

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

FCC 16M-04  
10525

|   |   |                        |
|---|---|------------------------|
| In the Matter of  | ) | EB Docket No. 03-152   |
|   | ) |                        |
| <b>WILLIAM L. ZAWILA</b>  | ) | Facility ID No. 72672  |
|   | ) |                        |
| Permitted of FM Station KNGS,<br>Coalinga, California               | ) |                        |
|   | ) |                        |
| <b>AVENAL EDUCATIONAL SERVICES, INC.</b>                            | ) | Facility ID No. 3365   |
|   | ) |                        |
| Permittee of FM Station KAAX<br>Avenal, California                  | ) |                        |
|   | ) |                        |
| <b>CENTRAL VALLEY EDUCATIONAL<br/>SERVICES, INC.</b>                | ) | Facility ID No. 9993   |
|   | ) |                        |
| Permittee of FM Station KAJP,<br>Firebaugh, California              | ) |                        |
|   | ) |                        |
| <b>H. L. CHARLES D/B/A FORD CITY<br/>BROADCASTING</b>               | ) | Facility ID No. 22030  |
|   | ) |                        |
| Permittee of FM Station KZPE,<br>Ford City, California              | ) |                        |
|   | ) |                        |
| <b>LINDA WARE D/B/A LINDSAY<br/>BROADCASTING</b>                    | ) | Facility ID No. 37725  |
|   | ) |                        |
| Licensee of FM Station KZPO,<br>Lindsay, California                 | ) |                        |
|   | ) |                        |
| In re Application of  | ) |                        |
|   | ) |                        |
| <b>WESTERN PACIFIC BROADCASTING, INC.</b>                           | ) | File No. BR-19970804YJ |
|   | ) | Facility ID No. 71936  |
| For Renewal of License for AM Station KKFO,<br>Coalinga, California | ) |                        |

**ORDER**

**Issued:** February 24, 2016

**Released:** February 24, 2016

This is a ruling on Requests to Attend Conference set for February 24, 2016, by speakerphone.<sup>1</sup> The Enforcement Bureau filed Opposition to both requests on February 12, 2016.

The Bureau makes argument that there are five separate parties “which have disputed ownership and complex incorporation issues”. Both Mr. Zawila and Mr. Couzens “purport to represent Avenal and Central Valley.” Therefore, the Bureau believes that “this case is too complicated to address via teleconference.” The Presiding Judge agrees with the Bureau’s assessment, and notes that such complication is further aggravated where, as here, two attorneys are bickering over representation. Further, it would challenge any adjudicator to conduct a status conference by speakerphone where two opposing lawyers are claiming to represent the same clients. The Presiding Judge attempted once to hold such a conference in this case and experienced great difficulty in reducing what had transpired to a comprehensive written Order.<sup>2</sup>

Two months’ written notice of the February 24 status conference was given to all parties and counsel on December 23, 2015.<sup>3</sup> Because of confusion and previous experience in the first teleconference, counsel were alerted that the February 24<sup>th</sup> conference would be transcribed. If the recorder is to transcribe a teleconference, even using state of the art machinery, the reporter will have difficulties identifying who is speaking at any given time. Obviously, this runs the real risk of creating an inaccurate or at least a confusing transcript. Government funds are scarce at the FCC and should not be squandered on an inferior transcript when both counsel are healthy and able to appear in person.<sup>4</sup>

The Requests to Attend Conference set for February 24, 2016 and reset for March 22, 2016, by Speakerphone are denied.

SO ORDERED.

FEDERAL COMMUNICATIONS COMMISSION<sup>5</sup>



Richard L. Sippel  
Chief Administrative Law Judge

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<sup>1</sup> See request to Attend Hearing [sic] by Speakerphone filed by Michael Couzens on February 10, 2016, and a similar request to Attend Status Conference by Speakerphone filed by William Zawila on February 11, 2016.

<sup>2</sup> See unrecorded teleconference conducted on June 3, 2015 and ensuing *Order* FCC 15M-21, released June 4, 2015, which could not capture in the narrative remarks of non-government counsel, generously peppered with sarcasms. That one experience was enough to convince the finder of fact that sufficient control of the case would require only future in-person status conferences.

<sup>3</sup> See *Order* FCC 15M-33, released December 23, 2015.

<sup>4</sup> Counsel must be aware that outstanding discovery issues are set forth in *Order* FCC 15M-33 at 7, released December 23, 2015, for which the non-government parties are delinquent. See Enforcement Bureau’s Motion to Compel filed February 17, 2016, *Passim*. The next Status Conference set for March 22, 2016, might be avoided, in part or in whole, if Messrs. Zawila and Couzens do their homework and satisfactorily complete delinquent discovery.

<sup>5</sup> Courtesy copies of this Order were e-mailed to Mr. Couzens and faxed to Mr. Zawila.