March 23, 2005

Secretary
Federal Communications Commission
Washington, DC 20554

RE: Petition to remove LPTV application BNPTT-20000831COF from Auction 81, Group MX210

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/sDavid Yardley
County Clerk
ENGINEERING STATEMENT IN SUPPORT OF THE PETITION OF IRON COUNTY TO BE REMOVED FROM AUCTION 81, GROUP MX210

Introduction
Application BNPTT-20000831COF has been included in MX210 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 amendment was filed on 8/23/2001. 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 MX210.

Respectfully submitted,

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

Exhibit 1
Description: SECTION III, EXHIBIT 6, M193

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 THE AUCTION GROUP M193, AUCTION 81 AND TREATED AS A SINGLETON APPLICATION.

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: M193
APPLICANT: M193 UT 39 BRIAN HEAD
IRON COUNTY
BNPTT20000831COF

CONFLICTING APPLICATIONS HAVING ONE OR MORE OVERLAPPING PROTECTED INTERFERING CONTOURS PER PUBLIC NOTICE DA-0129:
M193 NV 39 MESQUITE
R & D MEDIA GROUP, INC./BNPTTL20000831EAY - WITHDRAWN

2. DISCUSSION

ALTHOUGH THERE ARE ONE OR MORE OVERLAPPING PROTECTED V. INTERFERING CONTOURS BETWEEN THIS APPLICATION AND OTHER APPLICATIONS AS SHOWN ABOVE, THE APPLICATIONS 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:

M193 NV 3º MESQUITE R & D MEDIA GROUP, INC./ BNPTTI.20000831EAY-WITHDRAWN
...

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.

THERE HAS BEEN NO PAYMENT OR OTHER CONSIDERATION PROVIDED BY EITHER PARTY IN
CONNECTION WITH THIS ENGINEERING SOLUTION AND/OR WITHDRAWAL.

...END OF EXHIBIT