

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

In re Applications of
Evan Doss, Jr. Corporation (Assignor)
and
Eileen S. Bailey, Trustee (Assignee)
For Assignment of the Construction Permit of
Station WRTM-FM, Port Gibson, Mississippi
Eileen S. Bailey, Trustee (Assignor)
and
R&R Broadcasting, Inc. (Assignee)
For Assignment of the Construction Permit of
Station WRTM-FM, Port Gibson, Mississippi
Rainey Rob L.L.C (Assignor)
and
Dominant Communications Corp. (Assignee)
For Assignment of the Construction Permit of
Station WRTM-FM, Port Gibson, Mississippi
Dominant Communications Corp. (Assignor)
and
Commander Communications Corporation
(Assignee)
For Assignment of the Construction Permit of
Station WRTM-FM, Port Gibson, Mississippi

File No. BAPH-19970110GZ

File No. BAPH-19970728GI

File No. BAPH-19990125J5.

File No. BAPH-19990915ATJ

MEMORANDUM OPINION AND ORDER

Adopted: October 15, 2003

Released: October 23, 2003

By the Commission:

1. The Commission has before it a "Petition for Review" ("Petition") filed February 14, 2000, by Evan Doss, Jr. ("Doss"). Doss seeks review of a January 11, 2000, staff decision dismissing as

repetitious Doss' petition for reconsideration of the Commission's denial of his application for review in the above captioned proceedings.¹

2. The Petition is merely the latest in a voluminous series of Doss pleadings. Each challenges one or more of several assignments of WRTM-FM, formerly WVYE(FM), and WKPG(AM), Port Gibson, Mississippi, beginning with the involuntary assignment of the two stations' authorizations from Evan Doss Jr. Corporation to Eileen S. Bailey, Trustee. These issues have been fully considered by both the staff and Commission. We find that the Petition is repetitious and subject to dismissal pursuant to Section 1.106(b)(3) of the Commission's rules.² The Commission is not required to entertain frivolous, redundant pleadings. As the Court has noted, "the Commission need [not] allow the administrative process to be obstructed or overwhelmed by copious or purely obstructive protests."³ Moreover, our rules establish limits on a party's right to obtain review by this Commission on any particular matter.⁴ Accordingly, the staff action was proper.

3. We caution Mr. Doss that the submission of further pleadings to the Commission regarding the captioned applications to assign authorizations formerly held by the Evan Doss, Jr. Corporation, an entity controlled by Doss, will be subject to rigorous scrutiny under our abuse of process policies.⁵

4. Accordingly, IT IS ORDERED, That Doss' February 14, 2000, "Petition for Review" IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

¹ See *Rainey Rob L.L.C. and Dominant Communications Corp.* ("Rainey Rob"), 15 FCC Rcd 7188 (1999).

² See, e.g., *id.* at 7188.

³ *Office of Communication of the United Church of Christ v. Federal Communications Commission*, 359 F. 2d 994, 1005 (D.C. Cir. 1996).

⁴ See 47 C.F.R. § 1.115(g) (limiting reconsideration of Commission actions to matters involving changed circumstances or facts unknown to petitioner and which could not, through the exercise of ordinary diligence, have been learned previously); see also 47 C.F.R. § 1.106(b)(2) and (c).

⁵ See *R. Martin-Trigona*, 592 F. Supp. 1566, 1568 (D. Conn 1984); *Nationwide Communications, Inc.*, 13 FCC Rcd 5654 (1998); *Public Notice, Commission Taking Tough Measures Against Frivolous Pleadings*, 11 FCC Rcd 3030 (1996).