Avelino Moreia & Cathy M.
c/o MS Communications, LLC
9911 W. Pico Blvd., 8th Floor
Los Angeles, CA 90035
310-552-7970

March 23, 2005

Secretary
Federal Communications Commission
Washington, DC 20554

RE: Petition to remove LPTV application BNPTTL-20000831AIK from Auction 81, Group MX246

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 Avelino Moreia
Applicant

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B. W. St. Clair

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ENGINEERING STATEMENT IN SUPPORT OF THE
PETITON OF AVELINO MOREIA & CATHY M.
TO BE REMOVED
FROM AUCTION 81, GROUP MX246

Introduction

Application BNPTTL-20000831AIK has been included in MX246 in spite of
the unilateral engineering changes filed in a settlement window to clear the
conflicts with the other applications in this group.

Outgoing Interference
Outgoing interference was analyzed and was determined to be of no
significance. A copy of the page with this statement as it appears in CDBS
is attached See paragraph #2, Discussion.

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 MX246.

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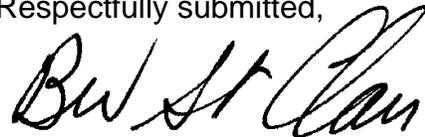
B. W. St. Clair
Engineering Consultant
March 23, 2005

Exhibit 1
Description: SECTION III, EXHIBIT 6, M583

THIS APPLICATION MODIFICATION PROVIDES AN EXHIBIT CONTAINING ADDITIONAL
INTERFERENCE STUDY INFORMATION RESPONSIVE TO QUESTION 13 IN THE TECH
SECTION IN ORDER TO ALLOW IT TO BE REMOVED FROM AUCTION GROUP M575,
AUCTION 81 AND TREATED AS A 'SINGLETON' APPLICATION.

Attachment 1

Exhibit 6
Description: ENGINEERING EXHIBIT - INTERFERENCE ANALYSIS

ENGINEERING EXHIBIT - INTERFERENCE ANALYSIS
IN RE: APPLICATION FOR LOW POWER TELEVISION BROADCAST STATION LICENSE,
AUGUST, 2000 WINDOW
AUCTION NUMBER 81, ENGINEERING SOLUTION TO SEPARATE THIS APPLICATION
FROM MUTUALLY EXCLUSIVE GROUP

1. INTRODUCTION
GROUP: M583
APPLICANT:
M583 TX 58 COMSTOCK   AVELINO MOREIA & CATHY M BNPTTL20000831AIK

CONFLICTING APPLICATIONS HAVING ONE OR MORE OVERLAPPING
PROTECTED/INTERFERING CONTOURS PER PUBLIC NOTICE DA-0129:
M583 TX 57 COMSTOCK   TROY TUMM   BNPTTL20000831AGD

2. DISCUSSION
ALTHOUGH THERE ARE 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
M583 TX 57 COMSTOCK   TROY TUMM   BNPTTL20000831AGD
...NONE.

INTERFERENCE CAUSED BY THE FOLLOWING APPLICATIONS TO THE APPLICANT'S
PROPOSED FACILITY IS SHOWN FOLLOWING:
M583 TX 57 COMSTOCK   TROY TUMM   BNPTTL20000831AGD
...NONE.

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 THE APPLICANT'S PROPOSAL OR THE OTHER PROPOSALS SHOWN ABOVE
WHEN THE LONGLEY-RICE STUDY IS USED AS PART OF THE APPLICATION. IN THE

EVENT INTERFERENCE WERE TO BE SHOWN INCOMING TO THE APPLICANT, IT IS BELIEVED TO BE INSIGNIFICANT AND 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.