

Posted

LAW OFFICES
HALEY BADER & POTTS P.L.C.
4350 NORTH FAIRFAX DR., SUITE 900
ARLINGTON, VIRGINIA 22203-1633
TELEPHONE (703) 841-0606
FAX (703) 841-2345
E-MAIL: haleybp@haleybp.com

DUPLICATE COPY

RECEIVED
AUG 14 1997

August 14, 1997

OUR FILE NO.

JOHN M. PELKEY
ADMITTED IN VA AND D.C.

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

0020-102-63

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20559

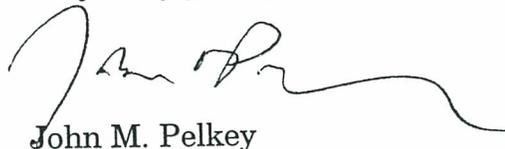
Re: Carter Broadcasting Corporation
Petition to Deny
FCC File Nos. BRFT-970530XI,
BRFT-970530XJ, BRFT-970530XK,
BRFT-970530XL, BRFT-970530XM
BRFT-970530XN, BRFT-970530XO,
BRFT-970530XP, BRFT-970530XQ,
BRFT-970530XR, BRFT-970530XS
and BRFT-970611WC

Dear Mr. Caton:

Transmitted herewith on behalf of Carter Broadcasting Corporation are an original and four copies of a Petition to Deny in connection with the above-referenced applications.

Kindly communicate any questions concerning this matter directly to this office.

Very truly yours,



John M. Pelkey

JMPapp
Enclosures

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

In the Matter of:	)	File Nos.
	)	BRFT - 970530XI
	)	BRFT - 970530XJ
Harvest Broadcasting Association	)	BRFT - 970530XK
	)	BRFT - 970530XL
Applications for Renewal	)	BRFT - 970530XM
of Translator Licenses	)	BRFT - 970530XN
W249AW; W265AM; W261CB;	)	BRFT - 970530XO
W257AU; W288AN; W288AZ;	)	BRFT - 970530XP
W240AM; W240AL;W228AU	)	BRFT - 970530XQ
W261CE; W232AJ	)	BRFT - 970530XR
	)	BRFT - 970530XS
Brian Dodge	)	BRFT - 970611WC
)	
Application for Renewal)	
of Translator License)	
W240AK)	

To: Chief, Mass Media Bureau

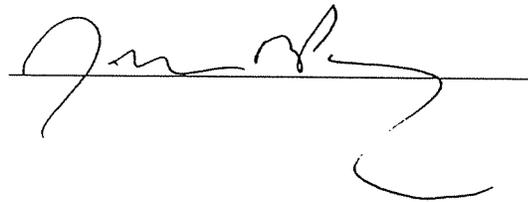
Petition to Deny

On June 18, 1997, Carter Broadcasting Corporation ("Carter Broadcasting") filed a Complaint and Request for Investigation (the "Complaint") wherein it requested that the Commission commence an investigation of the activities of Harvest Broadcasting Association ("HBA") and HBA principal Brian A. Dodge to determine the fitness of HBA and Mr. Dodge to be Commission licensees. For the reasons stated in that Complaint, and the Supplement thereto being filed concurrently herewith, the Commission should deny the above-referenced renewals.

Carter Broadcasting demonstrated in its Complaint and Supplement, both of which are hereby incorporated by reference, that Mr. Dodge is the *alter ego* of HBA and that both HBA and he have engaged in a course of conduct of willful violations of the Commission's rules. As a result, HBA does not possess the requisite character qualifications to be a Commission licensee and the renewal applications for the above-referenced applications should be denied. The requisite declarations supporting the factual statements made in the Complaint and the Supplement are attached to those documents. Carter Broadcasting's demonstration of standing, which is based on the direct harm being inflicted on Carter Broadcasting by HBA's and Mr. Dodge's conduct, is also set forth in the Complaint.

Respectfully submitted,

CARTER BROADCASTING CORPORATION

A handwritten signature in black ink, appearing to be "J. M. Potts", written over a horizontal line. The signature is stylized and cursive.

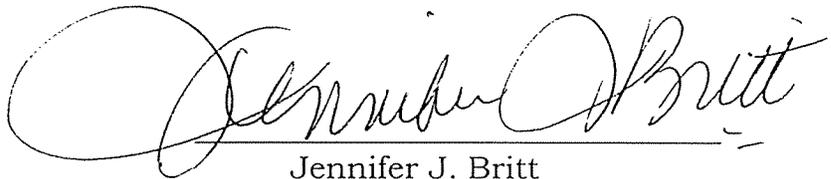
HALEY, BADER & POTTS
Suite 900
4350 North Fairfax Drive
Arlington, VA 22203-1633
703/841-0606
August 14, 1997

CERTIFICATE OF SERVICE

The undersigned, an employee of Haley, Bader & Potts, hereby certifies that the foregoing document was mailed this date by First Class U.S. Mail, postage prepaid, or was hand-delivered*, to the following:

Mr. Brian Dodge
93 Landmark Drive
Apartment E-3
Brattleboro, VT 05301

Ms. Etta Dodge
Secretary
Harvest Broadcasting Association
93 Landmark Drive
Apartment E-3
Brattleboro, VT 05301



Jennifer J. Britt

August 14, 1997