

**David R. Bates**  
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**Los Angeles, CA 90035**  
**310-552-7970**

March 23, 2005

Secretary  
Federal Communications Commission  
Washington, DC 20554

RE: Petition to remove LPTV application BNPTTL-20000831BFL from  
Auction 81, Group MX239

Ladies and Gentlemen:

As explained in the attached "Engineering Statement" the subject application was amended during the August 2001 settlement window to clear the conflicts with the other applications in this group.

I believe it is not necessary for my application to be in the auction as there is neither an incoming or outgoing conflict.

Please reclassify my application as a "singleton".

Respectfully submitted

s/s David R. Bates  
Applicant

**ENGINEERING STATEMENT IN SUPPORT OF THE  
PETITION OF DAVID R. BATES TO BE REMOVED  
FROM AUCTION 81, GROUP MX239**

Introduction

Application BNPTTL-20000831BFL has been included in MX239 in spite of the unilateral engineering changes filed in a settlement window to clear the conflicts with the other applications in this group.

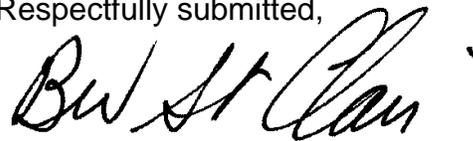
Incoming Interference:

The application contains a statement added in the August 2001 settlement window to the effect that the applicant will accept interference from the other applicants in this group. This statement appears when this application is viewed on CDBS. See paragraph #4, Conclusion.

Discussion

The applicant by unilateral changes and additions to the application during a settlement window has cleared both outgoing and incoming conflicts. Thus it should not be in an auction with the other applicants in MX239.

Respectfully submitted,



B. W. St. Clair  
Engineering Consultant  
March 23, 2005

**Exhibit 7**

**Description:** ENGINEERING EXHIBIT - INTERFERENCE ANALYSIS

ENGINEERING EXHIBIT - INTERFERENCE ANALYSIS

IN RE: APPLICATION FOR LOW POWER TELEVISION BROADCAST STATION CONSTRUCTION PERMIT, AUGUST, 2000 WINDOW, AUCTION NUMBER 81, ENGINEERING SOLUTION TO SEPARATE THIS APPLICATION FROM MUTUALLY EXCLUSIVE GROUP

1. INTRODUCTION

GROUP: M577

APPLICANT:

M577 TX 53 BRACKETVILLE      DAVID R. BATES      BNPTTL20000831BFL

CONFLICTING APPLICATIONS HAVING ONE OR MORE OVERLAPPING PROTECTED/INTERFERING CONTOURS PER PUBLIC NOTICE DA-0129:

M577 TX 53 QUEMADO      WILLIAM GERMANO      BNPTTL20000831CBW

2. DISCUSSION

1. IT IS NOTED THAT OFFSET OF GERMANO APPLICATION BNPTTL20000831CBW HAS BEEN CHANGED FROM MINUS TO ZERO OFFSET TO MINIMIZE INTERFERENCE BETWEEN THE TWO APPLICATIONS.

2. ALTHOUGH THERE REMAIN ONE OR MORE OVERLAPPING PROTECTED V. INTERFERING CONTOURS BETWEEN THIS APPLICATION AND OTHER APPLICATIONS AS SHOWN BELOW, ALL WERE SUBJECTED TO AN ANALYSIS OF POTENTIAL INTERFERENCE WHICH INCLUDES A LONGLEY-RICE STUDY IN ACCORDANCE WITH OET BULLETIN 69 OF THE ACTUAL PREDICTED INTERFERENCE, INCOMING AND OUTGOING, BETWEEN THIS APPLICATION AND THE IDENTIFIED CONFLICTING APPLICATIONS WITHIN THE SAME AUCTION GROUP. THE FINDINGS ARE SHOWN BELOW.

3. ANALYSIS

INTERFERENCE CAUSED BY THE APPLICANT'S PROPOSED FACILITY TO

M577 TX 53 QUEMADO      WILLIAM GERMANO      BNPTTL20000831CBW

...0.000

INTERFERENCE CAUSED BY THE FOLLOWING APPLICATIONS TO THE APPLICANT'S PROPOSED FACILITY IS SHOWN FOLLOWING:

M577 TX 53 QUEMADO      WILLIAM GERMANO      BNPTTL20000831CBW

...21.193

IF APPLICABLE, THE LONGLEY-RICE STUDY PRINTOUT IS SHOWN IN ITEM #5 BELOW.

4. CONCLUSION

NO INTERFERENCE OR INTERFERENCE TO ZERO PERSONS PER OET BULLETIN 69 IS CAUSED TO PROPOSAL BNPTTL20000831CBW SHOWN ABOVE WHEN THE LONGLEY-RICE STUDY IS USED AS PART OF THE APPLICATION. A NOMINAL AMOUNT OF INTERFERENCE IS SHOWN INCOMING TO THIS APPLICATION BNPTTL20000831BFL. THIS INTERFERENCE IS ACCEPTABLE TO THE APPLICANT. THUS, THIS APPLICATION IS NO LONGER MUTUALLY EXCLUSIVE WITH ANY OTHER IN ITS AUCTION GROUP. ACCORDINGLY, IT IS REQUESTED THAT IT BE REMOVED FROM THE GROUP AND ALLOWED TO PROCEED FORTHWITH TO THE PERMITTING PROCESS.