

**BENNETT  
LEADER**  
*Attorney at Law*

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July 28, 1997

Federal Communications Commission  
1919 M. Street N.W.  
Washington, D.C. 20554

RE: JAMES MOFFAT  
84 OLD ORCHARD LANE  
ORCHARD PARK, NY 14127

*Re: DA 97-1362  
file # 154-SAT-D-RZ-96*

RECEIVED

~~JUL 29~~  
4 31 PM '97

*Aug 1*  
PUBLIC SERVICE DIV.  
OMD-PIRS

Dear Sir/Madam:

My client has forwarded a copy of a letter addressed to you dated July 22, 1997 by the Town of Orchard Park.

My office was not involved in the filing of the Petition, so that I am unaware if a copy was forwarded to the Town of Orchard Park.

In any event, the reasons for the Town of Orchard Park refusing to grant the variance are set forth in the transcript which was forwarded to you.

Further, the Town of Orchard Park did institute a criminal proceeding against my client. Consequently, I would request that the commission deny the request of the Town of Orchard Park to enter a response.

Very truly yours,



BENNETT LEADER, ESQ.

BL:mmr

c: Mr. James Moffat