp and Commission Staff who cooperated with Lipp. 18 U.S.C. § 207(a)(1).

Respectfully submitted

A handwritten signature in black ink, appearing to read "J. Cox-Hensley", written over the printed name.

Jennifer Cox-Hensley
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Before the

7

Federal Communications Commission
Washington D.C. 20554

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th St SW
Washington, D.C. 20554

3-21-16 0307

In the matter of Docket 05-17
FM Table Of Allotments

Motion To Correct Errors

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of the channel which meets with guidelines established by the Commission in it's streamlining Rulemaking.

Because the former FCC Allocations Bureau Chief Mark N. Lipp has opposed ICRC and has been allowed to participate with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. Including this proceeding. The violations which have taken place are criminal violations.

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy and which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Lipp in Docket 06-77 specifically notes legal and technical defects related to 05-17 which he participated in and argued against related to ICRC but does not disclose his pertinent and supervisory work concerning Versailles IN or Connersville IN. Because Lipp does address technical and legal defects representing all parties ICRC asserts Commission Staff has evidence to support ICRC's Motion To Correct errors, if untimely, and can use the Filings by Lipp opposing ICRC in Docket 06-77 to support correcting errors in Docket 05-17. Because of his substantive and supervisory role in using the Connersville IN FM allocation to present no need for additional service in Brookville, IN which caused the service to be moved to Versailles, IN Lipp cannot ethically switch sides and support removal of the service or represent any party to reverse the service aspects of allocations which were Law and became Law while Lipp was a Commission Staff employee. Lipp has a lifetime ban in this matter and Commission Staff knew or should have known and not allowed Lipp to represent any party in this matter.

Because Lipp only now in Docket 06-77 relates the legal and technical defects and because ICRC has been able to determine Lipp's involvement this matter is timely and should be addressed.

Commission Staff used the legal representations and arguments of Lipp, a supervisor in the Allocations Branch, to the detriment of ICRC's request to upgrade it's translator service to keep local service in Connersville IN. As Lipp used Connersville service as a Commission employee to discredit service to Brookville IN citing Connersville IN service this action is criminal. Commission Staff did not even address keeping service in Connersville IN and we will never know what conversations took place between current Commission Staff and supervisor Lipp to keep this from being mentioned in Docket 05-17.

Commission Staff discredited ICRC's request for use of Channel 262 to remove interference based on arguments of Lipp and Ex parte presentations which we will nver know the scope and

nature of. That Lipp was able to reuse the allocation which ICRC may have used is evidence Lipp and Commission Staff saved the allocation for Lipp. Even after the removal of service from Connersville Commission Staff kept both the Connersville IN and Norwood Ohio allocations in the engineering database.

Commission Staff improperly delayed the requests first made by ICRC filed prior to the Rulemaking Request 06-77 but failed to act on the first filed request which ICRC discloses is tied to criminal actions by Lipp and Commission Staff. The actions outlined are represented as criminal actions by U.S. Code.

As the fruit or outcome of the Rulemaking Proceeding is predicated on criminal actions by Commission Staff Mark N. Lipp and current Commission Staff the outcome should be reversed and the ICRC requests honored. Lipp made decisions on Rulemaking Proceedings involving Connersville, IN , Brookville, IN and Versailles, IN and is now switching sides which is a criminal act. As Lipp was able to use his influence along with current Commission Staff to change the Table of Allotments which is Law by switching sides this is a criminal act.

The extent of the criminal action is unknown but ICRC filed requests which were timely to place new service in Connersville which was MXed with the Rulemaking and Commission Staff did not address these. The Report and Order was not only emotional but was clear that someone on Commission Staff didn't want to hear what was filed within the proceeding. We believe this is related to the criminal efforts of Lipp and conspirators on Commission Staff.

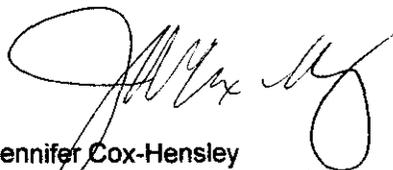
Alternatively, ICRC would request Commission Staff grant ICRC's requests to keep local service in Connersville, IN with it's current translator request which has received no action or comment despite being filed within Docket 05-17 and move WJCF on Channel 262A.

Reversing the outcome which Mark N. Lipp has supported and granting the ICRC request would allow WIUX-LP to remain on air and would allow ICRC to remove interference to television Channel 6 WRTV and is in the Public Interest.

CONCLUSION

Mark N. Lipp is noted as switching sides to make changes to Law he established as a supervisor while a member of Commission Staff and Chief of the Allocations Branch at the FCC. His involvement has tainted the outcome and this action is noted as criminal. Staff should reverse their previous decision in which parties benefitted from the criminal acts of Mark N. Lipp and Commission Staff who cooperated with Lipp. U.S.C. § 207(a)(1).

Respectfully submitted



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Federal Communications Commission
Washington D.C. 20554

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th St SW
Washington, D.C. 20554

In the matter of Docket 06-77 RM 11324 RM 11-11334
FM Table Of Allotments

Motion To Strike Opposition To Petition For Reconsideration 1

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of the channel which meets with guidelines established by the Commission in it's streamlining Rulemaking.

FCC Allocations Bureau Chief Mark N. Lipp representing Cumulus Licensing LLC and John Garziglia representing Newberry Broadcasting INC as well as Elizabethtown CBC Inc have joined in the matter of Docket 05-17 and 06-77. Parties have participated in criminal acts in violation of 18 U.S.C. § 207(a)(1). In this joining the parties rely on the influence of Mark N. Lipp with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. Commission Staff should immediately Strike the Opposition as it violates United States Code and is a criminal act,

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy and which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Lipp made decisions on Rulemaking Proceedings involving Connersville, IN and Versailles, IN and is now switching sides. Any filing submitted by the parties is tainted as Lipp has participated in violation of United States Code and Lipp is banned for life from participating in reversal of decisions made while he has employed by the Commission.

Lipp notes technical defects related to 05-17 but does not disclose his pertinent and supervisory work concerning Versailles IN or Connersville IN. Because Lipp does address technical and legal defects representing all parties ICRC asserts Commission Staff has evidence to support ICRC's Motion To Correct errors yet should Strike any supportive Issues presented by Lipp due to his lifetime ban on this matter.

Reversing the outcome which Mark N. Lipp has supported and granting the ICRC request would allow WIUX-LP to remain on air and would allow ICRC to remove interference to television Channel 6 WRTV and is in the Public Interest.

CONCLUSION

Mark N. Lipp is noted as switching sides to make changes to Law he established as a supervisor while a member of Commission Staff and Chief of the Allocations Branch at the FCC. His involvement has tainted the outcome and this action is noted as criminal. Staff should reverse their previous decision in which parties benefitted from the criminal acts of Mark N. Lipp and Commission

Staff who cooperated with Lipp. U.S.C. § 207(a)(1).

Respectfully submitted

A handwritten signature in black ink, appearing to read "Jennifer Cox-Hensley". The signature is fluid and cursive, with a large initial "J" and "C".

Jennifer Cox-Hensley
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Federal Communications Commission
Washington D.C. 20554

APR 16 2007

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
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In the matter of Docket 06-77 RM 11324 RM 11-11334
FM Table Of Allotments

Motion To Strike Opposition To Petition For Reconsideration 2

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of the channel which meets with guidelines established by the Commission in it's streamlining Rulemaking.

FCC Allocations Bureau Chief Mark N. Lipp representing Cumulus Licensing LLC and John Garziglia representing Newberry Broadcasting INC as well as Elizabethtown CBC Inc have joined in the matter of Docket 05-17 and 06-77. Parties have participated in criminal acts in violation of 18 U.S.C. § 207(a)(1). In this joining the parties rely on the influence of Mark N. Lipp with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. *Commission Staff should immediately Strike the Opposition as it violates United States Code and is a criminal act,*

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy and which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Lipp made decisions on Rulemaking Proceedings involving Connersville, IN and Versailles, IN and is now switching sides. Any filing submitted by the parties is tainted as Lipp has participated in violation of United States Code and Lipp is banned for life from participating in reversal of decisions made while he has employed by the Commission. The presentation of a "possible" frequency for WIUX is outside of the Rulemaking proceeding and : 1) attempts to make changes to the Rulemaking proceeding and stations affected outside of the proceeding and; 2) specifies an outcome for WIUX which is not guaranteed or noted within the proceeding. The argument is made that the Public has no grounds to comment but addresses the comments. This is unacceptable and not grounded in Law.

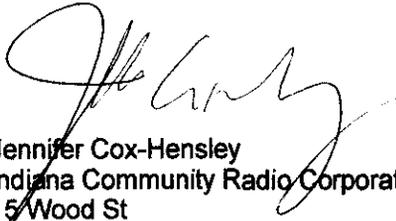
Reversing the outcome which Mark N. Lipp has supported and granting the ICRC request would allow WIUX-LP to remain on air and would allow ICRC to remove interference to television Channel 6 WRTV and is in the Public Interest.

CONCLUSION

Mark N. Lipp is noted as switching sides to make changes to Law he established as a supervisor while a member of Commission Staff and Chief of the Allocations Branch at the FCC. His involvement has tainted the outcome and this action is noted as criminal. Staff should reverse their previous decision in which parties benefitted from the criminal acts of Mark N. Lipp and Commission

15
Staff who cooperated with Lipp. U.S.C. § 207(a)(1).

Respectfully submitted



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Federal Communications Commission
Washington D.C. 20554

Marlene H. Dortch, Secretary
Federal Communications Commission
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445 12th St SW
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In the matter of Docket 06-77 RM 11324 RM 11-11334
FM Table Of Allotments

Opposition To Motion To Sever

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of the channel which meets with guidelines established by the Commission in it's streamlining Rulemaking.

FCC Allocations Bureau Chief Mark N. Lipp representing Cumulus Licensing LLC and John Garziglia representing Newberry Broadcasting INC as well as Elizabethtown CBC Inc have joined in the matter of Docket 05-17 and 06-77. Parties have participated in criminal acts in violation of 18 U.S.C. § 207(a)(1). In this joining the parties rely on the influence of Mark N. Lipp with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. *Commission Staff should immediately Strike the Motion to Sever as it violates United States Code and is a criminal act,*

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy and which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Lipp made decisions on Rulemaking Proceedings involving Connersville, IN and Versailles, IN and is now switching sides. Any filing submitted by the parties is tainted as Lipp has participated in violation of United States Code and Lipp is banned for life from participating in reversal of decisions made while he has employed by the Commission.

By Severing the proceedings the parties would benefit from criminal acts committed by Lipp. Commission Staff would be supporting criminal action.

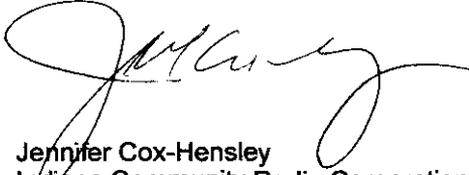
CONCLUSION

Mark N. Lipp is noted as switching sides to make changes to Law he established as a supervisor while a member of Commission Staff and Chief of the Allocations Branch at the FCC. His involvement has tainted the outcome and this action is noted as criminal. Staff should reverse their previous decision in which parties benefitted from the criminal acts of Mark N. Lipp and Commission Staff who cooperated with Lipp. U.S.C. § 207(a)(1).

Allowing the aprties to sever would be allowing the parties to benefit from criminal action which has been demonstrated. The rush to request this mater be severed is because each party and Commission Staff is aware of Lipp's previous acts and the violation of U.S. Code as it relates to allocations Lipp supervised while at the Commission which are now being changed.

In addition, the violation of market share control by Cumulus Broadcasting is at issue and has not been addressed.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Jennifer Cox-Hensley", written in a cursive style.

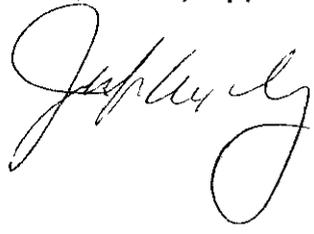
Jennifer Cox-Hensley
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15
JAN 9 2007

Certificate Of Service

I, Jennifer Cox-Hensley, certify I have on this 7th day of January 2007 mailed by first class mail, postage paid, copies of : 1) Supplement Petition For Reconsideration ; 2) Motion to Correct Errors Docket 05-17; 3) Motion To Correct Errors 06-77; 4) Motion To Strike Opposition to Petition 1 5) Motion To Strike Opposition to Petition 2; and 5) Opposition To Motion To Sever to the following :

Robert Hayne
Media Bureau



The Honorable Evan Bayh
United States Senate

FCC

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445 12th St SW
Washington DC 20554

Washington DC 20510

Teresa and James Noonan
618 S 11th St
Lafayette, IN 47905

Jeff Kuehl
107 1/2 E Main St
Greensburg, IN 47240

Lugar
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The Honorable Richard G.
United States Senate

Kevin F. Reed

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Cumulus Licensing

Elizabethtown CBC Inc Washington County CBC Inc Woodrorth

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Congressman Baron Hill
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Before the
Federal Communications Commission
Washington D.C. 20554

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In the matter of Docket 06-77
FM Table Of Allotments

Petition For Reconsideration Supplement

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of Channel 262 which meets with guidelines established by the Commission in it's streamlining Rulemaking.

FCC Allocations Bureau Chief Mark N. Lipp has opposed ICRC and has been allowed to participate with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. Including this proceeding. Allowing Lipp to "Switch Sides" in a Rulemaking in which he represented the U.S. Government as an employee is a criminal act. As such, ICRC opposes the finality of any decision as it was corrupt and in violation Of U.S. Code. It is anticipated the Department Of Justice will participate in the criminal portion of this matter. Docket 05-17 and Docket 06-77

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy and which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Commission Staff had approved the streamlining procedures prior to announcement of decisions in Docket 06-77 without considering that 06-77 was in opposition to the Decision it had planned to announce. Commission Staff improperly delayed the request first made by ICRC filed prior to the Rulemaking Request 06-77 but failed to act on the first filed request which ICRC discloses is tied to criminal actions by Commission Staff. The actions outlined are represented as criminal actions by U.S. Code.

Disclosure

Lifetime Ban on "Switching Sides." "...employees"..."are subject to a lifetime ban on "switching sides" on certain particular matters, that is, they are barred from ever representing a private party before or against the United States Government in relation to a "particular matter" involving "specific parties," such as a specific legal case, investigation, or contract, when the official had worked on that *same* matter involving those parties "personally and substantially" while in the employ of the Government. 18 U.S.C. § 207(a)(1). The lifetime prohibition is upon subsequent "representational" or "professional advocacy" types of activities, that is, where the former official makes "any communication or ... appearance" to or before the Government "with the intent to influence" the Government on the same matter on which the former official had personally and substantially worked for the Government while in its employ.

ICRC has provided the same information to Commission General Counsel related to acts by Commission Staff which are clearly unethical and violate Ethics Laws of the Commission and of

The United States Government. 18 U.S.C. § 207(a)(1).

ICRC has requested The Department of Justice and Congress investigate related to acts by Commission Staff which are clearly unethical and violate Ethics Laws of the Commission and of The United States Government. 18 U.S.C. § 207(a)(1).

Specifically : Mark N. Lipp is a former FCC Bureau Chief who made Decisions for the U.S. Government and the FCC related to changes in Laws of the U.S. Government as Allocations and FCC Rules are concerned. 18 U.S.C. § 207(a)(1).

As Lipp represented the U.S. Government in establishing Law related to allocations he should have been permanently barred from any interaction with Commission Staff representing another party in the same matters. This is a conflict of interest and 18 U.S.C. § 207(a)(1) is clear. This is a criminal act.

Despite this clear requirement for Lipp to be permanently barred in interacting in these matters Staff has allowed Lipp to represent third parties since leaving the Commission in which changes to the table of allotments have been changed in opposition to decisions and settled law made while Lipp was overseeing the same matters. This is a criminal act.

Specific Allocations

Lipp represented the Commission in establishing Laws (The Table Of Allotments) that he now proposes to change for personal benefit in opposition to earlier decisions made on behalf of the Federal Government. Lipp switches sides in his allocation decisions. This is a criminal act.

Mark N. Lipp established the procedures used by the Federal Government in determining which allocations (Law - the Table of Allotments) were permissible and which were not. By being allowed to interact with Commission Staff in this process he is now arguing against Law he established while working for the Commission representing the Federal Government as a government employee. This is not a grey area. U.S. Code is clear. Lipp is switching sides and participating in a criminal act.

Mark N. Lipp was Bureau Chief of the Allocations Branch during the time that an allocation was placed in Versailles, Indiana. Lipp argued for the Commission that Versailles was a preferred location for the allocation as service was already provided to Brookville by what is now WIFE FM. Lipp was Bureau Chief when service was denied Brookville, IN and the Versailles allocation was established. This was based on Lipp's acceptance of Connersville IN serving Brookville IN.

Clearly, the decision and Law which Lipp argued and approved on behalf of the Federal Government is now being amended by Lipp's client and this is being argued by the person who made an earlier differing Law. Lipp has switched sides.

Lipp argued representing the Federal Government that WCNB-FM, now WIFE-FM would provide service to Brookville, Indiana. Service as defined by Congress and with Lipp overseeing specific Congressional requirements.

Lipp directed the Brookville allocation be placed in Versailles, Indiana to provide service.

Lipp has argued for and won removal of service from Connersville, IN (which also removes service from Brookville, IN) in Docket 05-17. Lipp as an insider and with friends on Commission Staff changed the allocation and opposed the ICRC proposal in violation of United States Code and Commission Staff allowed this. Are their palms being greased in the process? They have let every proposal Lipp has presented carry weight where Lipp should not even be allowed Lipp has switched sides and is using undue influence.

Once service was removed from Connersville and Brookville which Lipp oversaw , with other

proposals being denied to replace service, Lipp was allowed to remove another allocation (by Changing Law - The Table of Allotments). Lipp removed the Versailles allocation he had established as a matter of Law when the Table of Allotments was amended to establish Versailles, Indiana.

Lipp's arguments and established Law which Lipp as a government employee representing Congress are being changed now that a client will pay Lipp to change them. This clear picture of two allocation changes made by Lipp is the reason Attorney General Robert Kennedy pressed for Law which permanently bars employees of the Government from opposing Law they established while employees. Kennedy was concerned about criminal influence and both Rulemaking proceedings are evidence of the same criminal actions Kennedy pressed to avoid. 18 U.S.C. § 207(a)(1). The mere appearance of impropriety is passed in this case. Criminal contact to influence the Federal Government to make changes are demonstrated.

Mark N. Lipp is with the Law Firm of Wiley Reihn and Fielding which touts itself as a firm with the ability to work for their clients at the FCC. Lipp's resume' is clear and the prospectus that he can make allocations changes at the FCC to allow clients to move their FM stations is a clear picture of why Kennedy pressed to bar former employees from such practices.

Not only is Lipp of concern but using Lipp and his connections the firm of Wiley Reihn and Fielding is able to make things happen using former FCC employees who helped make changes in Law to subvert these changes for monetary gain. The current Commissioner is a former employee of Wiley Reihn and Fielding. Is this the reason the Commission is able to allow the firm to continue to subvert U.S. Code?

All allocation matters where Lipp has participated are violations of 18 U.S.C. § 207(a)(1). These are criminal violations. These proceedings should be reversed. Lipp should be held to the lifetime ban and work in another area of law where he made no changes to law, like personal injury.

All Commission matters where Wiley Reihn and Fielding have participated should be reversed. They should also be held to the lifetime ban.

Nothing short of complete reversal of decisions where Lipp and Wiley Reihn and Fielding have participated is acceptable. Once improper representations have been allowed nothing short of complete reversal of any improperly argued decision is acceptable.

In addition, reversal of modification of the ICRC proposal Lipp argued against with his Commission Staff subordinates should be modified and this will ultimately be upheld by a Federal Court as Lipp's involvement in reversal of allocations he oversaw clearly are switching sides by a government employee.

ICRC proposed in good faith to provide new service and advocated this service. ICRC could not compete with a former Commission employee with contacts in the same office where the Decision would be made. In each specific case the criminal contact with Commission Staff by Lipp and his Law Firm are evidence of multiple contacts violating U.S. Code.

Lipp stored the allocation CIRC first requested, using his contacts and influence to use it for his client in another location. Criminal Negligence is demonstrated by the multiple criminally negligent contacts after Lipp switched sides.

Conclusion

18 U.S.C. § 207(a)(1) stands as a Federal Law Commission Staff has overlooked. This is a criminal matter now and exceeds the ability of the Commission as a civil court to resolve. The Connersville and Edinburgh, Hope, Versailles allocations are at best

"tainted". At worst this is a General Practice of Commission Action and would warrant on overhaul of the entire process as money is able to grease wheels and this has been clearly demonstrated in both proceedings. Any action made using Government employee Mark N. Lipp who has switched sides is both unethical and criminal.

Licensees using Lipp as a former Government employee were and are aware of his ability to interact with subordinates to grease their projects with cash to completion. As such, the licensees share responsibility.

Dockets 05-17 and 06-77 should be started from the beginning and the decisions made should be completely overturned as violations of 18 U.S.C. § 207(a)(1) have taken place with the involvement of FCC Bureau Chief Mark N. Lipp. An investigation into ethics violations should be conducted by Congress. This move will allow decisions which are not made by a "Kangaroo Court" to evidence ethical conduct at the Commission representing the "Public" and not the highest bidder.

Decisions 05-17 and 06-77 have been made in error and in violation of ethical laws established by 18 U.S.C. § 207(a)(1). Complete reversal as the outcome is totally and irrevocably tainted and unethical. If Commission Staff affirms it's previous criminally negligent decision it would still be tainted by the criminal contact of Government employee Mark N. Lipp. The outcome should be established by an independent third party, such as a Congressional Committee in a Congressional Investigation.

Respectfully submitted



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Washington D.C. 20554

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In the matter of Docket 06-77
FM Table Of Allotments

Motion To Correct Errors

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of the channel which meets with guidelines established by the Commission in it's streamlining Rulemaking.

Because the former FCC Allocations Bureau Chief Mark N. Lipp has opposed ICRC and has been allowed to participate with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. Including this proceeding. The violations which have taken place are criminal and not civil violations. It is anticipated the Department Of Justice will participate in the criminal portion of this matter.

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Commission Staff improperly delayed the request first made by ICRC filed prior to the Rulemaking Request 06-77 but failed to act on the first filed request which ICRC discloses is tied to criminal actions by Commission Staff. The actions outlined are represented as criminal actions by U.S. Code.

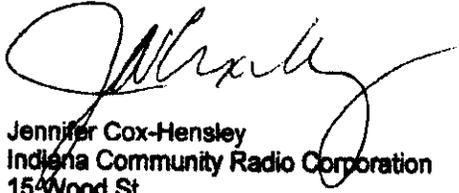
As the fruit or outcome of the Rulemaking Proceeding is predicated on criminal actions by Commission Staff Mark N. Lipp and current Commission Staff the outcome should be reversed. Lipp made decisions on Rulemaking Proceedings involving Connersville, IN and Versailles, IN and is now switching sides.

Reversing the outcome which Mark N. Lipp has supported and Granting the ICRC request would allow WIUX-LP to remain on air and would allow ICRC to remove interference to television Channel 6 WRTV and is in the Public Interest.

CONCLUSION

Mark N. Lipp is noted as switching sides to make changes to Law he established as a supervisor while a member of Commission Staff and Chief of the Allocations Branch at the FCC. His involvement has tainted the outcome and this action is noted as criminal. Staff should reverse their previous decision in which parties benefitted from the criminal acts of Mark N. Lipp and Commission Staff who cooperated with Lipp. 18 U.S.C. § 207(a)(1).

Respectfully submitted



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In the matter of Docket 05-17
FM Table Of Allotments

Motion To Correct Errors

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of the channel which meets with guidelines established by the Commission in it's streamlining Rulemaking.

Because the former FCC Allocations Bureau Chief Mark N. Lipp has opposed ICRC and has been allowed to participate with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. Including this proceeding. The violations which have taken place are criminal violations.

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy and which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Lipp in Docket 06-77 specifically notes legal and technical defects related to 05-17 which he participated in and argued against related to ICRC but does not disclose his pertinent and supervisory work concerning Versailles IN or Connersville IN. Because Lipp does address technical and legal defects representing all parties ICRC asserts Commission Staff has evidence to support ICRC's Motion To Correct errors, if untimely, and can use the Filings by Lipp opposing ICRC in Docket 06-77 to support correcting errors in Docket 05-17. Because of his substantive and supervisory role in using the Connersville IN FM allocation to present no need for additional service in Brookville, IN which caused the service to be moved to Versailles, IN Lipp cannot ethically switch sides and support removal of the service or represent any party to reverse the service aspects of allocations which were Law and became Law while Lipp was a Commission Staff employee. Lipp has a lifetime ban in this matter and Commission Staff knew or should have known and not allowed Lipp to represent any party in this matter.

Because Lipp only now in Docket 06-77 relates the legal and technical defects and because ICRC has been able to determine Lipp's involvement this matter is timely and should be addressed.

Commission Staff used the legal representations and arguments of Lipp, a supervisor in the Allocations Branch, to the detriment of ICRC's request to upgrade it's translator service to keep local service in Connersville IN. As Lipp used Connersville service as a Commission employee to discredit service to Brookville IN citing Connersville IN service this action is criminal. Commission Staff did not even address keeping service in Connersville IN and we will never know what conversations took place between current Commission Staff and supervisor Lipp to keep this from being mentioned in Docket 05-17.

Commission Staff discredited ICRC's request for use of Channel 262 to remove interference based on arguments of Lipp and Ex parte presentations which we will never know the scope and

nature of. That Lipp was able to reuse the allocation which ICRC may have used is evidence Lipp and Commission Staff saved the allocation for Lipp. Even after the removal of service from Connersville Commission Staff kept both the Connersville IN and Norwood Ohio allocations in the engineering database.

Commission Staff improperly delayed the requests first made by ICRC filed prior to the Rulemaking Request 06-77 but failed to act on the first filed request which ICRC discloses is tied to criminal actions by Lipp and Commission Staff. The actions outlined are represented as criminal actions by U.S. Code.

As the fruit or outcome of the Rulemaking Proceeding is predicated on criminal actions by Commission Staff Mark N. Lipp and current Commission Staff the outcome should be reversed and the ICRC requests honored. Lipp made decisions on Rulemaking Proceedings involving Connersville, IN , Brookville, IN and Versailles, IN and is now switching sides which is a criminal act. As Lipp was able to use his influence along with current Commission Staff to change the Table of Allotments which is Law by switching sides this is a criminal act.

The extent of the criminal action is unknown but ICRC filed requests which were timely to place new service in Connersville which was MXed with the Rulemaking and Commission Staff did not address these. The Report and Order was not only emotional but was clear that someone on Commission Staff didn't want to hear what was filed within the proceeding. We believe this is related to the criminal efforts of Lipp and conspirators on Commission Staff.

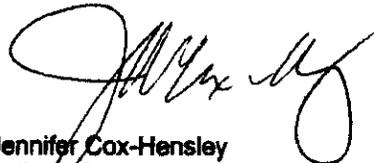
Alternatively, ICRC would request Commission Staff grant ICRC's requests to keep local service in Connersville, IN with it's current translator request which has received no action or comment despite being filed within Docket 05-17 and move WJCF on Channel 262A.

Reversing the outcome which Mark N. Lipp has supported and granting the ICRC request would allow WIUX-LP to remain on air and would allow ICRC to remove interference to television Channel 6 WRTV and is in the Public Interest.

CONCLUSION

Mark N. Lipp is noted as switching sides to make changes to Law he established as a supervisor while a member of Commission Staff and Chief of the Allocations Branch at the FCC. His involvement has tainted the outcome and this action is noted as criminal. Staff should reverse their previous decision in which parties benefitted from the criminal acts of Mark N. Lipp and Commission Staff who cooperated with Lipp. U.S.C. § 207(a)(1).

Respectfully submitted



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In the matter of Docket 06-77 RM 11324 RM 11-11334
FM Table Of Allotments

Motion To Strike Opposition To Petition For Reconsideration 1

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of the channel which meets with guidelines established by the Commission in it's streamlining Rulemaking.

FCC Allocations Bureau Chief Mark N. Lipp representing Cumulus Licensing LLC and John Garziglia representing Newberry Broadcasting INC as well as Elizabethtown CBC Inc have joined in the matter of Docket 05-17 and 06-77. Parties have participated in criminal acts in violation of 18 U.S.C. § 207(a)(1). In this joining the parties rely on the influence of Mark N. Lipp with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. *Commission Staff should immediately Strike the Opposition as it violates United States Code and is a criminal act,*

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy and which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Lipp made decisions on Rulemaking Proceedings involving Connersville, IN and Versailles, IN and is now switching sides. Any filing submitted by the parties is tainted as Lipp has participated in violation of United States Code and Lipp is banned for life from participating in reversal of decisions made while he has employed by the Commission.

Lipp notes technical defects related to 05-17 but does not disclose his pertinent and supervisory work concerning Versailles IN or Connersville IN. Because Lipp does address technical and legal defects representing all parties ICRC asserts Commission Staff has evidence to support ICRC's Motion To Correct errors yet should Strike any supportive Issues presented by Lipp due to his lifetime ban on this matter.

Reversing the outcome which Mark N. Lipp has supported and granting the ICRC request would allow WIUX-LP to remain on air and would allow ICRC to remove interference to television Channel 6 WRTV and is in the Public Interest.

CONCLUSION

Mark N. Lipp is noted as switching sides to make changes to Law he established as a supervisor while a member of Commission Staff and Chief of the Allocations Branch at the FCC. His involvement has tainted the outcome and this action is noted as criminal. Staff should reverse their previous decision in which parties benefitted from the criminal acts of Mark N. Lipp and Commission

Staff who cooperated with Lipp. U.S.C. § 207(a)(1).

Respectfully submitted

A handwritten signature in black ink, appearing to read "Jennifer Cox-Hensley". The signature is fluid and cursive, with the first name being the most prominent.

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In the matter of Docket 06-77 RM 11324 RM 11-11334
FM Table Of Allotments

Motion To Strike Opposition To Petition For Reconsideration 2

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of the channel which meets with guidelines established by the Commission in it's streamlining Rulemaking.

FCC Allocations Bureau Chief Mark N. Lipp representing Cumulus Licensing LLC and John Garziglia representing Newberry Broadcasting INC as well as Elizabethtown CBC Inc have joined in the matter of Docket 05-17 and 06-77. Parties have participated in criminal acts in violation of 18 U.S.C. § 207(a)(1). In this joining the parties rely on the influence of Mark N. Lipp with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. *Commission Staff should immediately Strike the Opposition as it violates United States Code and is a criminal act.*

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy and which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Lipp made decisions on Rulemaking Proceedings involving Connersville, IN and Versailles, IN and is now switching sides. Any filing submitted by the parties is tainted as Lipp has participated in violation of United States Code and Lipp is banned for life from participating in reversal of decisions made while he has employed by the Commission. The presentation of a "possible" frequency for WIUX is outside of the Rulemaking proceeding and : 1) attempts to make changes to the Rulemaking proceeding and stations affected outside of the proceeding and; 2) specifies an outcome for WIUX which is not guaranteed or noted within the proceeding. The argument is made that the Public has no grounds to comment but addresses the comments. This is unacceptable and not grounded in Law.

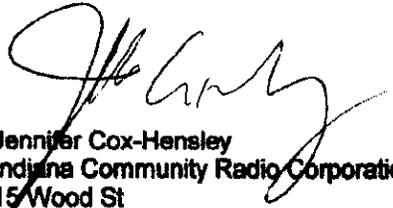
Reversing the outcome which Mark N. Lipp has supported and granting the ICRC request would allow WIUX-LP to remain on air and would allow ICRC to remove interference to television Channel 6 WRTV and is in the Public Interest.

CONCLUSION

Mark N. Lipp is noted as switching sides to make changes to Law he established as a supervisor while a member of Commission Staff and Chief of the Allocations Branch at the FCC. His involvement has tainted the outcome and this action is noted as criminal. Staff should reverse their previous decision in which parties benefitted from the criminal acts of Mark N. Lipp and Commission

15
Staff who cooperated with Lipp. U.S.C. § 207(a)(1).

Respectfully submitted



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In the matter of Docket 06-77 RM 11324 RM 11-11334
FM Table Of Allotments

Opposition To Motion To Sever

Comes now Indiana Community Radio Corporation (ICRC), who has previously petitioned for use of CH 262A at Morristown, IN. (Docket 05-17) ICRC claims first request for usage of the channel which meets with guidelines established by the Commission in it's streamlining Rulemaking.

FCC Allocations Bureau Chief Mark N. Lipp representing Cumulus Licensing LLC and John Garziglia representing Newberry Broadcasting INC as well as Elizabethtown CBC Inc have joined in the matter of Docket 05-17 and 06-77. Parties have participated in criminal acts in violation of 18 U.S.C. § 207(a)(1). In this joining the parties rely on the influence of Mark N. Lipp with former subordinates in violation of 18 U.S.C. § 207(a)(1). Each proceeding in which Mark N. Lipp has participated should be reversed *ab initio*. *Commission Staff should immediately Strike the Motion to Sever as it violates United States Code and is a criminal act,*

Regardless of any time limits or procedures which would otherwise apply, Commission Staff has violated ethical Rules established by Attorney General Robert Kennedy and which have been well established and in place for decades. 18 U.S.C. § 207(a)(1).

Lipp made decisions on Rulemaking Proceedings involving Connerville, IN and Versailles, IN and is now switching sides. Any filing submitted by the parties is tainted as Lipp has participated in violation of United States Code and Lipp is banned for life from participating in reversal of decisions made while he has employed by the Commission.

By Severing the proceedings the parties would benefit from criminal acts committed by Lipp. Commission Staff would be supporting criminal action.

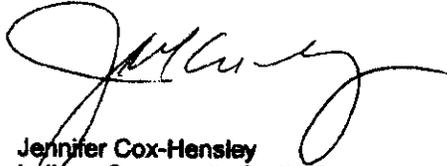
CONCLUSION

Mark N. Lipp is noted as switching sides to make changes to Law he established as a supervisor while a member of Commission Staff and Chief of the Allocations Branch at the FCC. His involvement has tainted the outcome and this action is noted as criminal. Staff should reverse their previous decision in which parties benefitted from the criminal acts of Mark N. Lipp and Commission Staff who cooperated with Lipp. U.S.C. § 207(a)(1).

Allowing the aptries to sever would be allowing the parties to benefit from criminal action which has been demonstrated. The rush to request this mater be severed is because each party and Commission Staff is aware of Lipp's previous acts and the violation of U.S. Code as it relates to allocations Lipp supervised while at the Commission which are now being changed.

In addition, the violation of market share control by Cumulus Broadcasting is at issue and has not been addressed.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Jennifer Cox-Hensley', with a large, sweeping flourish extending to the right.

Jennifer Cox-Hensley
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Certificate Of Service

I, Jennifer Cox-Hensley, certify I have on this 7th day of January 2007 mailed by first class mail, postage paid, copies of : 1) Supplement Petition For Reconsideration ; 2) Motion to Correct Errors Docket 05-17; 3) Motion To Correct Errors 06-77; 4) Motion To Strike Opposition to Petition 1 5) Motion To Strike Opposition to Petition 2; and 5) Opposition To Motion To Sever to the following :

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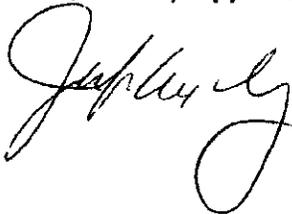
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