

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
AUBURN NETWORK, INC.) MB Docket No. 21-20
WANI(AM), Opelika, AL) Facility ID No. 63796
WGZZ(FM), Waverly, AL) Facility ID No. 15283
W242AX(FX), Auburn, AL) Facility ID No. 146140
W254AY(FX), Auburn, AL) Facility ID No. 138347
W294AR(FX), Auburn, AL) Facility ID No. 14119
WHBD-LD, Auburn, AL) Facility ID No. 185816
Application for Original Construction Permit) File No. BNPFT-20180327ABZ
NEW(FX), Auburn, AL) Facility ID No. 201389

ORDER SUMMARIZING INITIAL STATUS CONFERENCE

Issued: March 17, 2021

Released: March 17, 2021

Appearances: M. Scott Johnson, Esq., and Arthur V. Belendiuk, Esq., Smithwick and Belendiuk, P.C., on behalf of Auburn Network, Inc.; Pamela S. Kane, Esq., and Anya Baez, Esq., on behalf of the Enforcement Bureau, Federal Communications Commission.

This Order summarizes the initial status conference conducted in the above-captioned matter on March 16, 2021.1 The purpose of the initial status conference was to establish a schedule for discovery and hearing. Pursuant to the order designating this matter for hearing, this proceeding is to be conducted based on a written record pursuant to sections 1.371 through 1.377 of the Commission’s rules, 47 C.F.R. §§ 1.371 – 1.377.2 The procedural schedule established during the prehearing conference is as follows:

Deadline for Completion of Discovery May 14, 2021
Affirmative Case Due June 28, 2021

1 See Order, FCC 21M-01, released March 2, 2021.

2 Auburn Network, Inc., Hearing Designation Order, Order to Show Cause and Notice of Opportunity for Hearing, MB Docket No. 21-20, DA 21-79 (rel. Feb. 11, 2021).

Responsive Case Due	August 12, 2021
Reply to Responsive Case Due	August 31, 2021
Deadline to Request Oral Hearing	September 14, 2021
Deadline to File Motion to Accept Additional Pleadings ³	September 14, 2021

IT IS ORDERED that the procedural schedule stated herein is adopted.

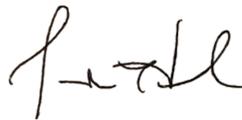
IT IS FURTHER ORDERED that rulings requested of the Presiding Judge seeking to resolve disputes encountered during the discovery phase of this proceeding shall include a certification that the parties made a good-faith effort to resolve the conflict but have reached an impasse.

IT IS FURTHER ORDERED that all written submissions in this proceeding shall be filed using the Commission’s Electronic Comment Filing System (ECFS) by 11:59 PM EST on the filing date.

IT IS FURTHER ORDERED that that parties shall serve filings on each other via electronic mail whenever possible.⁴

IT IS FURTHER ORDERED that all parties are reminded that they are expected to be fully cognizant of Part 1 of the Commission's rules concerning Practice and Procedure, 47 CFR Part 1, Subparts A and B.

FEDERAL COMMUNICATIONS COMMISSION



Jane Hinckley Halprin
Administrative Law Judge

³ Subsequent pleadings, including surreplies, briefs, and proposed findings of fact/conclusions of law, are not permitted by the Commission’s Rules except in the discretion of the Presiding Officer. The Presiding Judge will consider entertaining further pleadings after the Affirmative Case, the Responsive Case, and the Reply Case are filed.

⁴ Courtesy copies of motions, pleadings, and other submissions that do not exceed twenty-five (25) pages in length are to be emailed to the Office of Administrative Law Judges at Jane.Halprin@fcc.gov and JohnB.Adams@fcc.gov.