

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

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In the Matter of	)	MM Docket No. 96-123
	)	
FAMILY BROADCASTING, INC.	)	File No. BRH-951204YE
	)	
For Renewal of License	)	
for Station WSTX(FM)	)	
Christiansted, Virgin Islands	)	

O R D E R

Adopted: November 7, 1996 ; Released: November 12, 1996

By the Deputy General Counsel:

1. This Order reopens the record for further hearings in this proceeding on issues specified in the Hearing Designation Order, 11 FCC Rcd 6647 (MMB, ASD 1996), to determine, inter alia, whether Family Broadcasting, Inc., has the capability and intent to expeditiously resume the broadcast operations of WSTX(FM) and whether it has violated 47 C.F.R. §§ 73.1740 and 73.1750. That order further directed Family to submit an environmental assessment concerning any resumption of broadcast service, as well as responses to Section II, Items 4 (Alien Ownership) and 5 (Character Qualifications) of FCC Form 303-S. It should also be noted that, aside from the questions designated for hearing concerning the renewal of Family's license, that license will expire by operation of law, pursuant to 47 U.S.C. § 312(g), if it fails to transmit broadcast signals during any portion of the consecutive 12-month period following the February 8, 1996 effective date of the Telecommunications Act of 1996.<sup>1</sup>

2. By his Order, FCC 96-213 (ALJ September 13, 1996), the ALJ granted a motion filed by the Mass Media Bureau to dismiss Family's renewal application for failure to prosecute. The ALJ found that Family had failed to submit the required environmental impact information or its responses to Section II, Items 4 and 5, and that Family had made no response to the Bureau's motion seeking dismissal of Family's renewal application. For these reasons, the ALJ concluded that Family had failed to prosecute its application and that Family's renewal application should be dismissed.

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<sup>1</sup> Pub. L. No. 104-104, 110 Stat. 56 (1996).