

**DOCKET FILE COPY ORIGINAL**

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

06960

In the Matter of )  
 )  
**WILLIAM F. CROWELL** )  
 )  
 Application to Renew License for )  
 Amateur Radio Service Station W6WBJ )

WT Docket No. 08-20

FCC File No. 0002928684

MAILED  
 MAR 13 2008

FCC [unclear]

MEMORANDUM OPINION AND ORDER

Issued: March 10, 2008

Released: March 11, 2008

1. The Presiding Judge is in receipt of an original and six copies of "Applicant's Petition to Permit Him to Appear at All Pretrial Conferences by Speakerphone," signed on February 22, 2008, by William F. Crowell. Mr. Crowell mailed these documents to the Presiding Judge's office on February 23, 2008. On the Presiding Judge's own motion, Mr. Crowell's Petition will be dismissed; it has not been officially or properly filed with the Commission in accordance with Section 0.401 of the Commission's Rules. Suffice it to say, pleadings and other documents mailed to the Office of Administrative Law Judges, or to the Presiding Judge, are not considered to have been properly or officially "filed" with the Commission. Therefore, at the most, such pleadings may be treated as courtesy copies of the documents in question. In addition, it is not the function of the Office of Administrative Law Judges to file documents on behalf of parties. See Sections 0.151 and 0.341 of the Commission's Rules.<sup>1</sup>

2. Next, in a document dated February 28, 2008, Mr. Crowell submitted "Applicant's First Request for Production of Documents and Things for Inspection, Copying and Photographing to F.C.C. Enforcement Bureau." Therein, Mr. Crowell requests that the Enforcement Bureau produce copies of certain documents and letters that may be in its possession, custody or control. On the Presiding Judge's own motion, this document, too, will be dismissed. Section 1.325(a) of the Commission's Rules allows for the discovery and production of documents from any party "*except the Commission*" (italics added), and this reference to "the Commission" includes the Enforcement Bureau.

3. Finally, each pleading in a hearing proceeding must identify the individual or the party to whom it is directed. Pursuant to long standing Commission practice, this identification should be inserted between the caption of the proceeding and the title of the pleading. For example, pleadings directed to the Presiding Judge should be addressed as follows:

[Caption of the Proceeding]

To: Arthur I. Steinberg  
 Administrative Law Judge

[Title of Pleading]

<sup>1</sup> In this regard, it is noted that Mr. Crowell mailed to the Office of Administrative Law Judges' Administrative Officer an original and six copies of "Applicant's Written Appearance." As a *one-time-only* courtesy to Mr. Crowell, the Administrative Officer caused this document to be officially filed with the Commission. However, no such further accommodation of this nature will be made.

Similarly, pleadings directed to the Enforcement Bureau should be addressed as follows:

[Caption of the Proceeding]

To: Chief, Enforcement Bureau  
Federal Communications Commission

[Title of Pleading]

The failure to address pleadings in this manner may result in the document not being received by the intended recipient.

Accordingly, IT IS ORDERED that Applicant's Petition to Permit Him to Appear at All Pretrial Conferences by Speakerphone, signed on February 22, 2008, by William F. Crowell, IS DISMISSED.

IT IS FURTHER ORDERED that the Enforcement Bureau's Comments on Request to Participate via Speakerphone, filed on March 3, 2008, by the Enforcement Bureau, IS DISMISSED as moot.<sup>2</sup>

IT IS FURTHER ORDERED that Applicant's Motion, Directed to the Presiding Officer, The Honorable Arthur I. Steinberg, ALJ, to Strike the Enforcement Bureau's March 3, 2008 "Comments on Request to Participate by Speakerphone," signed on March 7, 2008, by William F. Crowell, IS DISMISSED as moot.

IT IS FURTHER ORDERED that Applicant's First Request for Production of Documents and Things for Inspection, Copying and Photographing to F.C.C. Enforcement Bureau, dated February 28, 2008, and submitted by William F. Crowell, IS DISMISSED.

IT IS FURTHER ORDERED that the Enforcement Bureau's Objection to First Request for Production of Documents, filed on March 7, 2008, by the Enforcement Bureau, IS DISMISSED as moot.

FEDERAL COMMUNICATIONS COMMISSION



Arthur I. Steinberg  
Administrative Law Judge

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<sup>2</sup> The Chief Administrative Law Judge, to whom this pleading was addressed, informally referred the pleading to the undersigned for action.