

FILED/ACCEPTED

APR 17 2007

Federal Communications Commission  
Office of the Secretary

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

In the Matter of	)	
	)	
<b>COMMERCIAL RADIO SERVICE, INC.</b>	)	<b>EB DOCKET NO. 06-168</b>
	)	
Licensee of Private Land Mobile Stations	)	File No. EB-06-IH-I362
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	)	
	)	
<b>TIMOTHY M. DOTY</b>	)	
	)	
Licensee of General Radiotelephone Operator	)	
License PG1814366; and Amateur Radio	)	
Operator and Licensee of Amateur Radio	)	
Station WB9MDC, West Terre Haute, Indiana	)	

To: Administrative Law Judge  
Arthur I. Steinberg

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List A B C D E

**JOINT REQUEST**  
**FOR APPROVAL OF SETTLEMENT AGREEMENT**

1. The Enforcement Bureau, Commercial Radio Service, Inc. ("CRS"), and Timothy M. Doty (collectively, the "Parties"), herby hereby jointly request approval of **the** proposed Settlement Agreement being submitted simultaneously herewith under separate cover<sup>1</sup> and termination of this proceeding. In support whereof, the following is shown

<sup>1</sup> The proposed Settlement Agreement is being submitted under separate cover accompanied by a joint motion that it be kept under seal until approved.

2. The Commission commenced this hearing proceeding on August 30, 2006.<sup>2</sup> In its Show Cause Order, the Commission directed the Presiding Judge to determine, among other things, whether the above-captioned licenses held by CRS and/or Timothy M. Doty should be revoked on issues relating to the apparent failure by CRS to disclose in various license applications the felony convictions of one of its two principals, Timothy M. Doty. Thereafter, CRS and Timothy M. Doty timely filed their respective notices of appearance, and the Bureau commenced discovery. Subsequently, in a telephone conference held on October 20, 2006, the Parties informed the Presiding Judge that they were engaged in settlement discussions which would eliminate the need for hearing in this proceeding. At the Parties' request, the Presiding Judge cancelled the Prehearing Conference scheduled for October 24, 2006, and stayed the deadline for responding to the Bureau's discovery requests.<sup>3</sup> The Presiding Judge granted further stays on November 22, 2006, and January 11, 2007.<sup>4</sup>

3. The Parties represent that a settlement in this case, if approved by the Presiding Judge, would obviate the need for a protracted hearing, thereby conserving valuable public and private resources. The Parties believe that the proposed Settlement Agreement provides for a fair and equitable resolution of the captioned proceeding and is therefore in the public interest. In addition, the terms and conditions of the Settlement Agreement are such that the concerns raised by the Commission in its Show Cause Order will, as a practical matter, be substantially resolved.

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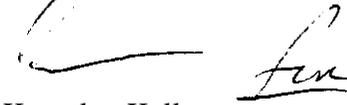
<sup>2</sup> *Commercial Radio Service, Inc.*, Order *to* Show Cause, FCC 06-128 (rel. Aug. 30, 2006) ("Show Cause Order").

<sup>3</sup> See *Commercial Radio Service, Inc.*, Order, FCC 06M-35 (ALJ, rel. Oct. 24, 2006).

4. Accordingly, the Parties respectfully request the Presiding Judge to issue an order approving the Settlement Agreement and terminating the instant proceeding. CRS and Timothy M. Doty, by their respective counsel, represent that they have read this Joint Request for Approval of Settlement Agreement, concur with the representations therein, and have authorized the undersigned to file this Joint Request for Approval of Settlement Agreement on their behalf.

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

April 17, 2007

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<sup>4</sup> See *Commercial Radio Service, Inc.*, Order, FCC 06M-38 (ALJ, rel. November 22, 2006) and *Commercial Radio Service, Inc.*, Order, FCC 07M-03 (ALJ, rel. January 11, 2007).

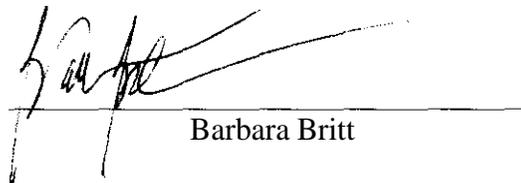
**CERTIFICATE OF SERVICE**

Barbara Britt, a Paralegal Specialist in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 17<sup>th</sup> day of April 2007, sent by first class United States mail copies of the foregoing "Joint Request for Approval of Settlement Agreement" to:

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

\* Hand-Delivered