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PM 9/17/98
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From: "Joseph D'Alessandro" <jdman@magpage.com>
To: A4.A4 (FCCINFO)
Date: 9/16/98 12:04pm
Subject: ?

Dear Senators, and Congressman:

Check Out New Web Page, Still Under Construction,
Congressman Bonior First ON Web Page

http://members.tripod.com/~joey_dee/index.html

Mr. D'Alessandro
POWER 89 FM

RECEIVED

SEP 17 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Cut FCC You Cut Taxes

STOP FCC FROM SPENDING OUR TAX DOLLARS>

Congress needs to make cuts at the FCC they spend Millions Chaseing Micro Radio Operators, Who Are Legal, the Courts are, finally comming to understand the FCC's rules and Regulations are UN-CONSTITUTIONAL.

PASS LPFM BROADCAST SERVICE, The FCC IS STALLING:

1.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,
Case number 97-CV-73527

v.
Honorable Julian Abele Cook, Jr.

ANY AND ALL RADIO STATION
TRANSMISSION EQUIPMENT, et al., LOCATED
AT 2903 BENT OAK HIGHWAY, ADRIAN,
MICHIGAN,
Defendant,

RICK STRAWCUTTER,

Claimant.

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ORDER

On June 9, 1998 the Plaintiff, the United States of America (the Government), filed a motion for a summary judgement under Fed.R.Civ.P.56 in this in rem asset forfeiture action that had been filed pursuant to the Communications Act of 1934 (Communications Act), (*1) as amended, 47 U.S.C. Sec. 157-614. For the reasons that will be set forth below, the Governments motion is denied and this cause of action is dismissed without prejudice.

2.Subject: Prayze FM Beats FCC in Round One

According to WFSB TV 3 in Hartford Prayze FM 105.3 in Bloomfield, CT has won a round in court vs. the FCC.

The FCC claims that Prayze FM could interfere with the nearest adjacent stations which are WIHS FM 104.9 3,100 erp 315 feet HAAT and WHCN FM 105.9 16,000 watts and 867 feet HAAT. Both antennas are at least 20 miles south of the Prayze FM location and it is difficult to believe that a station of only 90 watts can interfere with these much larger more distant stations. In fact I tune in frequently and find that each station comes in fine. Apparently the federal judge didn't buy this malarkey either and denied the FCC the ruling they requested to shut down Prayze FM.